

The Charter of Liberties and Privileges granted

by His Royal Highness to the Inhabitants of New York and its Dependences.

For the better Establishing the Government of this Province of New York and that Justice and Right may be Equally done to all persons within the same. **Be it Enacted** by the Governor, Council and Representatives now in General Assembly met and assembled and by the authority of the same.

That the Supreme Legislative Authority under His Majesty and Royal Highness James Duke of York Albany or Lord Proprietor of the said Province shall forever be and reside in a Governor, Council, and the people met in General Assembly.

That the Council of the said Majesty and Administration of the Province over the said Province shall be in the said Governor assisted by a Council with whose advice and Consent or with at least four of them he is to rule and govern the said Province according to the Powers thereof.

That in case the Governor shall die or be absent out of the Province and that there be no person within the said Province Commissionated by His Royal Highness his Heir or Successors to be Governor or Commander in Chief thereof that then the Council for the time being or so many of them as shall in the said Province do take upon them the Administration of the Government and the Execution of the Lawes thereof and powers and authorities belonging to the Governor and Council the first nomination in which Council is to preside untill the said Governor shall returne and arrive in the said Province againe, or the pleasure of His Royal Highness his Heir or Successors shall be further knowne.

That According to the usage, custom and practice of the Kingdom of England a session of a General Assembly be held in this Province once in three yeares at least.

That Every freeman within this Province and his Heir in any Corporation

Corporation shall have the free Name and Vote in the Voting of the Representatives without any manner of restraint or Impediment. And that in all Elections the Majority of Voters shall prevail and be considered as the true and lawful choice and who is so considered according to the Laws of England.

That the persons to be returned to sit as representatives in the general Assembly from time to time for the severall Cities Townes Counties Shires or Divisions of this Province and all places within the same shall be according to the proportion and number hereafter expressed that is to say for the City and County of New York four, for the County of Suffolk two, for Queens County two for Kings County two for the County of Richmond ^{two} and for the County of West Chester two. for the County of Essex two for the County of Albany two and for Schenectady within the said County one for Dutch County ^{two} for the County of Cornwall ^{two} and as many more as the said small Highways shall think fit to Establish

That All persons chosen and assembled in manner aforesaid or the all or part of them shall be deemed and accounted the Representatives of this Province within said Representatives together with the Governor and the Council shall forever be the Supream and only Legislative power under the said small Highways of the said Province.

That the said Representatives may appoint their own times of meeting during their Sessions and may adjourn their House from time to time to such time as to them shall seem most and convenient.

That the said Representatives are the sole Judges of the Qualification of their own members, and likewise of all other Persons and may from time to time purge their House as they shall see occasion during their ^{said} Sessions.

That no member of the general Assembly or their servants during the time of their Sessions and whilst they shall be going to and returning from the said Assembly shall be arrested sued imprisoned or any way molested or troubled nor be compelled to make answers to any Suite Bill, plaint, Petition or otherwise (Case of High Treason and felony only excepted) Provided the number of the said servants shall not exceed three.

That All bills agreed upon by the said Representatives or the all or part of them shall be presented unto the Governor and the Council for their (Application

Approbation and Consent All and Every which said Bill so approved of
Consented to by the Governor and the Council shall be stood and
the Laws of the Province which said Laws shall continue and remain
force until they shall be repealed by the authority aforesaid that is to say
the Governor Council and Representatives in Generall Assembly by and
with the Approbation of his Royall Highnesse Or Expre by their oones
Similitudes.

That In all Cases of Death or removal of any of the said Representatives
the Governor shall issue out Summons by writt to the respective Townes Cities
Shires Countys or Divisiones for which he or they be removed or deceased
that is willing and requiring the freeholders of the same to elect others
in their place and stead.

That No freeman shall be taken and imprisoned or be deprived of his
freedom or liberty or his Customs or be outlawed or Exiled or any other way
destroyed nor shall be passed upon adjudged or condemned But by the Lawfull
Judgment of his peers and by the Law of this Province Justice nor Right
shall be withheld sold denied or deferred to any man within this Province.

