NEW YORK STATE FREEDOM TRAIN

THE UNIVERSITY OF THE STATE OF NEW YORK
THE STATE EDUCATION DEPARTMENT
ALBANY, NEW YORK 12224

JOHN G. BROUGHTON

ASSOCIATE COMMISSIONER

FOR CULTURAL EDUCATION

February 2, 1976

TO: Historians; Historical Societies; Chairmen of Academic History Departments

County Executives; Fiscal Officers; City, Village, Town and County Clerks

Because of your involvement in New York State historical activities, I am writing to acquaint you with the current circumstances relating to the Office of State History.

Unfortunately, because of recent fiscal restraints dictated by the economy and implemented by Governor Carey, we have been required to reduce staff in the State Education Department. The reduction has had a major impact on the Office of State History. Four professional positions and one support position have been eliminated. These include Dr. Louis L. Tucker, Assistant Commissioner for State History; Dr. Thomas E. Felt, Principal Historian; and Dr. William Polf, Senior Historian. Dr. Tucker has also held the Regents-designated title of State Historian.

The functions of the Office will be reorganized as of February 27, 1976 so that the History Curatorial activities and the responsibility for relations with public historians and local historical associations (including chartering) will be transferred to the direction of Noel C. Fritzinger, Assistant Commissioner for State Museum and Science Service. These groups have a community of interest and have been working together regularly in the past. This unit will be headed by Dr. John S. Still, a historian and Chief Curator of the historical collections. Dr. Still also represents the Commissioner on the State Board for Historic Preservation's Committee on the Registers.

The functions of the Public Records section will be affiliated with the State Archives, which is directed by Dr. Edward Weldon, also a historian and former Editor of the American Archivist.

Town and Village Historian Collection Because of the reductions, the Department's activities in historical research will be restricted, for the time being, although we are firmly committed to the principle that this is an appropriate role to be carried on by this Department. The elimination of the positions of outstanding historians who have performed with distinction in this Department and in Statewide and national roles is particularly distressing. The reduction in staff and reorganization do not in any way reflect any change in our high opinion of these professionals. As a partially mitigating factor, present plans indicate that Drs. Tucker, Felt and Polf will continue their work as executive staff of the New York State American Revolution Bicentennial Commission as they have for the past five years.

The Education Department plans to continue the responsibilities of the Office of State History, other than those of the research historians. We look to the future after the major staff work of the Bicentennial Commission is done, when it may be possible to merge the resources of the Commission and the Department in a unified State program.

If you have questions about specific problems that this change may cause for your organization, please write us.

With appreciation of your interest and support, I am

The same and the same

Very sincerely yours

NEW YORK STATE FREEDOM TRAIN COMMISSION

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Document Book

NEW YORK STATE FREEDOM TRAIN

NEW YORK STATE
FREEDOM TRAIN COMMISSION

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ALBANY, NEW YORK

TO THE READER...

It is fitting for us, in this day of many 'isms, to open a book which re-prints the precious documents that tell the March of Freedom in New York State.

The story these pages unfold is simple and sincere. The documents have been arranged so that you, the reader, may see how freedom — sometimes through trial and error, in violence and in peace — comes down to us as a living force in our everyday life.

The objective of the New York State Freedom Train is to provide a "university on wheels," which as it tours the State will give every student, and adult person, the opportunity to see and study firsthand the original documents of his heritage.

This official book is designed as a "primer" to aid this study; it reproduces faithfully the documents — some yellowed with age; others scarred by fire — as they are shown on the train, and identifies them with a few salient facts and dates. No effort has been made to editorialize or to give opinion. This right is reserved for the reader.

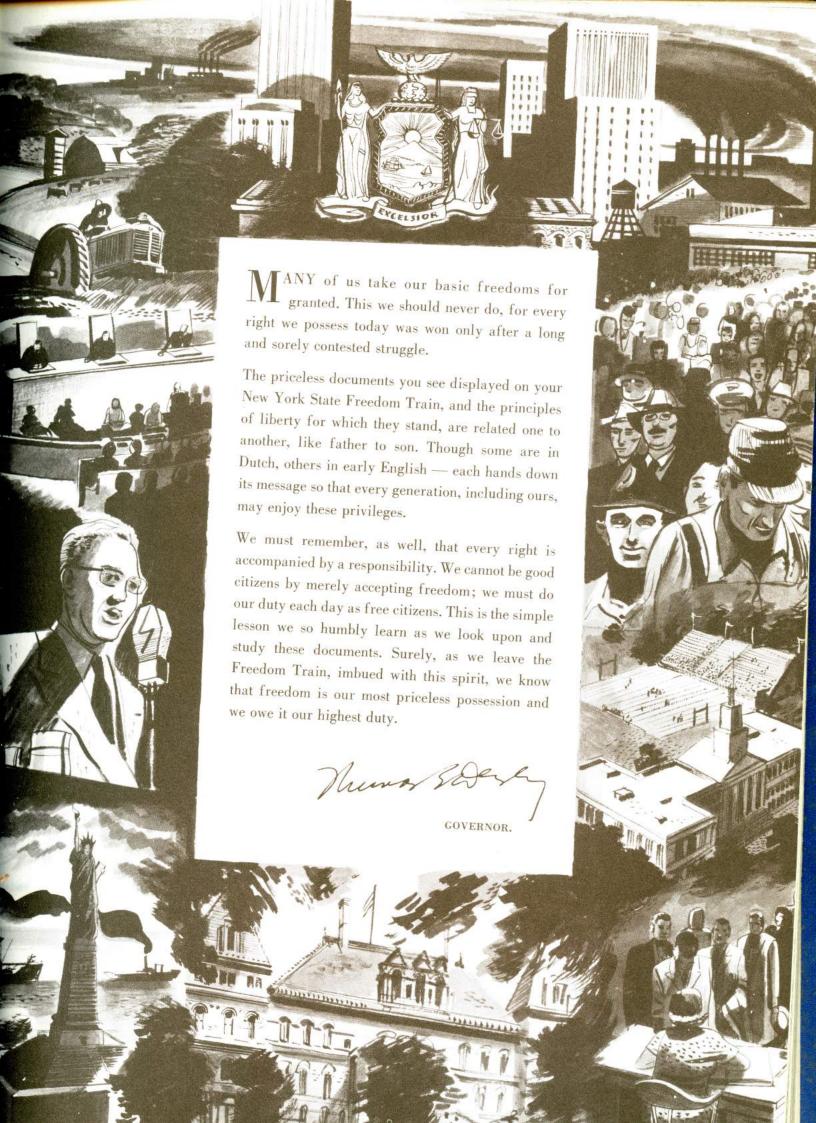
Chairman Chairman

New York State Freedom Train Commission

ACKNOWLEDGMENTS

All documents reproduced here are from the archives of the New York State Library in Albany, except the ten listed below which were among those lent for exhibit on the New York State Freedom Train.

Those lent and reproduced are: Coxsackie Declaration of Independence — from the Albany Institute History and Art, Albany; Pledge of Allegiance — from David Bellamy, Rochester; Charter of Liberties of Privileges — from Town of North Hempstead; Account Book, Southfield Town, Richmond County — from Staten Island Historical Society, New York; Letter of Thomas Jefferson — from Washington Headquart Commission, Newburgh; Antidiscrimination Law, 1948 — from Secretary of State, Albany; Duke's Law, from Town of North Hempstead; Antidiscrimination Law, 1945 — from Secretary of State, Albany; John Secures Loan of 20 Cannon — from Washington Headquarters Commission, Newburgh; The New Colos by Emma Lazarus — from American-Jewish Historical Society, New York.



