

## VOC Charter (English)

Written by Administrator



# A TRANSLATION OF THE CHARTER OF THE DUTCH EAST INDIA COMPANY (VERENIGDE OOSTINDISCHE COMPAGNIE or VOC):

Peter Reynders, Translator

Rupert Gerritsen, Editor

© Peter Reynders, Rupert Gerritsen, Australasian Hydrographic Society

Published by:

Australia on the Map Division of the Australasian Hydrographic Society

2009

PO Box 8145

Australian National University

Canberra

ACT 2601

## A TRANSLATION OF THE CHARTER OF THE DUTCH EAST INDIA COMPANY (VERENIGDE OOSTINDISCHE COMPAGNIE or VOC): GRANTED BY THE STATES GENERAL OF THE UNITED NETHERLANDS, 20 MARCH 1602 <sup>1,2</sup>

The States General of the United Netherlands salute all those who will be shown this.

We let it be known that as the prosperity of the United Netherlands is principally a result of our mercantile trade and commerce that has undergone praiseworthy increases from time to time and that the Netherlands have been involved therewith since the distant past, not only with neighbouring kingdoms and regions, but also with those located further away than these, in Europe, Asia and Africa.

Over the past decade several prominent merchants from the abovementioned countries commenced praiseworthy shipping trade and commerce with the East Indies. These followers of the mercantile trade and commerce in foreign lands have, at great cost, effort and difficulties, founded a company in the City of Amsterdam, a commendable shipping enterprise trading in the East Indies. Shortly after that a company was set up and this was found to be most worthwhile, a number of other merchants including from Zeeland and from along the Meuse as well as from the Northquarter and West Friesland founded similar companies and immediately joined the shipping trade and commerce mentioned above.

This was considered by us, the States General, and given due weight in recognising how much importance to the united provinces and the good residents thereof was thereto attached that this shipping trade and commerce be maintained and allowed to increase through application of an appropriate general organisation of its policy, our mutual relations and administration.

The Directors of the abovementioned companies were thence invited to consult with us and propose that these companies be united and would therein participate, as it would not only be of service and profitable for the united provinces, but also for all who had commenced this commendable trade. Through the creation of a fixed, secure and orderly entity they will be bonded together, managed and expanded for the good of all the residents of the united provinces who would like to participate in it.

The representatives from the abovementioned companies understood this well and after they came to agree through various discussions, explanatory sessions, and reports, we have, after having conducted due deliberations taking into consideration the progress, service and welfare of the united provinces, jointly succeeded in bringing about a union.

We have also approved and confirmed this on the basis of our sovereign power and authority, applying our balanced understanding. The points, privileges and advantages are declared as follows:

Firstly, that in equipping for the service and the advantage of this Company, the Chamber of Directors in the City of Amsterdam will have to advance and deliver one half of the investment, the Chamber of Zeeland a quarter, and the Chambers of the Meuse and of North Holland and West Friesland one-eighth each.

As often as would be needed a general meeting or Board consisting of the abovementioned Chambers shall be held comprising seventeen persons. Therein the Chamber of Amsterdam shall appear with eight, Zeeland with four, two from the

Meuse Chamber, and two from North Holland, provided that the seventeenth person will be nominated in turns by Chambers of Zeeland, the Meuse and North Holland, shall be elected by a majority of votes. All business of this United Company shall be taken care of by these persons.

Whenever the abovementioned Board meets, it shall determine when the equipping of ships will occur and how many, where they shall be sent and other matters relating to the trade.

The respective Chambers of Amsterdam, Zeeland, the Meuse and North Holland shall implement the resolutions of the said Board.

The convening and meetings of the abovementioned Board shall take place in Amsterdam for the first six years, and for the two subsequent years in Zeeland, and so on.

During this period if the Directors that serve the United Company need to journey from home in order to meet as representatives of the aforementioned Board or on other business as well to carry out other duties, they shall have a daily expense allowance for food of four guilders per day, in addition to the cost of barge or wagon. This is on the understanding that those persons who travel from one city to the other in their role as Directors in order to visit the respective Chambers, shall be excluded from such recompense, and will receive neither daily allowance nor reimbursement of travel costs.

