DECLARATION OF INDEPENDENCE,

AND

CONSTITUTION OF THE UNITED STATES;

TO WHICH IS PREFixed

THE

CONSTITUTION

OF THE STATE OF NEW-YORK.

NEW-YORK:
Printed by John Bull, Editor of the Weekly Magazine, and sold by the Booksellers in general.
1796.
DECLARATION OF INDEPENDENCE

OF THE UNITED STATES.

This celebrated declaration was published on the 4th of July, 1776, and is as follows:

WHEN, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth the separate and equal station, to which the laws of nature and of nature’s God entitle them, a decent respect to the opinions of mankind, requires that they should declare the causes which impel them to the separation.

“We hold these truths to be self-evident: That all men are created equal; that they are endowed by their Creator, with certain unalienable rights: that among these are life, liberty, and the pursuit of happiness; that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such forms as shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate, that governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former systems of government. The history of the present king of Great-Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these States. To prove this, let facts be submitted to a candid world.

* He has refused his consent to laws the most wholesome.
He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other laws for the accommodation of large districts of people, unless these people would relinquish the right of representation in the legislature; a right indestructible to them, and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved representative houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused, for a long time after such dissolutions, to cause others to be elected; whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise; the State remaining in the mean time exposed to all the danger of invasion from without, and convulsions within.

He has endeavoured to prevent the population of these States: for that purpose obstructing the laws for naturalization of foreigners; refusing to pass others to encourage their migration hither; and raising the conditions of new appropriations of lands.

He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

He has made judges dependent on his will alone for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of new offices, and sent hither swarms of officers to harass our people and eat out their subsistence.

He has kept among us, in times of peace, standing armies, without the consent of our legislatures.

He has affected to render the military independent of, and superior to, the civil power.

He has combined with others to subject us to jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his assent to their acts of pretended legislation:

For quartering large bodies of armed troops among us:

For protecting them, by mock trial, from punishment for any murders which they should commit on the inhabitants of these States:

For cutting off our trade with all parts of the world:
DECLARATION OF INDEPENDENCE.

"For depriving us, in many cases, of the benefits of trial by jury:
"For transporting us beyond seas to be tried for pretended offences:
"For abolishing the free system of English laws in a neighbouring province, establishing therein an arbitrary government, and enlarging its boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule in these colonies:
"For taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our governments:
"For suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.
"He has abdicated government here, by declaring us out of his protection, and waging war against us.
"He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.
"He is, at this time transporting large armies of foreign mercenaries to complete the works of death, delolation, and tyranny, already begun with circumstances of cruelty and perfidy, scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation.
"He has constrained our fellow-citizens, taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves, by their hands.
"He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes, and conditions.

"In every stage of these oppressions we have petitioned for redress in the most humble terms: our repeated petitions have been answered only by repeated injury. A prince whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people.

"Nor have we been wanting in attention to our British brethren. We have warned them from time to time of attempts made by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred, to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They, too, have been deluded.
and hold them, as we hold the rest of mankind, enemies in war—in peace, friends.

We, therefore, the Representatives of the United States of America, in general Congress assembled, appealing to the Supreme Judge of the world, for the rectitude of our intentions, do, in the name and by the authority of the good people of these colonies, solemnly publish and declare, that these united colonies are, and of right, ought to be free and independent states;—that they are absolved from all allegiance the British crown;—that all political connection between them and the state of Great-Britain, is and ought to be totally dissolved; and that, as free and independent states, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things, which independent states may of right do. And for the support of this declaration, with a firm reliance on the protection of divine providence, we mutually pledge to each other our lives, our fortunes, and our sacred honour.

JOHN HANCOCK.


Massachusetts-Bay, Samuel Adams, John Adams, Robert Treat Paine, Elbridge Gerry.

Rhode-Island &c, Stephen Hopkins, William Ellery.

Connecticut, Roger Sherman, Samuel Huntington, William Williams, Oliver Wolcott.


Pennsylvania, Robert Morris, Benjamin Rush, Benjamin Franklin, John Morton, George Clymer, James Smith, George Taylor, James Wilson, George Rols.

Delaware, Caesar Rodney, George Read.

Maryland, Samuel Chase, William Paca, Thomas Stone, Charles Carroll, of Carrollton.


North-Carolina, William Hooper, Joseph Hewes, John Penn.

South-Carolina, Edward Rutledge, Thomas Hayward, jun, Thomas Lynch, jun, Arthur Middleton.

Georgia, Button Gwinnett, Lyman Hall, George Walton.

We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this constitution for the United States of America.

Article I.

Section I.

All legislative powers herein granted, shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section II.