THE UNIVERSITY OF THE STATE OF NEW YORK

THE STATE EDUCATION DEPARTMENT

OFFICE OF THE PRESIDENT OF THE UNIVERSITY

AND COMMISSIONER OF EDUCATION

ALBANY

Because New York State has pioneered in the cause of freedom, it is especially fitting that it has its own freedom train. The documents on that train serve as timely reminders that our precious liberties are something that people had to fight for. It is fortunate that so many of these original papers have been preserved in the State Library, and that they can be seen by all today.

The New York State Education Department is glad to have had an opportunity to assist the freedom train effort, for education is a vital force in keeping the eyes of our people not only on the forms of their freedoms but on the substance as well. Let us never forget that freedom must be a living, real thing to all our people, and, if it ceases to be that, it is in danger and in the end can not survive. New Yorkers in education, then, like New Yorkers in all fields, should dedicate their efforts to making our freedom a thing of meaning and priceless value to all.

Traveis T. Shulding

THE NEW COLOSSUS * BY EMMA LAZARUS

Not like the giant of Greek fame,
With conquering limbs astride from land to land;
Here at our sea-washed, sunset gates shall stand
A mighty woman with a torch, whose flame
Is the imprisoned lightning, and her name
Mother of Exiles. From her beacon-hand
Glows world-wide welcome; her mild eyes command

"Keep, ancient lands, your storied pomp!" cries she With silent lips. "Give me your tired, your poor, Your huddled masses yearning to breathe free, The wretched refuse of your teeming shore. Send these, the homeless, tempest-tost to me, I lift my lamp beside the golden door!"

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To give the people a voice in the government, James, Duke of York, proclaimed in his famous CHARTER OF LIBERTIES AND PRIVILEGES, 1683, that . . . "the supreme legislative authority shall reside in a Governor, Council and the people met in General Assembly."

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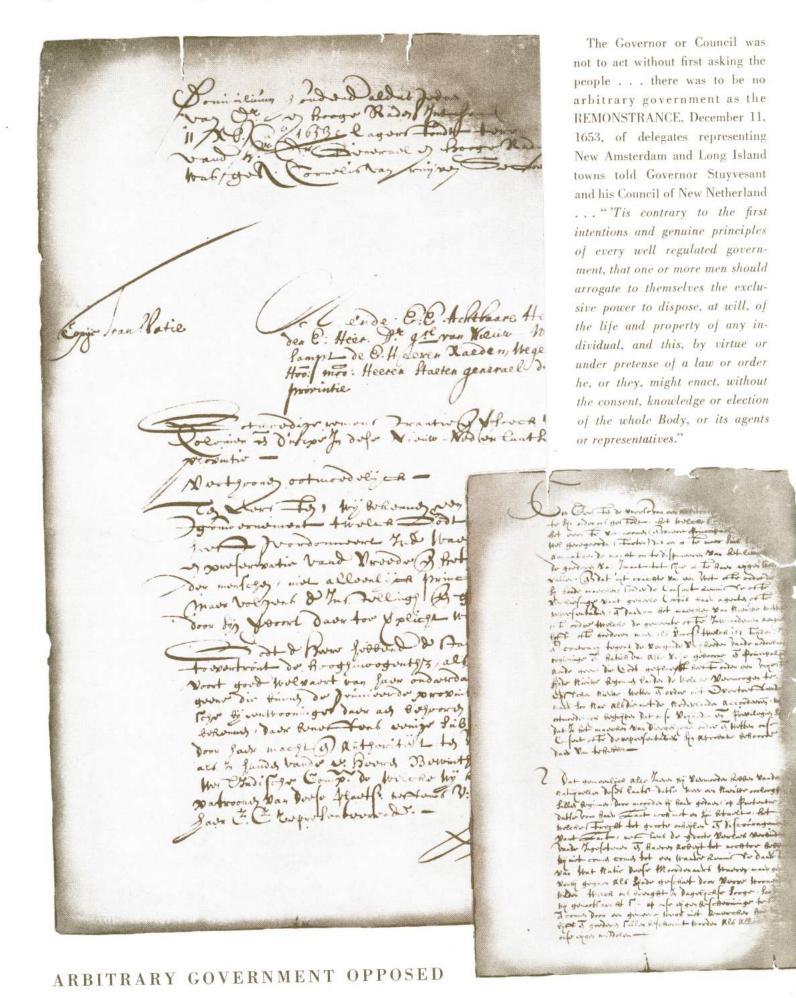
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Government By The People...