Should it occur that the Board members are unable to reach agreement on business of considerable importance, or are concerned about overruling each other in regard to this, then such matters shall be deferred and forwarded for our consideration and determination. Any resulting approvals shall be duly followed and acted upon.

This United Company shall commence operations in the year of 1602, and shall continue for a period of twenty-one consecutive years provided that there is a general audit every ten years.<sup>3</sup> After ten years anyone may depart the Company and take his capital with him on the understanding that in respect to the current equipping and those ships that will sail that year, there shall be an extraordinary audit.

The participants of the second accounts shall be responsible for and shall pay half, or less as reasonably determined by the Board of Seventeen, of the investment that shall have been paid by the shareholders in respect of the first account relating to the East Indies or beyond the Straits of Magellan where this Company will have been trading, and which will be to the profit and advantage of the shareholders involved in the second accounts.

Where the next scheduled voyage is concerned, if any participant who does not wish to be part of this union and wants their investment back or wants to cancel their pledged amount, they shall be permitted to do so provided that interest is paid of at least 7.5% of the pledged amount.

All of the residents of these United Provinces shall be allowed to participate in this Company and to do so with as little or as great an amount of money as they choose. Should it occur that there are more moneys offered than are needed for the voyage, those who have more than 30,000 guilders in the Company will have to decrease their capital pro rata in order to make place for others.

Within the month that follows, the residents of this land shall be informed of these developments by means of public posters posted in those places where they are usually posted, from the first of April next, that they will be admitted into this Company with an investment that may be paid in three instalments one month after being invoiced by the directors, that is, about one-third for the equipping in the year 1603, another third for the investment of the year 1604, and the remaining third for outgoing ships in the year 1605.

The same announcement shall be made in the month of March prior to the end of the first eleven years of this licence; that is, in the year 1612.

Ships upon returning from their voyage shall return to the harbour that they sailed out from. And those ships and their goods that have left from one quarter and because of bad fortune of weather or wind have been forced to land in another, such as those that sailed from Amsterdam or from the Northern Quarter and landed in Zeeland, or from the Meuse or from Zeeland that have landed in Holland, shall be retained by and under the management and administration of the Chamber from which they departed.

One condition for this is that the Directors of each Chamber shall be obliged to be personally present at the place where the ships and their merchandise have arrived. They shall not be allowed to appoint any agents, but in the event that they would not be able to make the journey themselves, they shall commit the Directors of the Chamber where the ships have arrived to carry out their administration.

Should one Chamber or another have received spices or other merchandise from the Indies, and other Chambers have none or have not yet received any, the Chamber that has been stocked up, shall supply the other Chambers according to its ability and send them the merchandise, and more should they have again sold out, if so requested.

The accounts concerning the crew and equipment of the ships and all that is related to this shall have been recorded three months after the ships have sailed out. One month after that a copy shall be sent to the respective Chambers and the same statement of the return voyage shall be sent to each Chamber, whenever requested to do so. The accounts from these voyages shall be closed as soon as is feasible, whilst the general accounts after the ten year period shall be made public through pasting of posters announcing it to anyone who wishes to be present during the auditing of the accounts.

The Chambers shall be required to provide those Provinces or cities whose inhabitants have invested 50,000 guilders or more, whenever the return cargo arrives, with a statement listing the goods received, and what the state the cargo is in. And what the proceeds received from sale of the merchandise are shall also be provided to the Provinces or cities, when they request this.

Should any Province wish to appoint an agent to collect moneys from the inhabitants of the province to invest the collected sum in question as part of the overall sum invested and to effect payment from the proceeds of the return voyage, the Chamber where such an agent brings in such moneys must admit the agent to its premises. The agent shall then have the right to be informed of expenditure and returns, including what credits and debts are due with the administration, provided that the investment brought in by the abovementioned agent shall amount to a sum of 50,000 guilders or more.