1. The House of Representatives shall consist of members chosen every second year, by the people of the several States; and the electors, in each State, shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

2. No person shall be a representative, who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States; and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

3. Representatives, and direct taxes shall be apportioned among the several States, which may be included in this union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the
years, in such manner as they shall by law direct. The number of representatives shall not exceed one for every thirty thousand; but each state shall have at least one representative: and, until such enumeration, shall be made, the state of New-Hampshire shall be entitled to choose three; Massachusetts eight; Rhode-Island and Providence Plantations one; Connecticut five; New-York six; New-Jersey four; Pennsylvania eight; Delaware one; Maryland six; Virginia ten; North-Carolina five; South-Carolina five; and Georgia three.

4. When vacancies happen in the representation from any state, the executive authority thereof shall issue writs of election to fill such vacancies.

5. The house of representatives shall choose their speaker and other officers; and shall have the sole power of impeachment.

SECTION III.

1. The senate of the United States shall be composed of two senators from each state, chosen by the legislature thereof, for six years; and each senator shall have one vote.

2. Immediately after they shall be assembled, in consequence of the first election, they shall be divided, as equally as may be, into three classes: The terms of the senators of the first class shall be vacated at the expiration of the second year; of the second class, at the expiration of the fourth year; and of the third class, at the expiration of the sixth year; so that one third may be chosen every second year. And if vacancies happen, by resignation or otherwise, during the recess of the legislature of any state, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

3. No person shall be a senator, who shall not have attained to the age of thirty years, and been nine years a citizen of the United States; and who shall not, when elected, be an inhabitant of that state for which he shall be chosen.

4. The Vice President of the United States shall be President of the Senate; but shall have no vote, unless they be equally divided.

5. The senate shall choose their other officers, and also a president pro tempore, in the absence of the Vice-President, or when he shall exercise the office of President of the United States.

6. The senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the chief justice shall preside: and no person shall be convicted, without the concurrence of two-thirds of them.
7. Judgment, in case of impeachment, shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honour, trust, or profit, under the United States. But, the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment and punishment according to law.

SECTION IV.

1. The times, places, and manner of holding elections for senators and representatives, shall be prescribed in each state by the legislature thereof: but the Congress may, at any time, by law, make or alter such regulations, except as to the places of choosing senators.

2. The Congress shall assemble at least once in every year; and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

SECTION V.

1. Each house shall be the judge of the elections, returns, and qualifications of its two members: and a majority of each shall constitute a quorum to do business: but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties as each house may provide.

2. Each house may determine the rules of its proceedings; punish its members for disorderly behaviour; and, with the concurrence of two thirds, expel a member.

3. Each house shall keep a journal of its proceedings; and, from time to time, publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members of either house, on any question, shall, at the desire of one-fifth of those present, be entered on the journal.

4. Neither house, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

SECTION VI.

1. The Senators and representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall, in all cases, except treason, felony, and breach of the peace, be privileged from arrest, during their attendance at the session of their respective houses, and in going to, and returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place.

2. No senator or representative shall, during the time
under the authority of the United States, which shall have been created, or the emoluments of which shall have been increased, during such time; and no person, holding any office under the United States, shall be a member of either house, during his continuance in office.

SECTION VII.

1. All bills, for raising revenue, shall originate in the house of representatives; but the senate shall propose or concur with amendments, as on other bills.

2. Every bill which shall have passed the house of representatives and the senate, shall, before it become a law, be presented to the President of the United States. If he approve, he shall sign it: but if not, he shall return it, with his objections, to that house, in which it shall have originated, who shall enter the objections at large on their journal, and proceed to consider it. If, after such reconsideration, two thirds of that house 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 approved by two thirds of that house, it shall become a law. But, in all such cases, the votes of both houses shall be determined by yeas and nays: and the names of the persons voting for and against the bill, shall be entered on the journal of each house respectively. If any bill shall not be returned by the President, within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner, as if he had signed it, unless the Congress, by their adjournment, prevent its return; in which case it shall not be a law.

3. Every order, resolution, or vote, to which the concurrence of the senate and house of representatives may be necessary (except on a question of adjournment) and shall be presented to the President of the United States; and before the same shall take effect, be approved by him; or, being disapproved by him, shall be repassed by two-thirds of both houses, according to the rules and limitations prescribed in the case of a bill.

SECTION VIII.

The Congress shall have power,

1. To lay and collect taxes, duties, imposts, and excises, to pay the debts, and provide for the common defence, and general welfare; of the United States; but all duties, imposts, and excises, shall be uniform throughout the United States.