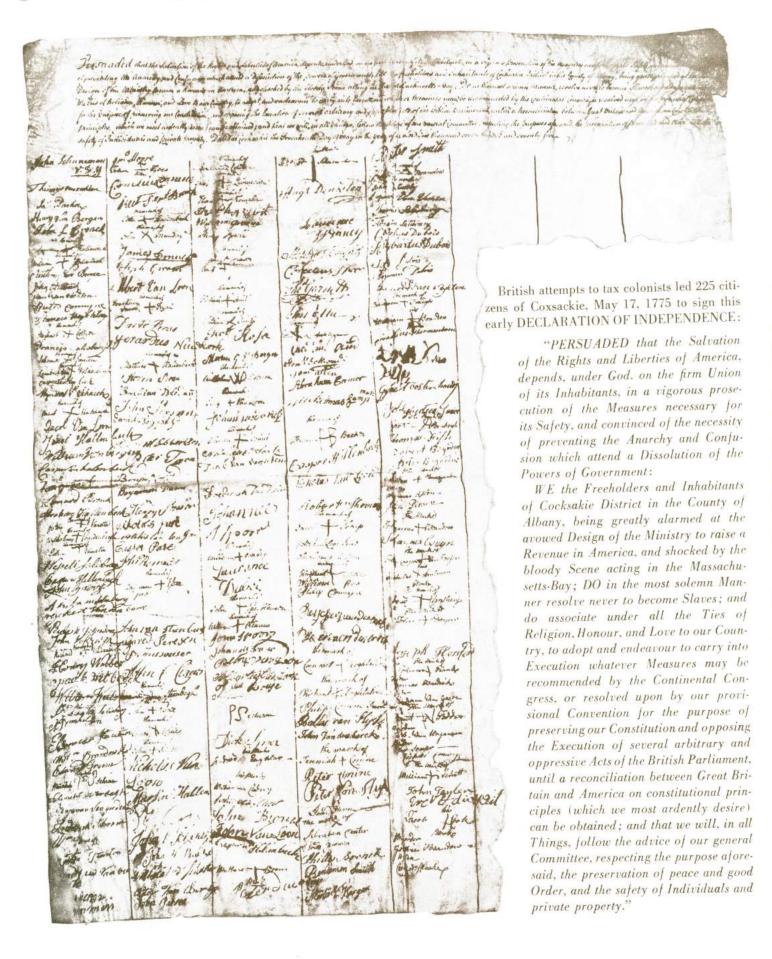


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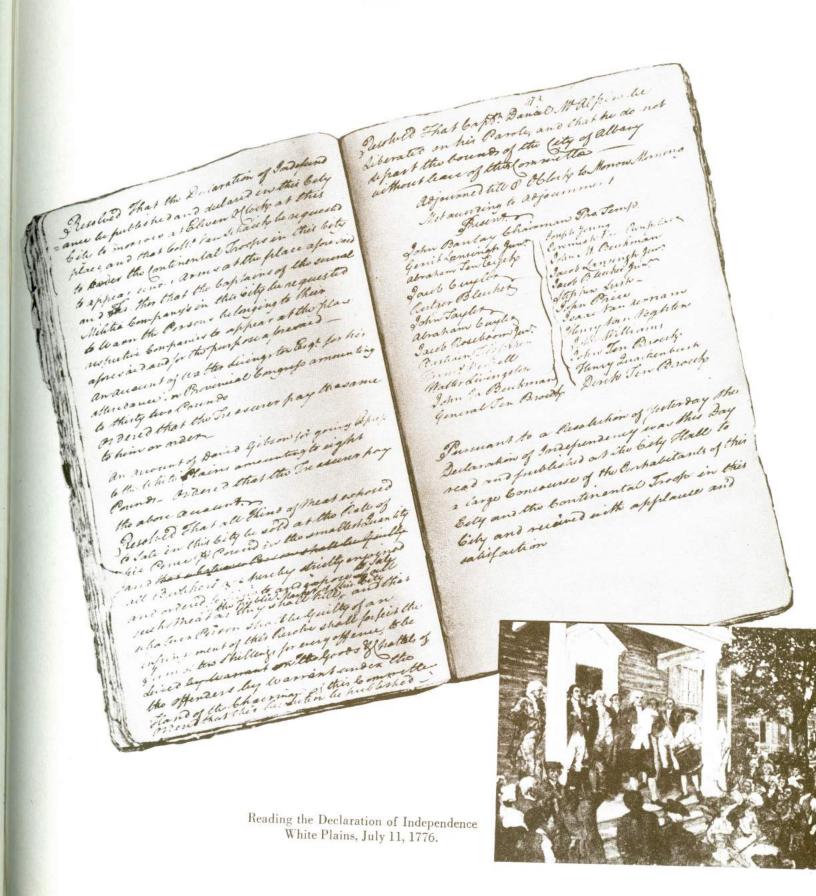
ELECTED REPRESENTATIVES MEET

arrested nor molested. . . ."

Government By The People...



Similar declarations were read in other towns. In Albany, MINUTES OF THE COMMITTEE OF CORRESPONDENCE show that the Declaration of Independence was read July 19,1776 at the City Hall..."to a large concourse of the Inhabitants of the City and the Continental Troops in this City and received with applause and satisfaction."



Government By The People...

Tax Sist of Teal Estate of the Inhabitants of bandridge District in The bounty of Albany pursuant to an Act of the legislature of the Bublic The bounty of Albany pursuant to an Act of the legislature of the Bublic The bounty of Albany pursuant to an Act of the legislature of the Bublic The bounty of Albany pursuant to an Act of March 17/2	The people, through their elected Assembly, said real and personal property might be taxed to pay War and State debts. EARLY ASSESS-MENT ROLLS for Livingston Manor and Cambridge District list the value of a man's real estate and the tax he must pay.
Mobourty of Albany pursuant to an Act of the legislative of the Button New York Intituded are dot for Baising Menics to applied towards the Button New York Intituded are dot for Baising Menics to applied towards the Button New York Intituded are dot for Baising Menics to applied towards the Button New York Interest to the Intere	
TAXATION BY REPRESENTATION	12 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0

Private property was also to be protected. The Assembly, October 24, 1700, in a BILL TO PREVENT OPPRESSION, declared null and void a New York City ordinance which would tax flour and biscuit brought into the City. This bill was not approved by Governor and Council.

The Assembly called the ordinance..."an infringing and destruction of the libertys, propertys and inheritance of His Majesty's Subjects."

a Bise to prevent oppression (Paper flaveing rately been printed and problemed in the city of Newyork City of sonyork forward in con on the Brokes which . Water 63 Ingonted willing the City I'm his first day of Oct in the hose to year of his hadys Cheigh Clumo of Dado Indufand Jeoven Kunders. Bec is Enacted by my Ears & by and wien his long sut of his states Council Les somation met in the Grano C. abombly , Th is Rose by doctored Hot las said Ordinance be muce vorte

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Government By The People...

Therefore be selont upon so momentaous a Soints The we were not favourd with your Sentements or Instructions : not informed of what, or whether any thing, had passed between you and the general respecting the disafected Inhabitants : we look up the Subject on general Principles. There can be no Seberty where the military is not subordinate to the civil paver, in every thing not inimediately connected with their operations and proper Sichunal and proper Sichunal for all evel matters within the Circle of your own Jurisdiction was afsentled and Congress itself withou the general's or ach ready to enforce every reasonable Troposition for the publick safety. So one or other he night to Leave applied. I similar Boot in ahode Island had prafted over unadreed; reiterated -Precedents and become dangerous: we therefore conseived it to be our unque him alle Duty to afect

Independence and Superiority of the evel from, and to call the allendros of congress to their sugar and their species. A Resolution has beginned in their species. A Resolution has to south one of their species. A Resolution has no Oath one of their species. A Resolution of past to any form of their sugar of the semporal upon exacted or required for any Inhabitant of these Colonies by any and the superior of the semporal to the seminal tracky published we stated ourselves that animal tracky published we state ourselves that our trond to published with several with ment with our trond on this south for the present with command of the seminal schools of the several should be several with the several with command to several should be several in this Browness.

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Our forefathers did not believe a country could remain free if the military dominated the civil branch of government. When General Charles Lee tried to impose a loyalty test on people of New York, Duane, Jay, Alsop and Morris, as delegates to the Continental Congress, protested, warning the New York Provincial Convention..."There can be no liberty where the military is not subordinate to the civil power."

Juggested it is left vacant untile he can have an opportunity of being heard, of which you will be pleased to inform him.

We have the Honour to be with the utmost Regard

Gentlemon

your most obedient humble devants

Ja! Duanes then Jay -John alson

Thilas 16' M. o. 6 1776

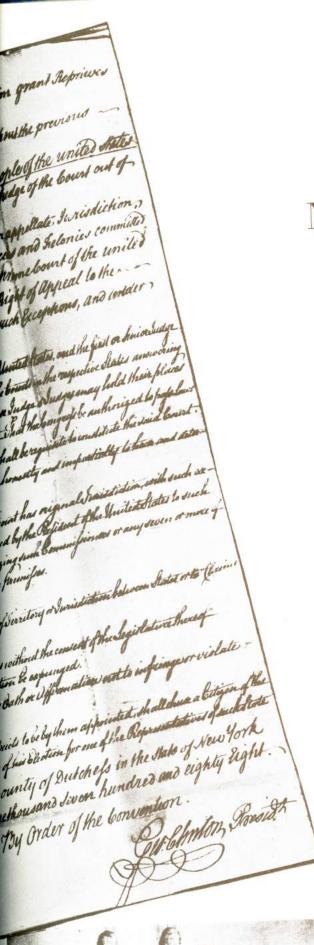
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United states, as nearly as may be. Every county herotofore established and sep arately organized, shall always be entitled to one member of the afternbly) and no new county) shall hereafter be erected, unless its population shall en title it to a number. Section O. Any bill may originate in either house of the ligislature and all bills passed by one house, may be amended by the other. Services a compensation, to be ascertained by law, and paid out of the public breasury; but no inesease of the communication shall take effect during the year in which it shall have been mude. And no law shall be passed increasing the compensation of the mombers of the legislature, beyond the sum of three dole Section 10. No member of the legislature shall receive any civil uppointment from the governor and senate, or from the legislature, during the term for which he shall have been weeted. Section 11. No verson very a member of conques, or holding any judicine or melitary office under the United States, shall hold a seat in the legis lature. And if any person shall, while a member of the legislature, be elected to congress, or appointed to any office, civil or military, under the government of the United States , his acceptance thereof shall vacate his seal. Section 12 Every bill, which shall have passed the senate and a sembly, shall, before it become a law, be presented to the governor; if he approve, he shall sign it; but if not, he shall return it with his objections to that hour in which it shall have originated; who shall enter the of jections at large on their journal, and proceed to reconsider it. If after such reconsideration, two thirds of the members present shall agree to pass the bill, it shall be sent together with the objections to the other house, by which it shall likewise be reconsidered, and if weproved by two theres of the members present, it shall become a law. But in all such cases, the votes of both houses shall be determined by year and nays; and the names of the persons voting for and against the bill, shall be intered on the journal of each house; aspectively Of any bill shall not be returned by the governor, within lon days (sundays except) after it shall have been presented to him, the same shall be a law in like man ner as if he had signed it, unless the legislature shall by their abjournment prevent its return, in which care it shall not be a law Section 13. All officers holding their offices during good behaveor may be removed by joint resolution of the two houses of the legislature, if ten