As soon as 5% of a return cargo has been cashed shall it be distributed to the participants.

The respective chambers shall be managed by the present Directors, namely:

The Chamber of Amsterdam by Gerrit Pieterszoon Bicker, Reynier Adriaenszoon Pauw, Pieter Dirxszoon Hasselaer, Jaques de Velaer, Johan Jansszoon Kaerel, Bernard Berrewijns, Johan Poppen, Hans Hunger, Hendrik Corneliszoon Buyk, Louis

de le Beeque, Dirck van Os, François van Hove, Elbert Lucaszoon Helmer, Isaac Le Maire, Syvert Pieterszoon Sem, Gerard Reynst, Marcus de Vogelaer, Johan Hermanszoon, Geurt Dirxszoon van Beuningen, Huybert Wachtmans, Leonaert Raey, Albert Symonszoon Joncheyn, and Arent ten Grotenhuys.

The Chamber of Zeeland by Adriaen Hendrickszoon ten Haeff, Jacob Boreel, Johan Lambrechtszoon Coolen, Jacob Pieters de Waert, Cornelis Munickx, Adriaen Bommenée, Laurens Bacx, Everart Becker, Arnoult le Clerq, Arnout Verhoeve, Geraerd van Schoonhoven, Nicolaes Pieterzoon, Bathazar van Vlierden and Balthasar de Moucheron.

The Chamber of Delft by Johan Janszoon Lodesteyn, Arent Jacobszoon Lodensteyn Dirck Bruynsssen van der Dussen, Gerrit Dirxszoon Meerman, Cornelis Adriaenszoon Bogaert, Michiel Janszoon Sasbout, Willem Joosten Dedel, Dirck Gerritszoon Meerman, Johan Raet, Jacob Sanderszoon Balbaen, Hendrick Otte and Jasper Meerman.

The Chamber of Rotterdam by Fop Pieterszoon van der Meyden, Willem Janszoon Franck, Gerrit Huygenzoon, Pieter Lenartszoon Busch, Johan van der Veken, Willem Janszoon van Loon, Johan Jacobszoon Mus, Adriaen Spierinck and Cornelis Matelieff de Jonge.

The Chamber of Hoorn by Claes Jacobszoon Sijms, Cornelis Corneliszoon Veen, Willem Pieterszoon Krap, Pieter Janszoon Liorne.

The Chamber of Enkhuysen by Lucas Gerritszoon, Willem Corneliszoon de Jong, Johan Pieterszoon Scram, Hendrik Gruytter, Johan Laurenszoon van Loosen, Dirck Dirxszoon Pelser, Gijsbrecht van Beerensteyn, Barthout Janszoon Steenhuysen, Jacob Jacobszoon Hinlopen, François du Gardijn, en Willem Brasser<sup>4</sup>

Should any of the abovementioned Directors pass away or otherwise not be able to carry out his duties, his place must remain vacant and nobody else appointed to be substituted for the deceased or fill the vacancy until the number of persons in the respective Chambers had reached to the following numbers:

The Chamber of Amsterdam at 20 persons,

that of Zeeland at 12 persons,

that of Delft at 7,

that of Rotterdam at 7,

that of Enkhuysen also 7,

and that of Hoorn: likewise 7

But if somebody from the prescribed numbers dies or his position becomes vacant for any other reason, then the remaining directors of any Chamber where this occurred, shall within the time of two or an absolute maximum of three months, propose the names of three suitable and qualified persons to the Gentlemen of the Provincial States in which the Board is located, or to those that they answer. They shall elect one person of those three to replace the deceased or the person whose seat has otherwise become vacant in accordance with the relevant regulation.

The Directors shall solemnly swear an oath on their honour and faith that they shall carry out the administration properly and honestly, keep good and honest accounts, and in collecting the moneys for the equipping and in the distribution of profits obtained from the return cargoes shall not favour the greater shareholders over the lesser ones.