2. To borrow money on the credit of the United States.

3. To regulate commerce with foreign nations, and among the several States, and with the Indian tribes.
uniform laws on the subject of bankruptcies, throughout the United States.

5. To coin money; regulate the value thereof, and of foreign coin; and fix the standard of weights and measures.

6. To provide for the punishment of counterfeiting the securities and current coin of the United States.

7. To establish post-offices and post-roads.

8. To promote the progress of science and useful arts, by securing, for limited times, to authors and inventors, the exclusive right to their respective writings and discoveries.

9. To constitute tribunals inferior to the supreme court.

10. To define and punish piracies and felonies committed on the high seas, and offences against the law of nations.

11. To declare war; grant letters of marque and reprisal; and make rules concerning captures on land and water.

12. To raise and support armies. But no appropriation of money for that use, shall be for a longer term than two years.

13. To provide and maintain a navy.

14. To make rules for the government and regulation of the land and naval forces.

15. To provide for calling forth the militia, to execute the laws of the union, suppress insurrections, and repel invasions.

16. To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States: reserving to the States respectively the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress.

17. To exercise exclusive legislation in all cases whatsoever over such districts (not exceeding ten miles square) as may, by cession of particular States, and the acceptance of Congress, become the seat of the government of the United States; and to exercise like authority over all places purchased by the consent of the legislature of the State in which the same shall be; for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings:

18. To make all laws, which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or officer thereof.

SECTION IX.

1. The migration or importation of such persons, as any of the States now existing, shall think proper to admit,
shall not be prohibited by the Congress, prior to the year one thousand eight hundred and eight: but a tax or duty may be imposed on such importation, and not exceeding ten dollars for each person.

2. The privilege of the writ of habeas corpus shall not be suspended, unless when, in cases of rebellion or invasion, the public safety may require it.

3. No bill of attainder, or ex post facto law shall be passed.

4. No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration herein before directed to be taken.

5. No tax or duty shall be laid on articles exported from any State. No preference shall be given, by any regulation of commerce or revenue, to the ports of one State over those of another: nor shall vessels, bound to or from one State, be obliged to enter, clear, or pay duties in another.

6. No money shall be drawn from the treasury, but in consequence of appropriations made by law: and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

7. No title of Nobility shall be granted by the United States: And no person holding any office of profit or trust under them, shall, without the consent of Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state.

SECTION X.

1. No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make any thing but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or grant any title of nobility.

2. No State shall, without the consent of Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts, laid by any State on imports or exports, shall be for the use of the treasury of the United States; and all such laws shall be subject to the revision and control of the Congress.

No State shall, without the consent of Congress, lay any duty on tonnage, keep troops, or ships of war, in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.
Article 2.

SECTION 1.

1. The executive power shall be vested in the President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice-President, chosen for the same term, be elected as follows:

2. Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of senators and representatives, to which the State may be entitled in the Congress. But no senator, or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

3. The electors shall meet in their respective States, and vote by ballot for two persons, of whom one, at least, shall not be an inhabitant of the same State with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose by ballot one of them for President, and if no person have a majority, then, from the five highest on the list, the Said House shall in like manner choose the President. But in choosing the President, the votes shall be taken by States, the representation of each State having one vote: a quorum for this purpose shall consist of a number or members from two-thirds of the States: and a majority of all the States shall be necessary to a choice. In every case, after the choice of the President the person having the greatest number of votes of the electors, shall be the Vice-President. But if there should remain two or more, who have equal votes, the Senate shall choose from them, by ballot, the Vice-President.

4. The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

5. No person, except a natural born citizen, or a citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to the office of President.
Neither shall any person be eligible to that office, who shall not have attained to the age of thirty five years, and been fourteen years a resident within the United States.

6. In case of the removal of the President from office, or of his death, resignation, or inability, to discharge the powers and duties of the said office, the same shall devolve on the Vice-President; and the Congress may, by law, provide for the case of removal, death, resignation, or inability, both of the President and Vice-President, declaring what officer shall then act as President; and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

7. The President shall, at stated times, receive for his services, a compensation, which shall neither be encreased nor diminished, during the period for which he shall have been elected: and he shall not receive, within that period, any other emolument from the United States, or any of them.

8. Before he enter on the execution of his office, he shall take the following oath or affirmation:

"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States; and will, to the best of my ability, preserve, protect, and defend the Constitution of the United States."

SECTION II.

1. The President shall be commander in chief of the army and navy of the United States, and of the militia of the several States, when called into the actual service of the United States. He may require the opinion, in writing, of the principal officers in each of the executive departments, upon any subjects relating to the duties of their respective offices: and he shall have power to grant reprieves and pardons, for offences against the United States, except in cases of impeachment.