And the voice of the people, met in Assembly, was to control even the executive branch. Article 1, Section 12 of the 1821 CONSTITUTION, abolishing an early Council of Revision, provided for a veto by the Governor, but it could be over-ridden by a two-thirds vote of the Legislature.

LEGISLATION BY REPRESENTATION

That no gerson shall be eliquible to the opice of President of the United Mates a third Time That the localive shall not grant fardons for Freezen, unless with the bonsent of the bongress, but connerce of steneous, when meer processed for the Jime being, shall not command on Army in that the President, or Jewon exercising his Sowers for the Jime being, shall not command on Army in the Shall he President, or Jewon exercising his Sowers for the Jime being, shall not command on Army in the Shall he benevels. to Persons connicted of Freezon, until their bises can be laid before the Congress. 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And in all other based to which the judicial found date. which the same shall if we as the base may be. were right or as and original survived Motor or all makes fritured to be extended to be extended in some one of the date has not original survived Motor or all makes the survived to be extended to be e Jupreme bourt of the united States, or other proper fribanal to be established for that purpose by he such I seawlakiens as the Concrets what analon Shat the bourt for the Frial of Impeatonents shall consist of the Senate, the Judges of the day for the time being of the highest bearing and ordinary mountains this Secretain about desistants to all the highest bearing the highest bearing the secretain the secretain and the highest bearing the secretain and the highest bearing the secretain the secretain and the secretain the secretain the secretain the secretain and the secretain the secr you messure very of me mysewed & cross of eferioral and ordinary management was secured in encourage - mad no congress oracle of property for Secretificon Shall designed some other board for the state of the designed to the state of the such Aegulation's as the Congress shall make. dwing good behavioris - provided that no more than one judge, other hour little the depressed and head a harvidy at least for competent their tettendance and head a harvidy at least for competent their tettendance and head a harvidy at least for competent their tettendance and head a harvidy at least for compensating the sai Judges for the second Societes and for compelling their letter dame and the dament to the continue to That is furson imperached that at in a Member thereof That each Member shall previous to the entering upon my Sical take as vicered by any Judy mont Senten a or Sierce of the Supreme bound of the United States in any b mine the basic and that a Majority of the Members present that he receptory to a bonviction. ceptions and under such legislations withis bright shall make concerning the same, what whom application have a better and in the land all bright and be the same of the same Her cearned in the Law of he shall swining to be mine would be the and bounded by the said appoint not by from to correct the Errors in such Sudant or be mines work but the standard of the Errors in such Sudants Then to correct the Errord in such Sudgment or to review week toutenter in the indian Ala 180 in and to the the That we fredge of the Reprises boret of the United that wheelt hield very other Office under the Heritathales wheelt he to a house week of the Heritathales wheelt to a house the water aster a Shall be feldicial Private of the Heritathales wheelt and to be house to be a house the second of the Heritathales wheelt and to be house to be a house of the second of the Heritathales wheelt and the second of the Heritathales wheelt and the second of the Heritathales wheelt and the second of the Heritathales wheelt are the second of the Heritathales wheelt and the second of the Heritathales wheelt and the second of the Heritathales wheelt and the second of the Heritathales wheelt are the second of the Heritathales wheelt and the second of the Heritathales wheelt are the second of the H That the fildicial Power of the United Strates whall we litted to no book to voice a superting Land will feel of Land beloven Individuals or between States and Individuals under the Grands of different thates That the Hilitia of any state Shall notice compelled laderer without the little of the State for a longer to That the secrets without the bousest of the bougast in the seculive and festical Officers of the Elevilent states of the Shribest of the Elevilent states of the Shribest of t That the Legislatures of the respective states may make provision by Law that the bledows of United Hates who whall have been an Inhabitand of such Diebrick for the loren of one year immediately for the bonstitutions or Rights of the respective States. Secretaries



NEW YORK RATIFIES CONSTITUTION OF THE

UNITED STATES

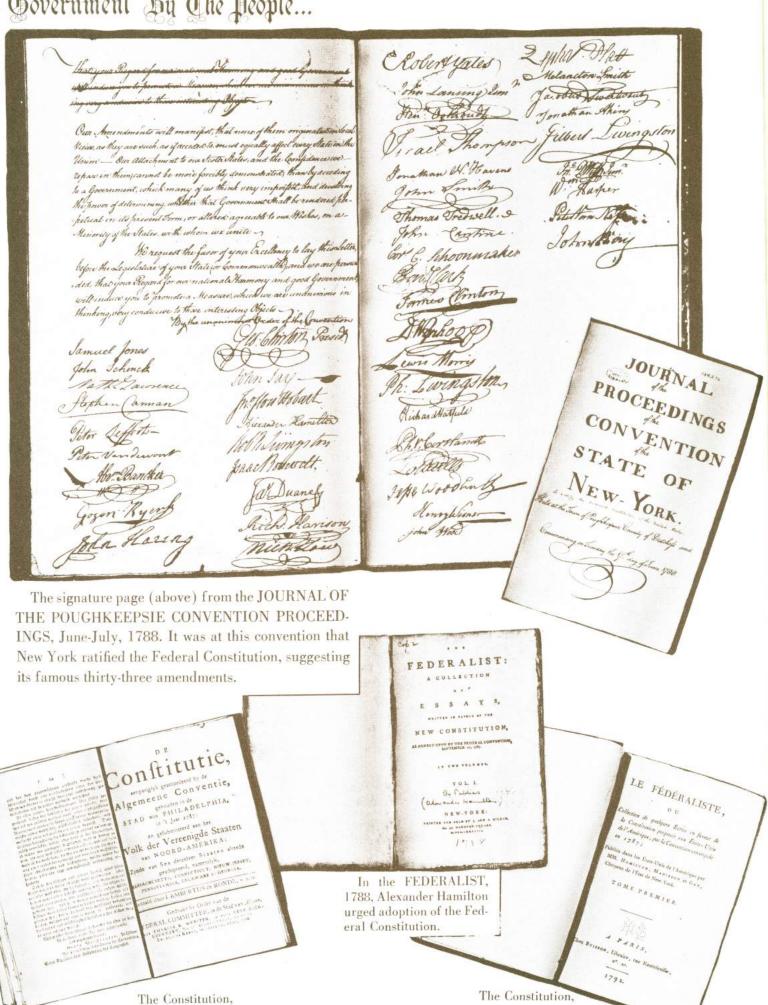
New York ratified the Federal Constitution at Poughkeepsie, July 26, 1788. Thirty-three amendments were suggested, as signed by Governor George Clinton, President of the Convention. While these were not officially accepted for inclusion in the United States Constitution, they did form the basis for the first ten amendments, adopted in 1791 and known as the Bill of Rights.