Those who are subsequently chosen to be Directors shall each stake in the Company at least 1,000 Flemish pounds, though the Directors at Hoorn and Enkhuysen may limit this to no less than 500 such pounds.

The Directors shall furthermore receive 1% commission of the costs of the outward journey and the same percentage of the profits obtained from the return cargoes, which they shall disburse as follows: half to the Chamber of Amsterdam, a quarter to the Chamber of Zeeland, and to the Chambers of the Maas and North Holland one eighth each, without taking into consideration whether one or the other has put in more or less moneys or has sold a greater or lesser quantity of spices than its share. Providing also that the Directors shall neither borrow moneys from the Company nor benefit from its wares. They shall not appoint someone else to claim outgoings to buy such wares to the detriment of the Company.

Each bookkeeper, teller, servant or messenger will be paid a salary by the Directors of the respective Chambers and this shall not be at the participants' expense.

Should any of the directors of one Chamber or another finds himself in such a position of being unable to discharge his responsibility regarding the moneys entrusted to him in his capacity as a Director, any damages resulting from this will be paid from that Chamber's moneys and not be a liability to the Company's reserves. Thus shall those moneys in the company that are the property of the Directors be especially reserved for their administration.

The Directors of the respective Chambers shall be responsible for their tellers.

To ensure that the purposes of this United Company are achieved to the greater benefit of these United Provinces, to maintain and expand trade to profit the Company, we do hereby licence the abovementioned Company with the conditions as follows. No persons, regardless of constitution or capacity apart from those of the abovementioned Company shall be permitted to sail from these United Provinces to reach east of the Cape of Good Hope or through the Straits of Magellan for the next twenty-one years at pain of confiscation of ships and cargoes. This period shall commence in the year 1602 inclusive. Where permission has previously been granted to some Companies to travel east beyond through the Straits of Magellan this shall remain valid for the full length of the permit, provided that they send their ships to depart from these countries no later than four years from today's date or suffer losing the benefit of abovementioned mentioned permission

Similarly, east of the Cape of Good Hope and in and beyond the Straits of Magellan, representatives of the aforementioned Company shall be authorised to enter into commitments and enter into contracts with princes and rulers in the name of the States General of the United Netherlands or the country's Government in order to build fortifications and strongholds.

They may appoint governors, keep armed forces, install Judicial officers and officers for other essential services so to keep the establishments in good order, as well as jointly ensure enforcement of the law and justice, all combined so as to promote trade. In respect to trade and commerce the abovementioned governors, the judiciary and military shall be required to swear an oath of loyalty to the States General, or to the abovementioned government and to the Company. These in turn may dismiss the abovementioned governors and members of the judiciary should it be found that they have acted corruptly and dishonestly, on the understanding that the aforementioned governors and officers shall not be prevented from coming forward to

express to us their concerns and dissatisfactions should they have any.

Upon the ships returning the Company officials shall be required to inform the Gentlemen of the States General in respect to those governors and officers that they have appointed in the abovementioned establishments and fortresses so that their appointments can be approved and ratified.

Should any of those of the abovementioned Company have been cheated or been mistreated in some location or have trusted that they would receive promised moneys or be paid for part of a deal and did not receive that reimbursement or payment, the loss they have suffered shall in accordance with the circumstances of the matter be compensated for by those means that are most appropriate.

Upon arrival of the ships back in this land, they shall report about the circumstances of the matter to the Board of the Admiralty of the quarter where they have landed. Should any members of the Admiralty express themselves in terms that members of this Company take exception to, they may lodge an appeal with us.

On the condition that a satisfactory inventory is provided, the goods shall be received by officials of the Company, unless someone other than the Company's financial officer makes claim to be the contracting party and claims the goods for himself. Should this happen, the aforementioned goods must be administered and kept safe in accordance with the direction of the Admiralty.