That No aid Tax Tassage Assessment Customs Loans Bonds or
Imposition whatsoever shall be layd assessed imposed or levied on any of the
alladjaynt Subjects within this Province or their Estates upon any manner of
Colour or pretence but by the art and Consent of the Governor Council and
Representatives of the people in Generall Assembly met and Assembled.

That No man of what Estate or Condition soever shall be putt out of
his Lands or Tenements nor taken nor imprisoned nor disherited nor banished
nor any way destroyed without being brought to Answer by due Course of
Law.

That A freeman shall not be amerced for a small fault, but after
in manner of his fault and for a great fault after the Greatnesse thereof
saving to him his freedom And a husbandman saving to him his Wainage
and a merchant likewise saving to him his merchandise And none of the
said Amerciements shall be assessed but by the Oath of twelve honest
Lawfull men of the Viriage provided the faults and misdemeanours be
in Contempt of Courts of Judicature.

And Tryalls shall be by the verdict of twelve men and as under al may be

Or Equalls chiefe of the neighbourhood and in the County Shire or Division where the
first shall arise or grow whosoever the same be by Indictment Information or
Declaration or otherwise against the person Offender or Defendant.

That In all cases Capitall or Criminall Crimes shall be a grand Inquest which shall
first present the offence and then twelve men of the neighbourhood to be by the
Offender who after his plea to the Indictment shall be allowed his reasonable
Challenger.

✓ **That** In all cases whatsoever Cause by sufficient Sureties shall be allowed and
taken unless for Treason or felony plainly and specially expressed and mentioned
in the Warrant of Commitment provided always that nothing therein contained
shall extend to discharge out of prison upon any bond any person taken in Execution
for debts or otherwise legally sentenced by the Judgment of any of the Courts
of Record within this Province.

That No Freeman shall be compelled to receive any Maimers or Soldiers
into his house and there suffer them to sojourn against their will provided
always it be not in time of Actual War within this Province.

✓ **That** No Commissions for proceeding by Marshall Law against any of his
Majesties Subjects within this Province shall issue forth to any person or persons
whatsoever least by Colour of them any of his Majesties Subjects be destroyed
or put to death Except all such Officers persons and Soldiers in pay throughout
this Government

That from hence forward No Land within this Province shall be deemed
or accounted a Chattell or personall Estate but an Estate of Inheritance according
to the Customs and Practices of his Majesties Realm of England.

✓ **That** No Court or Courts within this Province have or at any time hereafter
shall have any Jurisdiction power or authority to grant out any Exaction or
other writt whereby any manors land may be sold or any other way disposed of
without the owners Consent provided always that the issues or income
profits of any manors lands shall or may be extended by Exaction or otherwise
to satisfy just debts Any thing to the contrary thereto in any wise
Notwithstanding

That No Estate of a free Court shall be sold or removed but by
Deed

Dead acknowledged by her in some Court of Record the Woman being Sworn
Examined if she doth it freely without threats or Compulsion of her husband
That All Wills in writing attested by two Credible Witnesses shall be of
the said force to convey Land as other Conveyances being registered in the
Secretarys Office within forty days after the Testators death.

That A Widow after the death of her husband shall have her Power
And shall and may dwell in the House of her husband forty days
after the death of her husband within whatt forty days her Power shall
be assigned her And for the Power shall be assigned unto her the third
part of all the Lands of her husband during Coverture, Except such word
Indowment of Life before Marriage.

That All Lands and Heritages within this Province and Dependencies shall
be free from all fines and Penalties upon Alienations, and from all Heriots
Wardships Quereys Primogeniture year day and Waste Distraints and forfeitures
upon the death of parents and Tenmentors naturall naturall or
Indriall, and that forever; Cases of High Treason only excepted.