2. He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur: and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the supreme court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law. But the Congress may, by law, vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments.

3. The President shall have power to fill up all vacancies that may happen, during the recess of the Senate, by granting commissions, which shall expire at the end of their
SECTION III.

He shall, from time to time, give to the Congress information of the state of the Union; and recommend to their consideration such measures as he shall judge necessary and expedient. He may, on extraordinary occasions, convene both houses, or either of them: and, in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper. He shall receive ambassadors and other public ministers. He shall take care that the laws be faithfully executed: and shall commission all the officers of the United States.

SECTION IV.

The President, Vice-President, and all civil officers of the United States, shall be removed from office, on impeachment for, and conviction of treason, bribery, or other high crimes and misdemeanors.

Article III.

SECTION I.

The judicial power of the United States shall be vested in one supreme court, and in such inferior courts as the Congress may, from time to time, ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behaviour; and shall at stated times, receive for their services, a compensation, which shall not be diminished during their continuance in office.

SECTION II.

1. The judicial power shall extend to all cases, in law and equity, arising under this constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers, and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more States, between a State and citizens of another State, between citizens of different States, between citizens of the same State, claiming lands under grants of different States, and between a State, or the citizens thereof, and foreign States, citizens or subjects.

2. In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be a party, the supreme court shall have original jurisdiction. In all the other cases before mentioned, the supreme court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

3. The trial of all crimes, except in cases of impeachment, shall be by jury: and such trials shall be held in the State where the said crimes shall have been committed: but
when not committed within any state, the trial shall be at such place or places, as the Congress may by law have directed.

SECTION III.

1. Treason against the United States, shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

2. The Congress shall have full power to declare the punishment of treason: but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attained.

Article IV.

SECTION I.

Full faith and credit shall be given in each state, to the public acts, records, and judicial proceedings of every other state. And the Congress may, by general laws, prescribe the manner in which such acts, records and proceedings shall be proved and the effect thereof.

SECTION II.

1. The citizens of each state shall be entitled to all the privileges and immunities of citizens in the several states.

2. A citizen charged in any state with treason, felony, or other crime, who shall flee from justice, and be found in another state, shall, on demand of the executive authority of the state from which he fled, be delivered up, to be removed to the state, having jurisdiction of the crime.

3. No person, held to service or labour in one state, under the laws thereof, escaping into another, shall in consequence of any law or regulation therein, be discharged from such service or labour; but shall be delivered up on claim of the party to whom such service or labour may be due.

SECTION III.

1. New states may be admitted by the Congress into this union; but no new state shall be formed or erected within the jurisdiction of any other state—nor any state be formed by the junction of two or more states, or parts of states—without the consent of the legislatures of the states concerned, as well as of the Congress.

2. The Congress shall have power to dispose of, and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this constitution shall be so construed, as to prejudice any claims of the United States, or any particular state.

SECTION IV.

The United States shall guarantee to every state in this union, a republican form of government; and shall protect each of them against invasion; giving their consent to the execution of such laws and regulations of the union as shall be in pursuance of this article.
ARTICLE V.

The Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this constitution, or, on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this constitution, when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment, which may be made prior to the year one thousand eight hundred and eight, shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the Senate.

ARTICLE VI.

1. All debts contracted, and engagements entered into before the adoption of this constitution, shall be as valid against the United States, under this constitution, as under the confederation.

2. This constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land: and the judges, in every state, shall be bound thereby, any thing in the constitution or laws of any state to the contrary notwithstanding.

3. The Senators and Representatives before mentioned, and the members of the state legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound, by oath or affirmation to support this constitution; but no religious test shall ever be required as a qualification to any office of public trust under the United States.

ARTICLE VII.

The ratification of the conventions of nine states shall be sufficient for the establishment of this constitution between the states so ratifying the same.

Done in Convention, by the unanimous consent of the states present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty-seven, and of the Independence of the United States of America the twelfth. In witness whereof we have hereunto subscribed our names.

GEORGE WASHINGTON,

President and Deputy from Virginia.
CONSTITUTION OF THE UNITED STATES.

Massachusetts. Nathaniel Gorham, Rufus King.
Pennsylvania. Benjamin Franklin, Thomas Mifflin, Robert Morris, George Clymer, Thomas Fitzsimons, Jared Ingersoll, James Wilson, Gouverneur Morris.
Georgia. William Few, Abraham Baldwin.

Attest.

WILLIAM JACKSON, Sec.

CONGRESS OF THE UNITED STATES,

Began and held at the city of New-York, on Wednesday, the fourth of March, one thousand seven hundred and eighty-nine.