If it should occur that Spanish or Portuguese ships or those of another enemy attack the ships of this company and should during such fight some ships be captured, the captured ships and goods shall be apportioned in the way it is usually done in the country that is, shared out with the country and the Admiral being given a fair share, provided that should the Company have suffered any damage in the encounter, this will be subtracted in advance.

The members of the respective Admiralties where the ships shall have arrived will also be made aware of the legitimacy of the bounty. In the course of any legal challenge, the goods shall remain under the administration of the Company, subject to a proper inventory, as mentioned previously, and those who feel disadvantaged by the decision, shall be free to lodge an appeal with us.

Spices, Chinese silk and cotton cloth that this Company will have brought from the East Indies shall not be taxed more than they are now, neither upon entry nor upon departure, but in accordance with the taxation schedule and the general declarations at the end of the document dealing with such goods that are not specifically listed.

Except with consent of the Company, none of the ships, cannon or ammunition that belong to the Company shall be used in the service of the country.

All of the spices that the Company sells shall be sold according to a common weight standard, being that of Amsterdam.

The members of the respective Chambers shall be able to keep the storage of their spices, whether on board the ships or in a warehouse, and these shall not be subject to any duties, taxes or weighing fees. This must be subject to the condition, that the spices will not be transported before a specified weight is determined but shall be weighed when they have been sold, weighing taxes being paid at the time that they are sold or removed, as with any goods that are subject to weighing fees.

Likewise, neither the Directors nor their goods shall be subject to tax or burdened in any way in order to gain access to their accounts with the abovementioned Company, or any claims made on the incomes of any of the clerks, ship's captains, navigators, sailors, or any servants of the Company. Any person who wishes to impose an impost on them will have to bring them before a regular magistrate.

The Company's Provosts may apprehend sailors on land who have volunteered for that service and bring them on board wherever they may be, whatever the city, place or jurisdiction, provided that the abovementioned Provost shall discuss this in advance with the officials and the Burgomasters of those cities and places.

In recognition of this Licence and the above terms, the representatives from the abovementioned Company shall pay us the sum of 25,000 pounds of 40 Flemish groats each. We shall invest this amount in the preparations for the first ten-year accounts. Any profits and risks accruing from this shall be for the benefit or liability of the States General, the same applying to all the other participants who may benefit or be liable.

So as ships return from the journey, the generals or commanders of the fleet, ship or ships shall be obliged to deliver a report to us about the success of the voyage and provide us with a written account of it in the required format.

All the these points, liberties and benefits recorded above, we have ordered and do hereby order will be maintained and they shall be followed and complied with by each and every subjects and residents of the united provinces without exception of any kind, either directly or indirectly and either inside or outside the united provinces and in all possible ways.

Those who contravene this shall be punished as subverters of the better welfare of the country and as transgressors of our ordinances and shall be subjected to corporal punishment as well as material sanctions. We therefore categorically call upon and command all governors, members of the judiciary, officers, magistrates and the inhabitants of the abovementioned united provinces to permit the abovementioned Directors to quietly and peacefully enjoy the full effect of this our Licence, this mandate and this privilege that we have provided, while contraventions and difficulties to the contrary must desist, since we have found this licence to be right for the country.

Given under our seal and signature of our Secretary, in The Hague, 20 March, 1602.

Alb Joachimi

As decreed by the abovementioned Gentlemen of the States General,

(was signed:)



*1 It has been our intention in preparing this translation to produce a comprehensible and contemporary English text, while trying to conform closely to the original wording.*

*2 In 1602 the name of the Company was spelt Vereenichde Oostindische Compaignie, which is slightly different to the modern spelling. The purpose was to unite those businesses trading in the East Indies.*

*3 The Company continued for almost two centuries with a number of subsequent licenses being issued.*

*4 All names, patronymics, that end with -z. or zn in the Dutch text being abbreviations, such as Laurensz., have been written in full in this English version, e.g. Laurenszoon, etc. We also sought to correct spelling errors identified in names in the original charter.*

note: we acknowledge the assistance of Menno Leenstra MA historical researcher at the Centre for International Heritage Activities, in refining this translation.