

The Charter of Liberties and Privileges granted by His Royal Majesty 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 Quiet may be Equally done to all persons within the same. **Be it** Enacted by the Governour, Councill and Representatives now in Generall Assembly met and assembled and by the authority of the same.

That the Supreme Legislative Authority under His Majesty and Royal Signatures James Duke of York Albany or His Proprietor of the said Province shall forever be and reside in a Governour, Councill, and the people met in Generall Assembly.

That the Powers of the said Legislative and Administration of the Province of the said Province shall be in the said Governour assisted by a Councill with whose advice and Consent or with at least four of them he is to rule and govern the said Province according to the Lawes thereof.

That in case the Governour shall dye or be absent out of the Province and that there be no person within the said Province Commissionated by His Majesty His Heires or Successours to be Governour or Comander in Chief thereof that then the Councill for the time being or so many of them as shall in the said Province doe take upon them the Administration of the Governour and the Distribution of the Lawes thereof and powers and authorities belonging to the Governour and Councill the first in nomination in which Councill is to preside untill the said Governour shall returne and arrive in the said Province againe, or the pleasure of His Majesty His Heires or Successours shall be further knowne.

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

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

Corporation shall have the free choice and vote in the electing of the Representatives without any manner of restraint or imposition. And that in all Elections the wills of the Majorities of voters shall prevail and be fixed and established over and above who is so understood according to the Laws of England.

That the persons to be elected to sit as Representatives in the general Assembly from time to time for the severall Cities Townes Countie 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 Countie of New Yorke four, for the Countie of Dutchess two, for Dutchess Countie two for Kings Countie two for the Countie of Westchester two, for the Countie of Westchester two, for the Countie of Albany two and for Schuylkill two within the said Countie one, for Dutchess Countie two, for the Countie of Cornwall two and as many more as the sayd High Court shall think fitt to establish

That All persons chosen and assembled in manner aforesaid or the major part of them shall be deemed and accounted the Representatives of this Province within said Representatives together with the Governour and the Council shall forever be the Supream and only Legislative power under the sayd High Court 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 seeme most and convenient.

That the said Representatives are the sole Judges of the Qualifications of their own members, and likewise of all other Members and may from time to time purge their house as they shall see occasion during their 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 major part of them shall be presented unto the Governour and the Council for their
(Application)

Approbation and Consent All and Every which said Bill so approved of
Consented to by the Governour and the Councill shall be stande and
the Lawes of the Province whiche said Lawes shall continue and remaine
force untill they shall be repealed by the authority aforesaid that is to say
the Governour Councill and Representatives in generall Assembly by and
with the Approbation of his Royall Highnesse Or Expre by their owne
Similtaneous.

That In all Cases of death or removal of any of the said Representatives
The Governour shall issue out Summons by writt to the respective Townes Cities
Shires Counties or Divisiones for which he or they soe removed or deceased were
Chosen willing and requiring the freeholders of the same to elect officers
in their place and stead.

That Noe freeman shall be taken and imprisoned or be deprived of his
freedhold or liberties or free 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 Noe aid Taxe Tassage Assessment Customs Loans Bonds or
Imposition whatsoever shall be layed 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 Governour Councill
Representatives of the people in generall Assembly met and assembled.

That Noe 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 waye 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 freedhold 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 Viringage provided the faults and misdemeanours be
in Contempt of Courts of Judicature.

All Tryalls shall be by the verdict of twelve men and a Justice may be

Or Equals 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 Surety 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 herein contained
shall extend to discharge out of prison upon any bail 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 MARRIERS or SUNDRIES
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
whatssoever 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 descended
or amounted a Chattel or personal 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 Execution or
other writ whereby any mans Land may be sold or any other way disposed of
without the owners Consent provided always that the Issues or income
profits of any mans Lands shall or may be extended by Execution or otherwise
to satisfy just debts Any thing to the contrary hereof in any wise
Notwithstanding

That No Estate of a feme covert shall be sold or conveyed but by
Deed

Dead acknowledged by her in some Court of Record the Woman being herself
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 dury 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
Endowments of Life or for Marriage.

That All Lands and Heritages within this Province and Dependancy shall
be free from all fines and Penalties upon Alienations, and from all Heritall
Wardships, Quereys, Primas, Bigns, year day and Waste, Threats and forfeitures
upon the death of parents and Ancestors naturall naturall or
Admirall, and that forever; Cases of High Treason only excepted.

That Noe person or persons whome profess Faith in God by Jesus Christ
shall at any time be any wayes molestyd, punished, disgraced, or called in
Question for any Differences in opinion or matters of religious Government, who
doe not actually disturb the Civil peace of this 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 this Province, they behaving themselves peaceably
and quietly and not using this Liberty to Synicalness 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 whome this Liberty doth extend be by two thirds of the votes in any Town
wherein whome shall always include the major part or by Subscriptions of
particular Inhabitants in said Townes provided they are the two thirds thereof
Butt that all such agreements, Covenants and Subscriptions that are there
already made and had or that hereafter shall be in this Province shalbe
to agreed and subscribed shall at all times and times hereafter be firm
and stable And in Confirmation thereof It is enacted by the Governour

to sell 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 parts of any Town or Towns 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 also as if certified
performed and paid. And if any Town or Towns 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 Mayor appointed and chosen by
two parts of such Town or Towns on 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 Defaulters 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 Custom 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 till it hereby
Enacted by the General 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 henceforth 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

Part of the said power And all persons that are unwilling to performe the
part of the said Charter shall be continued thereto by a warrant from
any Justice of the Peace provided it be under forty shillinge & otherwise
at the Law Directly provided alsoe that all Christian Charities that
shall hereafter to me and to His within this Province shall have the
said Priviledges.

✓

A continued Bill for defraying the requisite Charges of the Government

The Representatives for the Royall Highnesse Province of New York
convened in Generall Assembly Have for and in Consideration of the many
Gracious and Royall favours expressed and extended unto the Inhabitants
of this said Province And also for the benefitfull Confirming and
restoring to them and their posterity the rights priviledges Liberties
and immunities before written 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 Royall Highnesse
Possibly and with the advice and Consent of the Governour and Councill
now assembled and by the authority of the same to this intent aforesaid
give and grant unto the said Royall Highnesse and his heires & his heires
and Customs hereafter specified, that is to say, for every gallon of Rum
brandy and distilled liquors that shall be imported into this Province and
Dependencies the summe of four pence Current money of this Province
And for every pipe of alladra, Spuell, S. George, Canary, Malaga, Sherry
and all sweet wines the summe of forty shillinges Current money aforesaid
And for every flaghead of Rott white and Rensse winds the summe of
twenty shillinges Current money aforesaid And upon all other merchaundises
imported into this Province and Dependencies the summe of forty shillinges
Current money aforesaid for every hundred pound value at the prime
Cost Except these hereafter specified Vizt Salt brine Paints Coals Iron
Sugar molasses Cotton wooll Liniger Logwood bradaletha Indiver West India
Indies