Below, reproduction of the mural painting by Gerald Foster in the post office at Poughkeepsie, depicts the closing moments of the New York State ratifying convention. The delegates are, left to right: Philip Van Cortlandt, Cornelius Schoonmaker, Peter Vrooman, John Haring, Israel Thompson, Chancellor Robert R. Livingston, Melancton Smith, Governor George Clinton, Alexander Hamilton, Abraham Bancker, John Jay, James Clinton, Isaac Roosevelt, John Sloss Hobart, Jacobus Swartout, Peter Vandervoort, James Duane, Philip Livingston, John Lansing, Lewis Morris, Richard Morris, Dirck Wyncoop, Gozen Ryerss.



Government By The People...

in German.



in French.

Personal.

WHITE HOUSE, WASHINGTON.

December 17, 1901.

My dear Mr. Hale:

I value Mr. Cummings' sermon. If you meet him I wish you would tell him so. I thank you for sending it to me .

The great difficulty that I find is not to do harm to our brother by pretending to help him. The easy thing to do in international matters, for instance, is to follow those amiable but very far from wise philanthropists who think we can help our brother by doing nothing whatever, who think, for example, that we can benefit the Filipino by getting out of the Philippines and letting him wallow back into savagery. Unfortunately, the most difficult task is that which has been so conscientiously undertaken by Root and Taft trying to bring the Filipinos forward in the path of orderly self-governing liberty.

Again, in South America it is positively difficult

And the principle of government by the people was applied by President Theodore Roosevelt in a letter to Rev. Edward E. Hale, December 17, 1901, saying . . . "orderly self-governing liberty" should be given the Philippines. Forty-five years later, President Harry S. Truman by Proclamation, July 4, 1946, which included the phrase..."Whereas the people of the Philippines have clearly demonstrated their capacity for self-government," . . . granted the Filipinos "government by the people."

to know fast how far it is best to leave the nations

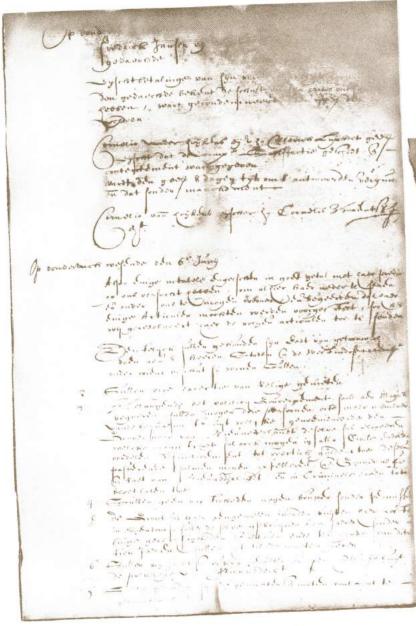
alone and how far there and to interference, and also

how far we can with just fee provent interference by others; because in each case the equities vary.

I please allegiance to my Hag and (to)
the Republic for which it slands me Nation indiviseble - with liberty and justice for all,

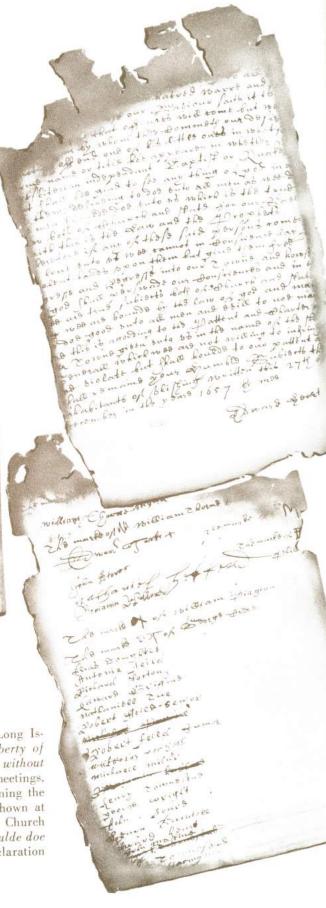
Original draft of the PLEDGE OF ALLEGIANCE to the Flag, written in 1892 by Francis Bellamy. The Pledge was used for the first time, Columbus Day, 1892.

Freedom of

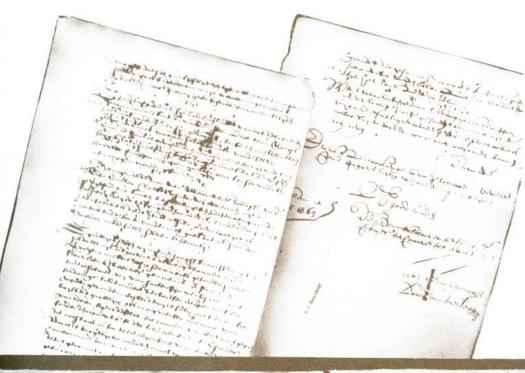


The free exercise of religion was among the privileges granted June 6, 1641 to Englishmen who were permitted by the Dutch West India Company's Director and Council to settle in New Netherland.

Because Governor Peter Stuyvesant violated Flushing, Long Island's Charter of 1645, which guaranteed settlers . . . "Liberty of Conscience, according to the custome and manner of Holland, without molestation or disturbance," by forbidding Quakers to hold meetings, 26 freeholders (men of every religion) rose in protest, signing the FLUSHING REMONSTRANCE, two pages of which are shown at right, December 27, 1657. They said the true law both of Church and State is . . . "doe unto all men as wee desire all men shoulde doe unto us." It has often been called . . . "America's first Declaration of Independence."



Religion...



The Quakers suffered for 6 years under Stuyvesant until John Bowne - who had been jailed for holding religious services in his home was banished to Holland. There, the Directors of the West India Company released Bowne, telling Stuyvesant in the above CENSURE, April 16, 1663 to . . . "at least not force people's consciences. but allow everyone to have his own belief, as long as he behaves quietly and legally. gives no offence to his neighbor and does not oppose the government."

The secretary believes Emericand & the South of Languist of the South of the South

Governor Anthony Colve granted the Lutheran congregation in Albany free exercise of their religion, September 26, 1673.

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Vor house to again and Very Drough to Built South Bases

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Freedom of Religion...

Convention doth further in the name and by—
the Authority of the Good Reopte of this State

Ordain determine and declare that the

Exercise Rejorment Religeous Profesion and
free Declarations of Religeous Profesion and
without sure forever housefur be allowed—
without whate forever housefur be allowed—
within this State to all mankind. Throuded
within the diberty of Conscience hereby Granted
shall not be so Construed as to execuse acts
of Sciencious neps, or justify Practices inconsis
of Sciencious neps, or justify Practices inconsis
and with the Peace or Safety of this State.

139. And Where as the migristers of the Gospelare by their trofession dedicated to the Service of food & the bure of Souls, & ought not to be divorted from the Great Duties of their Francism, therefore from the Great Duties of their Francism, therefore no immission of the Gospel or the Armet of any no immission whatsoever shall at any time denomination whatsoever shall at any time denomination whatsoever shall at any time hereafter under any trelence or Disoription—hereafter under any trelence or Disoription—whatever, be eligible to, or capable of holding any whatever, be eligible to, or capable of holding any whatever be eligible to, or capable within this—civil or military Office or place within this—

\$40 And whereas it is of the utmost 3mportand to the Safety of every state that it stated about always be in a bondition of Defence and it is the

New York's famous CHARTER OF LIBERTIES AND PRIVILEGES, October 17, 1683 (shown at right) proclaimed in majestic sentences the right of religious liberty. The charter so well expressed the principle of freedom that it was restated, almost word-for-word, when New York's first CONSTITUTION was drafted in 1777. Section 38 of the '77 Constitution is shown above.