That No person or persons whose professi. Faith in God by Jesus Christ
shall at any time be any wayes molested punished disgraced or called in
Question for any Differences in opinion or matters of religious Condemnment, who
do not actually disturb the Civil peace of the Province But that all and
every such person or persons may from time to time and at all times freely
have and fully enjoy his or their Judgments or Consciences in matters of
Religion throughout all the Province, they behaving themselves peaceably
and quietly and not using this Liberty to Synicousness nor to the civil
Injury or outward disturbance of others provided always that this Liberty
or any thing contained therein to the contrary shall never be construed or
improved to make void the Settlement of any publique Minister on any
Island where this Liberty is allowed be by two thirds of the votes in any Town
wherein which shall always include the major part or by Subscriptions of
particular Inhabitants in said Towns provided they are the two thirds thereof
But that all such agreements Covenants and Subscriptions that are there
already made and made or that hereafter shall be in this all manner
to agreed and subscribed shall at all times and times hereafter be firm
and stable And in Confirmation thereof It is enacted by the Government

Donors and Representatives. That all such Sums of money so agreed on -
Consented to or subscribed as aforesaid for maintenance of said public
Ministers by the two thirds of any Town on Long Island, shall likewise include
the other part and shall be regulated thereby And also such Subscriptions
and agreements as are before mentioned are and shall be always & satisfied
performed and paid. And if any Town on said Island in their public
Capacity of agreement with any such minister or any persons by
their private Subscriptions as aforesaid shall make default down or
withdraw from such payment so covenanted to agreed upon and subscribed
That in such case upon Complaint of any Officer appointed and chosen by
two thirds of such Town upon Long Island unto any Justice of that County
Upon the hearing the said Justice is hereby authorized empowered and required
to issue out the warrant unto the Constable or his Deputy or any other
person appointed for the Collection of said Rates or agreement to serve upon
the goods and Chattels of the said Delinquent or Defaulter all such Sums
of money so covenanted and agreed to be paid by Distress with Costs and
Charges without any further suit in Law or any Law Customs or Usage
to the contrary in anywise Notwithstanding.

provided Always the said Sum or Sums be under forty shillings -
otherwise to be recovered as the Law directs.

And whereas All the respective Christian Churches now in practice
within the City of New York and the other places of this Province do
appear to be privileged Churches and have been so established and
confirmed by the former authority of this Government Well It is hereby
Enacted by this Generall Assembly and by this authority hereof that all
the said respective Christian Churches be hereby confirmed hereinafter
That they and every of them shall from hence forth forever be held and
reputed as privileged Churches and enjoy all their former freedoms of
their Religion in Divine Worship and Church Discipline And that all
former Contracts made and agreed upon for the maintenance of the
several ministers of the said Churches shall stand and continue in full
force and virtue And that all Contracts for the future to be made shall

Use of the said powder And all persons that are unwilling to performe their
part of the said Contract shall be punished thereto by a warrant from
any Justice of the peace provided it be under forty shillings: Nothing
at the Law Directly provided also that all Christian Inhabitants that
shall hereafter come and dwell within this Province shall have the
said Privileges.

✓
An continued Bill for defraying the requisite
Charges of the Government.

The Representatives for the Honall Highnesse Province of New York
convened in Generall Assembly Have for and in consideration of the many
gracious and Honall favours expressed and extended unto the Inhabitants
of this Province And also for the benefitfull Confirming and
restoring to them and their posterity the rights priviledges Liberties
and immunities before rentd and enjoyed and for the better defraying
of the necessary Charge and Expence of this Province which cannot
otherwise be Efforted without great Charge unto the Honall Highnesse
Do by and with the advice and Consent of the Governor and Councill
now assembled and by the authority of the said to the intent aforesaid
give and grant unto the said Honall Highnesse and his heirs & his Inheres
and Customs hereafter specified, that is to say, for every gallon of Rum
brandy and distilled liquors that shall be imported into the Province and
Dependencies the Summe of four pence Current money of this Province
And for every pipe ofollastra, Hyell, S. George, Canary, Allalaga, Sherry
and all Sweet wines the Summe of forty shillings Current money aforesaid
And for every hoghead of Rott white and Rensie wine the Summe of
twenty shillings Current money aforesaid And upon all other merchaundises
imported into this Province and Dependencies the Summe of forty shillings
Current money aforesaid for every hundred pound value at the prime
Cost Except those hereafter specified Vizt Salt Brine Paints Colours
Sugar molasses Cotton wool Yinger Sassa wood Gadaletha Indiver West India
Indes