The conventions of a number of states, having, at the time of their adopting the constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added—and as extending the ground of public confidence in the government will best insure the beneficent ends of its institution—

RESOLVED, by the Senate and House of Representatives of the United States of America, in Congress assembled, two-thirds of both Houses, concurring, that the following articles be proposed to the legislatures of the several states, as amendments to the constitution of the United States, all, or any of which articles, when ratified by three-fourths of the said legislatures, to be valid, to all intents and purposes as part of the said constitution, viz.

ARTICLES, in addition to an amendment of the constitution of the United States of America, proposed by Congress, and ratified by the legislatures of the several states, pursuant to the fifth article of the original constitution.

1. After the first enumeration, required by the first article of the original constitution, of the inhabitants of the United States, the Congress shall, within ten years, thereafter, cause to be taken at least once in every ten years, a census of the people of the United States; and based upon the result of such enumeration, shall be equally apportioned among the several states, according to their respective numbers.

2. The Congress shall have power to requisition the services of the militia of one or more states, in cases of armed insurrection or internal disorder, where the Virginia convention has granted the power, for a period not exceeding six months, to be specified in the requisition, but not exceeding the time necessary to quell such insurrection or disorder.

3. The Congress shall have power to regulate the entry of foreign merchandise into the United States, and to exclude from the territory of the United States all foreign vessels, excepting those of the Confederate States, declared to be friendly nations, and which shall have been received into the United States in the course of trade, and which shall have been bona fide purchased, and which shall have been regularly registered and licensed to enter the United States.

4. The Congress shall have power to regulate the trade between the United States and any foreign nation, and between any two or more states, and to regulate the trade of the United States with any foreign nation, and between any two or more states, and to regulate the trade of the United States with any foreign nation, and between any two or more states.

5. The Congress shall have power to provide for the punishment of treason, and shall have power to prescribe the manner of trial of all persons convicted of treason, and shall have power to punish all persons who shall commit treason, as the laws of the United States shall direct.

6. The Congress shall have power to establish a uniform system of weights and measures throughout the United States, and shall have power to establish a uniform system of weights and measures throughout the United States.

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30. The Congress shall have power to establish a uniform system of weights and measures throughout the United States, and shall have power to establish a uniform system of weights and measures throughout the United States.
every thirty thousand, until the number shall amount to one hundred; after which, the proportion shall be so regulated by Congress, that there shall not be less than one hundred representatives—nor less than one representative to every forty thousand persons—until the number of representatives shall amount to two hundred; after which the proportion shall be so regulated by Congress, that there shall not be less than two hundred representatives, nor more than one representative for every fifty thousand persons.

II. No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of representatives shall have intervened.

III. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

IV. A well regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.

V. No soldier shall in time of peace, be quartered in any house, without the consent of the owner; nor in time of war, but in a manner to be prescribed by law.

VI. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated: and no warrants shall issue, but upon probable cause, supported by oath or affirmation—and particularly describing the place to be searched, and the persons or things to be seized.

VII. No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment by a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service, in time of war, or public danger: nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb: nor shall be compelled in any criminal case, to be a witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

VIII. In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury, of the state and district, wherein the crime shall have been committed; which district shall have been previously ascertained by law; and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defense.
IX. In suits at common law, where the value in controversy shall exceed 20 dollars, the right of trial by jury, shall be preserved: and no fact tried by jury, shall be otherwise re-examined in any court of the United States, than according to the rules of common law.

X. Excessive bail shall not be required; nor excessive fines imposed; nor cruel and unusual punishments inflicted.

XI. The enumeration, in the constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

XII. The powers not delegated to the United States by the constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

FREDERICK A. Muhlenberg, Speaker of the House of Representatives,

JOHN ADAMS, Vice-President of the United States, and

President of the Senate.

Attest. JOHN BECKLEY, Clerk of the House of Representatives.

SAMUEL A. OTIS, Secretary of the Senate.

N. B. By the returns made into the Secretary of State's office, it appears, that the first article of the above amendments is agreed to by only seven States—the second by only four—and therefore these are not obligatory. All the remainder, having been ratified by nine States, are of equal obligation with the constitution itself.

August 12, 1791.

Ratification of the Federal Constitution by the United States.

1787 Dec. 3. By Delaware.

1788 Jan. 2. By Georgia.


April 28. By Maryland.

May 23. By South-Carolina.

25. By Virginia.


1789 Nov. 27. By North-Carolina.

1790 June 16. By Rhode-Island.

Vermont received into the Union.

1792 June 1. Kentucky do.
THE CONSTITUTION

Of the State of New-York.