These words which grant "... free exercise and enjoyment of religious profession...to all mankind..." have stood the test of time. They are repeated again in Article I, section 3 of New York's revised Constitution of 1938.

That all will in worthing allosted by he . withnoter . shall bor of the same force for or other convoyances, boing registros, torys; office within forty dayor after &. Doath That a widdow after the death of how is have how Dower, And shall and mata choifs house of how husband forty day wath of how husband, within which it former shall be apigned oute hor Andfor Call bo afsigned anto how; the third and ands of how husband during courses so wond ondowed of lop before mannes: all all lands and Hanituges within this sondences, Shall be from from all in a n disnacons and from all honidles a ofs, Tringon Soizens, your, day, and rass for fistures upon the death of pands, rall, unnaturall, casuall on Judicialled Cook Gases of High Theason only excelos

That no porson or pousous which profound sous Christ, shall at any times 60 and molastod, punished, disquisted on calls me for any differences or opinion on miles ligious concomments whe do not actall the civil pour of the Provinces.

Diblory Cands - Stensstalons. and share y mille. Han 11,3daise his hon James of all -Exopt = oppico and of Church Ishinos, ErBate, ancestons, That you, Godly vayer question " of of y disturbe that all and

And overy Buch porson or porsons may from home to to line and at all Pours frosty have and fully Enjoy his on those judgments or Consumor in matters of Role gion throughout all the province; they behaving -Thom foling, pracably and quartly, and not bying this Growly to Lyenciousnose, non to The Guill injury ox outward disturbance of othors, Provided always . that this liberty or any thing contained howain to the conhury shall nover bod construed or improved to make Good The Sellement of any publique Minister on Long - Island, whother Such Sollomont Boby two -Thirds of the boings in any forme the woon which -Shall alwayer include the Minor part on by Sub: scriptions of porticular Inhabitants in Said Gownes, Two vides they are the fire thirds thenoof, But that all Such Agroomouts cownants and Subscriptions that ard Thors alroady made and had, that hondafter Shall boo in this mannon, concented to agrand and Subscribed, shall at all find and find honorafton 600. firm and stable, and in confirmacion horsof it is onactors by the Governor Councell and Repropulation, That all Such Sums of monsy so agreed on, consontoo to or Subscriboo as afondsaid for maintonance. of Said publique Ministors, by the two thirds of. any lorond on Long Island, Shall alwayer inclus 200 The Minor part who shall 68 regulated thousey

Freedom of

redicts 10 of him that to perfe formers should not have any distore to quantity alternate than by the produced providings of not shall any lettery becaufter be not how with of holing happing william with the Athers

Section 19 . The people of this State, in their right of dovereignly are elsemed to possess the original and ultimate project to all built within the jurisdiction of the State: and all bunds the little towhich shall fail, from a defeat of hirs, shall revert, or esch

All feedal tenures of every description, with all their incidents are declared to be abobished, saving however Section 12. end services certain which at any time heretofore have been lawfully coreated or reserved.

All lands within this state, are declared to be allodial, so that, subject only to the liability to escheat, the one Tection 13. solute property is vested in the owners, according to the nature of their respective estates.

e to lease or grant of agricultural land, for a longer period than looke years hereafter made, in which to Section 14. ved any rent or service of any Kind, shall be valid.

with the expenses of the proceeding shall be paid by the person to be i All fines , quarter sales , or other like restraints upon aliana Section 15.

Section 16. No push and severy fir ; or which may

Section 17 the said Colony , on the mineton I the convention of the State of Now to or been repealed or allered; and down haltershors as the Legislature that refugnant to this constitution, are bioners, whom duty it shall be to red

as to the said commissioners shall be thosin as they shall deem proper, and they shall at all times make reports aftheir proceedings to the Legislature, when called upon to be

Section 18, All grants of land within this state, mude by the King of Great Britain, or present acting under his authority, eleculte day of October, One thousand seven hundred and seventy five, shall be null and void; but nothing contained in this constitution . my grants of land within this state, made by the authority of the Said Ring or his prederessors, or shall annul my charles to bodies positic and c

or them made, before that day; or shall affect any such grants or charles since made by this State, or by persons acting under its and I impair the obligation of any debts contracted by the State, or individuals, or boties corporate, or any other rights of property, many suits, of action, or other proceedings in courts of justice.

Section 8. Every citizen may freely spec abuse of that right; and no law shall be paped to restrain or as indictments for libels, the truth may be given in widence to the jury; and published with good motives, and for justifiable ends, the pouty

the fact and expedient . a find the Said Commissioners shall ofsecify such altrations and a

he Legislatine thall pass laws regulating the linuse of coffice, the filling of racances therein; und the componsation of the Land commission 'all also provide for the publication of the said code, point to its being presented to the Signistrative for workion.

Article II.

Section 1. Every male atizen of the age of twenty one years who shall have been a citizen for ten days, and an fluis state one year next preceding any election and for the bust four months a resident of the country where he may offer his a 's entitled to vote at such election, in the election district of which he shall at the time be a usident, and not elsewhere, for all officers re or hereafter may be elective by the people; but such citizen shall have been for thirty days next preceding the election a resident of Speech and Aress... in the present Superior court and court of themony, and all sects and process day occurs of bommon plans, (except in the only and country of New York), shall become weelth in the Superior found bucky and mys pending in courts of Common Hear, and in site originally commenced in Justices Courts, shall be transferred to the County court the Constitution, in such manner and form and under such regulation as shall be provided by laws. The courts of type and established shall in their respective courtes have jurished in on and after the day last membered of all indistructs and in hending in the present courts of type and terminer, and also of all indictments and proceedings then pending in the present at Soliens of the perce, except in the City of New York and except in cases of which the Courts of Sections hereby established may Cornignues; and of such indictments and preculsings the toute of sessions hereb at the shall and juris sichion on and last mentione C. " to hear and determine any of publish his sentiments on all subjects, being responsible for the present rates of compensation : shell he Looner heard and debrum feety of speach or of the pass. In all criminal prosecutions or Thisweller thath continue to popurt the jury, that the matter charged as libellous is true, and was withed; and the jury shall have the right to determine the law and wer to hear and determine west in preme couly precion the udicie and conseil of the Article I, section 8, NEW YORK STATE CONSTITUTION, 1846. grane land, elected under this, of supreme venet, around fredge , tic Chunceller, Upistant Vine and proposed bout Commissioner, Deceler in Chancer, seaminer in Chancery, and Chartegale provided) we applied from and after the first Mending of pely the thousand wifet he dad and firty deven (184)) Settion 9. The Character, the Justices of the present Sufreme Court, and the circuit hedges, are levely declared to be the 6 any office at the prist election under this Constitution. Secuent 10 There is, ou he of counties (metaday the wrister and chear of the only and county of claw book) and juntains and coroners, in opine when the constitution shall take offeet, shall not a their confuction of the torne for are respectively elected. Section Il Judical Offices in office was this constitution state to be offict, may continue to waite such fees and inflice as an new authorises by low, until the first day of fully one thousand eight hundred and fully a sen, notwithstanding the provision the Section of the Sinth Ashite of this Constitution Section 12. All local courts established in very city or tillage including the Superior Court, Common Pleas, Sofice