In Convention of the Representatives of the State of New-York.

Kingston, 20th April, 1777.

WHEREAS the many tyrannical and oppressive usurpations of the king and parliament of Great-Britain, on the rights and liberties of the people of the American colonies, had reduced them to the necessity of introducing a government by congresses and committees, as temporary expedients, and to exist no longer than the grievances of the people should remain without redress.

And Whereas the congress of the colony of New-York, did, on the thirty first day of May, now last past, resolve as follows, viz.

"Whereas the present government of this colony, by congress and committees, was instituted while the former government under the crown of Great-Britain, existed in full force; and was established for the sole purpose of opposing the usurpation of the British parliament, and was intended to expire on a reconciliation with Great-Britain, which it was then apprehended would soon take place, but is now considered as remote and uncertain.

"And Whereas many and great inconveniences attend the said mode of government by congress and committees, as of necessity, in many instances, legislative, judicial and executive powers have been vested therein, especially since the dissolution of the former government, by the abdication of the late governor, and the exclusion of this colony from the protection of the king of Great-Britain.

"And Whereas the continental congress did resolve as followeth, to wit:

"Whereas his Britannic Majesty, in conjunction with the lords and commons of Great-Britain, has, by a late act of parliament, excluded the inhabitants of these united colonies from the protection of his crown. And whereas no answers whatever, to the humble petition of the colonies for redress of grievances and reconciliation with Great-Britain, has been, or is likely to be given, but the whole force of that kingdom, aided by foreign mercenaries, is to be excited for the destruction of the good people of these colonies. And whereas it appears abso-

...
ceeary for the support of any government under the crown of Great-Britain; and it is necessary that the exercise of every kind of authority under the said crown, should be totally suppressed, and all the powers of government exerted under the authority of the people of the colonies, for the preservation of internal peace, virtue and good order, as well as for the defence of our lives, liberties, and properties, against the hostile invasions and cruel depredations of our enemies. Therefore,

"Resolved, That it be recommended to the respective assemblies and conventions of the united colonies, where no government sufficient to the exigencies of their affairs has been hitherto established, to adopt such government as shall, in the opinion of the representatives of the people, best conduce to the happiness and safety of their constituents in particular, and America in general.

"And whereas doubts have arisen, whether this congress are invested with sufficient power and authority to deliberate and determine, on so important a subject as the necessity of erecting and constituting a new form of government and internal police, to the exclusion of all foreign jurisdiction, dominion and control whatever. And whereas it appertains of right solely to the people of this colony to determine the said doubts: Therefore,

"Resolved, That it be recommended to the electors in the several counties in this colony, by election, in the manner and form prescribed for the election of the present Congress, either to authorize (in addition to the powers vested in this congress) their present deputies, or others in the stead of their present deputies, or either of them, to take into consideration the necessity and propriety of instituting such new government as in and by the said resolution of the continental congress is described and recommended: And if the majority of the counties, by their deputies in provincial congress, shall be of opinion that such new government ought to be instituted and established, then to institute and establish such a government as they shall deem best calculated to secure the rights, liberties, and happiness of the good people of this colony; and to continue in force until a future peace with Great-Britain shall render the same unnecessary. And,

"Resolved, That the said elections in the several counties, ought to be had on such day, and at such place or places, as by the committee of each county respectively shall be determined. And it is recommended to the said committees, to fix such early days for the said elections, as that all the deputies to be elected have sufficient time to repair to the city of New-York by the second Monday in July next; on which day all the said deputies ought punctually to give their attendance.

"And Whereas the object of the foregoing resolutions is of the utmost importance to the good people of this colony.
Resolved, That it be, and it is hereby earnestly recommend-
ed to the committees, free-holders, and other electors in the
different counties in this colony, diligently to carry the same
into execution."

And Whereas the good people of the said colony, in pursu-
ance of the said resolution, and reposing special trust and confi-
dence in the members of this convention, have appointed, au-
thorised and empowered them for the purposes, and in the
manner and with the powers in and by the said resolve specified,
declared and mentioned.

And Whereas the delegates to the United American States,
in general congress convened, did on the fourth day of July now
last past, solemnly publish and declare, in the words following, viz.

"When in the course of human events, it becomes necessary
for one people to dissolve the political bands which have con-
neked them with another, and to assume among the powers of
the earth, the separate and equal station to which the laws of
nature, and of nature's God intitle them, a decent respect to
the opinions of mankind requires that they should declare the
causes which impel them to the separation.