the Section of the diath Ashite of this Constitution

Nection of the diath Ashite of this Constitution

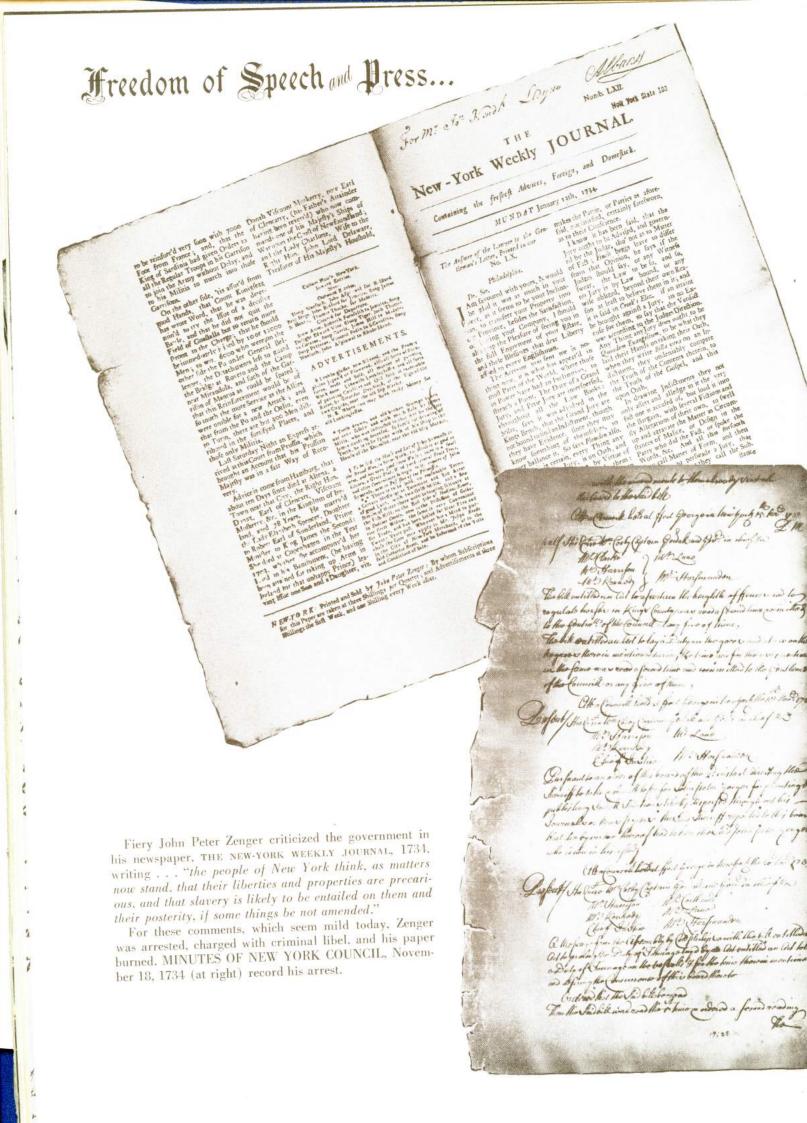
Nection of the diath Ashite of this Constitution established in unit of or village including the Superior Country Country of tends of their fresent pourse ales Constroy of the city and Country of tend book shall remain until otherwise desired by the Legislature with their fresent pourse otions; and the fudges of such country and any clerks thereof in office on the hist day of farming One thousand sight hundred in the Angel alone shall otherwise direct.

I forly seven, except as is herein otherwise possible to.

Done, In Convention, at the Capital in the city of Albany the Ninth day of October in the year one thousand eight hundred and forty die, and of the Independence of the Unite Glates of America the Seventy first.

In wilness where of we have hereunts subscribed our names.

w & Stawack



The Complaint of James Alexander and William Smith to the Committee of the General Affembly of the Colony of New-York, &c.

Mr. Chairman ;

I is with the utmoft Regret, that we attend this Committee in the Quality of Complainants; but the Matter of it too nearly affects us and the Liberties of this Country, to be buried in Silence. Had our perfonal Intereffs been folledy concerned, we might have refled in the Liberties of a Country are at Stake, and the Civil Enjoyments of a People fipth at the very Foundation of them, it behoves every Man that loves his length at the very Foundation of them, it behoves every Man that loves his bent upon all, cotages us in particular, to inform you, That in the Term of April laft, we, in the Cafe of John Peter Zenger, then depending in the Supream Count, field Exceptions to the Committions of the Juffices there: The Tenour whereof follows.

The Attorney General, significant to the Attorney General, significant to the Peter Zenger. Upon an Information for a Misdemeanour.

When in the Words were the second by the Grace of Gol. of Gold Rick. Words at fall of an electric for the first of the first of the Rick. Second Rick. Defender of the Rick. Go. to the rook if well-based, performing the replace of possible for the second Rick. Defender of the Rick. Go. to the rook if well-based between the result of the Rick. Go. to the rook of the Rick. Second Rick. Defender of the Rick. Performing the replace of the Rick. Performing the Rick. Performing the Rick Translation of the Rick. Performing the Rick Translation of the Rick. Performing the Rick Translation of the Rick Rick. Performing the Rick. Performing th

Exceptions humbly offered by Toko Peter Larger, in the Peter of the Biomeruble Town De Laurey, in the Peter of the Biomeruble Town De Laurey, if poud convexient and wiefel, and as sace as much as Edgi, 10 judge in this Goods.

The Defendant Comes and praye Hearing of the Committee, by Virtus of the Peter and Australia, by Virtus of the Peter and Australia, by Peter Sept and the Goods, and it is read unto this his their West Comes (fine, and it is read unto this his their West Comes (fine, and it is read unto this his their West Comes (fine, and it is read unto the fine their West Comes (fine, and it is read unto the fine their West Comes (fine, and it is read unto the fine their West Comes (fine, and it is read unto the fine their West Comes (fine, and their Register), and their Register and their Comes (fine Large Register), or in any West Register, and the Peter September (fine Large Register), or in any West Register, and the Peter September (fine Large Register), or in any West Register, and the Peter September (fine Large Register), or in any West Register, and the Peter September (fine Large Register), or in any West Register, and the Peter September (fine Large Register), or in any West Register, and the Peter September (fine Large Register), or in any West Register, and the Peter September (fine Large Register).

The people watched with excitement Zenger's trial. First, his lawyers were disbarred for questioning the validity of the judges to act in the case. Their COMPLAINT, dated December 27, 1735, argued that such action was

contrary to Magna Carta.

Andrew Hamilton, who was the key lawyer for the defense, summed up his argument, saying that if what Zenger had printed in his newspaper was true, then he should not be found guilty. The law, Hamilton claimed, upheld . . . "the liberty both of expression and opposing arbitrary power, in these parts of the world at least, by speaking and writing truth.

therity cannot be greated to, and excensive by, are one of the Judices of the Kirf's Rock.

ser one of the Judices of the Kirf's Rock.

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Lev., but any Start of Line Line, but Camming, its Line, but any Line Line Line.

Winesfore, and fee more after Michael of Line Line, but the Line Line Line Line Line Line.

Winesfore, and it is appeared under the Rule of the California California, but Excellence William California, but the California Californi

Warrefore, and far many other Defects in the fail Commission, this Defendant humble hopes, that the Henourable Friday, Pailipp, Efg. with not take Cognization of this Confe, by Virtue of the Commission of Friday.