"We hold these truths to be self-evident, that all men are
created equal, that they are endowed by their creator with cer-
tain unalienable rights; that among these are, life, liberty, and the
pursuit of happiness.—That to secure these rights, governments
are instituted among men, deriving their just powers from the
consent of the governed; that whenever any form of government
becomes destructive of these ends, it is the right of the people
to alter or to abolish it, and to institute new government, laying
its foundation on such principles, and organizing its powers in
such form, as to them shall seem most likely to effect their safety
and happiness. Prudence indeed will dictate, that governments
long established should not be changed for light and transient
causes, and accordingly all experience hath shewn, that man-
kind are more disposed to suffer, while evils are sufferable, than
to right themselves by abolishing the forms to which they are
accustomed. But when a long train of abuses and usurpations
pursuing invariably the same object, evinces a design to reduce
them under absolute despotism, it is their right, it is their duty,
to throw off such government, and to provide new guards for
their future security. Such has been the patient sufferance of
these colonies; and such is now the necessity which constrains
them to alter their former system of government. The history
of the present king of Great-Britain is a history of repeated in-
juries and usurpations, all having in direct object, the establish-
ment of an absolute tyranny over these States. To prove this,
let facts be submitted to a candid world.

"He has refused his assent to laws, the most wholesome and
necessary for the public good.
He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature; a right inseparable to them, and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his demands.

He has dissolved representative houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the legislative powers, incapable of annihilation, have returned to the people at large; for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.

He has endeavoured to prevent the population of these States; for that purpose obstructing the laws for naturalization of foreign citizens:Refusing to publish and proclaim warrants for the arrest of fugitives.

He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

He has made judges dependent on his will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of new offices, and sent hither swarms of officers to harass our people, and eat out their subsistence.

He has kept among us, in times of peace, standing armies, without the consent of our legislature.

He has affected to render the military independent of, and superior to, the civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his assent to their acts of pretended legislation.

For quartering large bodies of troops among us;

For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of the State;

For cutting off our trade with all parts of the world;

For imposing taxes on us without our consent;

For depriving us in many cases, of the benefits of trial by jury:
For transporting us beyond seas to be tried for pretended offences;
For abolishing the free system of English laws in a neighbouring province, establishing therein an arbitrary government, and enlarging its boundaries, to as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies:
For taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our governments:
For suspending our own legislatures, and declaring ourselves invested with power to legislate for us in all cases whatsoever.
He has abdicated government here, by declaring us out of his protection, and waging war against us.
He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.
He is, at this time, transporting large armies of foreign mercenaries to complete the works of death, defoliation and tyranny, already begun with circumstances of cruelty and perfidy, fearfully paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation.
He has constrained our fellow citizens, taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.
He has excited domestic insurrections among us, and has endeavoured to bring on the inhabitants of our frontiers the merciless Indian savages, whose known rule of warfare is an undistinguishing destruction of all ages, sexes and conditions.
In every stage of these oppressions, we have petitioned for redress in the most humble terms: our repeated petition have been answered only by repeated injury. A prince whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people.
Nor have we been wanting in attentions to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred, to disavow these usurpations, which would inevitably interrupt our connection and correspondence. They too have been deaf to the voice of justice and of conscience. We must therefore acquiesce in the necessity which denounces our separation, and hold them as we hold the rest of mankind, enemies in war; in peace, friends.
We, therefore, the Representatives of the United States of
America, in general congress assembled, appealing to the Supreme Judge of the world, for the rectitude of our intentions do, in the name, and by the authority of the good people of these colonies, solemnly publish and declare, That these united colonies are, and of right ought to be, FREE AND INDEPENDENT STATES; that they are absolved from all allegiance to the British crown, and that all political connection between them and the State of Great-Britain, is, and ought to be totally dissolved; and that as free and independent states, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent states may of right do. And for the support of this declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other, our lives, our fortunes, and our sacred honour.

And Whereas this convention having taken this declaration into their most serious consideration, did, on the ninth day of July last past, unanimously resolve, That the reasons assigned by the continental congress, for declaring the united colonies free and independent States, are cogent and conclusive: And that while we lament the cruel necessity which has rendered that measure unavoidable, we approve the same, and will, at the risque of our lives and fortunes, join with the other colonies in supporting it.

By virtue of which several acts, declarations and proceedings, mentioned and contained in the afore-quoted resolves or resolutions of the general congress of the United American States, and of the conventions or conventions of this State, all power whatever therein hath reverted to the people thereof, and this convention hath by their suffrages and free choice been appointed, and among other things authorized to institute and establish such a government, as they shall deem best calculated to secure the rights and liberties of the good people of this State, most conducive of the happiness and safety of their constituents in particular, and of America in general.