4 2. Upon filing these Exceptions, we expected to be heard, as it was out undoubted Right by Law to be. And in Justification of our Conduct, we offered to prove. That the Subject by Law bas a Right to take such Exception, if be thinks the Commissions illegal. We also offered to prove, That the Subject by Law bas a Right to take such Exception, if be wire warranted by Law, and Valid. But the Judges were pleased to say, That they would notiber bear us, nor allow the Exception: But (as we canceive) mass instituting and illegally coulded to be entired in the Minutes of the Court, the At a Satrona Coart of Indicators, held for the Position (A).

owing Order.
At a Suprem Court of Indicature, held for the Province of New York, at the Cityhall of the City of New-York, on Wednesday the Intents Day of April, 1735.

PRESENT, The Honourable James De Lancey, Efq. Chief Juffice.

PRESEN 1/2 The Honourable Frederick Philippe, Eq. Become junior.

'James Alexander Efg. William Smith, Attenues of the Court, Atwing prefamed (NOT: WITHSTANDING) THEY WERE FORWARKED BY THE COURT OF THEIR DISPLEASURE, IF THEY SNOULD DO IT) to fige, and showing all mall by good of for its Court, Exception, in the Names (but Peter Zenger, thereto desing the Legality of the Judge; their Cammiffont, the in the Judge Form, AND THE BEING OF THIS SUPREAM COURT. It is therefore ORDERED, That the find CONTEMPT, the find James Alexander and William Smith be sechaled from any further Praftice in this Gener, and that their Names by first out of the Roll of Attenues of the Court.

Det Cur. James Lyne, C.

Mr. Chairmen;

¶ 3. This Order is the Ground of Our Complaint. There are fundry

¶ 3. This Order is the Work of the Work of the Colony is greatly

Things in it which we shall take Notice of, in order to entitle our selves to the

Relief of this Honourable House : The poblick Interest of this Colony is greatly

concerned in the Confequences of this Order; and for our own Pars, we think

it exceeding hard to be deprived of our Subsistance, meetly for having done

our Dure.

our Dury.

4. The a forecising Thing to us, that the Gentlemen who made this Order, could proceed the Length they have done. The good Opinion we were willing to enterain of them dispoid us to think. That they would never have done their Country and us to great in Injury. Could any Man have thought, that they would have deeped the Subject a Liberty is take an Exception to their Commissions, tobou bis Right to do fo, in factory founded in Reason and Larne I fee mult be but little acquainted with the Laws of England, who could potably make a Doubt. Whether the Subject had fine be Right I have the Gentlemen, without Question, had feen that Matter fully meated of in the Cafe of Mr. I make the Commission of the Jaffices of the Supream Court, I have a full manufacture, before the Day appointed for printed before they made the abovefuld 14, to 35, the Right of the Subject to take fuch.

others: The Case was thus; King James the 2d co of Combridge to admit a Papili to the Degree of Maj resulted to do; and for that Contempt were cited before they appeared by their Vice Chancellor, and eight of upon the Vice Chancellor prayed, and had Time to ansign degree to the Vice Chancellor prayed, and had Time to ansign degree they be the Vice Chancellor prayed, and had Time to ansign degree to the Vice Chancellor prayed, and had Time to ansign degree to the Vice Chancellor prayed, and by what Contemporary and the Time appointed they pleaded to the Jurisdiction of the Court, both as to that particular Case they were cited for, and as to the whole Power of the Court, by setting forth the Act of 16th of Charles the first, that enabled, than to such and when read, the Chancellor FEFFERT'S asked, if it was signed? Where-upon it was answered, Tes My Lord; and then the Matter was taken just Conference of the Court of the Court of the Vice Chancellor FEFFERT'S, ever so much as thought, that those Council acided amis, for advising or signing of that, or the former Plea in the Bishop of London's Case: Tho' in the last Case, to the share Court, FEFFERT'S, and their Lordships DISPLEASURE, they thought fit to appoint, that the Fite Chancellor flowed by the the Council acides the Court of the

Fal. of the State Tryals, from pag. 250, to 259.

¶ 14. These Authorities, with what is referred to in the Argument of Mr. Pan Dan's Council, are a full Froof, that it is by Law the Right of the Subject to the Exception, either to the Jurisdiction of the Count, or the Committion of a Judge. And it this he the Right of the Subject, how confissent is with the GREAT CHARTER to deny it to him? It is said there, Null negabinus, milli differents Fulfitian vel Retirm. We will deay no Man, we will delay to ms Man, fulfice or Right.

Now this Law was made our Birth-Right (see My Lord Coke's Comment. upon ad Inst. 56.) And to observe this Law, not only the King, at His Corantion, but all his Judges of Common Law, are or ought to be sworn. And if this is the Subjects Right, what Judge, without Violation of his Oath, can deny-it? And how can it, consistent with either Reason, Law or common Seets, be termed a CONTEMPT to elaim that Right? Or for Council to fign and file Exceptions in Consiquence of that Right?

4.15. In the next Place we observe, that the Suggestian, in the faid Order, That the Exception desay the Being of the Supram Gener, is altogether without Truth and groundles. Had the Supram Court no other Foundation than the Judges Commissions, there might have been some Frush in that Suggestion. In such Case, to deny the Lawfunless of their Commissions, would be to deny the Being of the Court: But it is well known, that the Being of the Supram Court has a quite different Foundation.

Suprem Court has a quite amerent Foundation.

It is. It was, till lately, understood to have been founded on Ordinances, several of which have been made from Time to Time, either to give or continue in Being, the last of which was published in the Supream Court, in the Prefence, and by Order, of these Gentlemen, and bears date an longer ago than the 19th Merch, in the fixth Year of His prefent Majesty's Reign. But suppose it to easily or have its being by the Common Laws, as form have lastly imagined, and which seems to be Mr. Chief Justice's Opinion (see his Charge to the Grand Jury of 15th January, 1733, pag. 4. Grandmon, --- [whole Payagraph to] --- now.) Yet in either Case, it doth not derive its Being fram the

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New-York, B.

New-York, B.

IN Obedience to an Order of the Honomeable the General Affembly, dated the 24th Day of October laft, James Alexander and William Smith, being duis firm on the boly Evangeliffs, on their Oath do declare. That the preceding Paper contains a tree, full and compleat Copy of the Complaint which they offered to the Complaint which they offered to the Complaint which they offered and fact before the fail Committee on the 22d Day of Colober laft, at the Houfe of Mr. John D'honnen, by War of Complaint againgt the fail Tudges, it the Houfe of the Deponents. EXCEPT that in the 22d Paragraph fome Words are inferted between these Marks [] which were designed to have been found in the Place, but ther believe they were by Mistake omitted to be shoken. And EX-ETT that the Words Mr. Chairman were often poken than what appears by the they believe is contained in the Marginal Note on the last Paragraph. And EXCEPT the Marginal Notes and Numbers of the Paragraph, which have been similar to the Marginal Note on the last Paragraph. And EXCEPT the Marginal Notes and Numbers of the Paragraph, which have been similar to the Marginal Note on the last Paragraph. And EXCEPT the Deponent DE-LARING, that what they shid extempore, before and after the Complaint, in excepting to Tudge Philipse being one of the Committee, and other Exception them made extempore, not having been reduced to Writing before they were offered, they do not offere may Para of their said complaint s, entire is it in their twee the Intention of the General Assembly, to order the Delivery of a Copy of that to the Tudges. And Farber the Deponents sey not.

Sworn the Twenty feventh Day of December, 1735. Before S. Johnson.

Ja. Alexander. Wm. Smith,