I. THIS convention, therefore, in the name and by the authority of the good people of this state, doth ordain, determine, and declare, that no authority shall, on any pretence whatever, be exercised over the people or members of this state, but such as shall be derived from and granted by them.

II. This Convention doth further, in the name and by the authority of the good people of this state, ordain, determine, and declare, that the supreme legislative power, within this state, shall be vested in two separate and distinct bodies of men—the one to be called, the assembly of the state of New-York—the other to be called, the senate of the state of New-York—who together shall form the
CONSTITUTION OF THE STATE OF NEW-YORK.

III. And whereas laws, inconsistent with the spirit of this constitution, or with the public good, may be hastily and unadvisedly passed; be it ordained, that the governor for the time being; the chancellor, and the judges of the supreme court—or any two of them, together with the governor—shall be, and hereby are, constituted a council, to revise all bills about to be passed into laws by the legislature; and for that purpose shall assemble themselves, from time to time, when the legislature shall be convened; for which, nevertheless, they shall not receive any salary or consideration, under any pretence whatever. And that all bills, which have passed the senate and assembly, shall, before they become laws, be presented to the said council, for their revision and consideration; and if, upon such revision and consideration, it should appear improper to the said council, or a majority of them, that the said bill should become a law of this state, that they return the same, together with their objections thereto in writing, to the senate or house of assembly (in which scheme they shall have originated) who shall enter the objections, sent down by the council, at large in their minutes, and proceed to reconsider the said bill. But if, after such reconsideration, two thirds of the said senate or house of assembly, shall, notwithstanding the said objections, agree to pass the same, it shall, together with the objections, be sent to the other branch of the legislature, where it shall also be re-considered, and, if approved by two thirds of the members present, shall be a law.

And in order to prevent any unnecessary delays, be it further ordained, that if any bill shall not be returned by the council within ten days after it shall have been presented, the same shall be a law, unless the legislature shall, by their adjournment, render a return of the said bill, within ten days, impracticable; in which case, the bill shall be returned on the first day of the meeting of the legislature, after the expiration of the said ten days,

IV. That the assembly shall consist of at least seventy members, to be annually chosen in the several counties, in the proportions following, viz.

For the city and county of New-York, nine.
The city and county of Albany, ten.
The county of Duchess, seven.
The county of Westchester, six.
The county of Ulster, six.
The county of Suffolk, five.
The county of Queens, four.
The county of Orange, four.
The county of Kings, two.
The county of Richmond, two.
The county of Tryon, six.
The county of Charlotte, four.
The county of Cumberland, three.
The county of Gloucester, two.

V. That as soon, after the expiration of seven years, (subsequent to the termination of the present war) as may be, a census of the electors and inhabitants in this state be taken, under the direction of the legislature. And if, on such census, it shall appear, that in the number of representatives in assembly, from the said counties, is not justly proportioned to the number of electors, in the said counties respectfully, that the legislature do adjust and apportion the same by that rule. And further, that once in every seven years, after the taking of the said first census, a just account of the electors, resident in each county, shall be taken; and if it shall thereupon appear, that the number of electors, in any county, shall have increased or diminished one or more seventieth parts of the whole number of electors, which, on the said first census, shall be found in this state, the number of representatives for such county shall be increased or diminished accordingly—that is to say, one representative for every seventieth part as aforesaid.

VI. And Whereas an opinion hath long prevailed among divers of the good people of this state, that voting at elections by ballot, would tend more to preserve the liberty and equal freedom of the people, than voting viva voce. To the end therefore, that a fair experiment be made, which of those two methods of voting is to be preferred.

Be it ordained, That as soon as may be, after the termination of the present war, between the United States of America and Great-Britain, an act, or acts be passed by the legislature of this state for causing all elections thereafter to be held in this state for senators and representatives in Assembly, to be by ballot, and directing the manner in which the same shall be conducted. And Whereas it is possible, that after all the care of the legislature, in framing the said act or acts, certain inconveniences and mischiefs, unforeseen at this day, may be found to attend the said mode of electing by ballot:

It is further ordained, That if after a full and fair experiment shall be made of voting by ballot aforesaid, the same shall be found less conducive to the safety or interest of the state, than the method of voting viva voce, it shall be lawful and constitutional for the legislature to abolish the same; Provided two thirds of the members present in each house respectively shall concur
therein. And further, that during the continuance of the present war, and until the legislature of this state shall provide for the election of senators and representatives in assembly by ballot, the said elections shall be made viva voce.

VII. That every male inhabitant of full age, who shall have personally resided within one of the counties of this state, for six months immediately preceding the day of election, shall at such election, be entitled to vote for representatives of the said county in assembly; if during the time aforesaid, he shall have been a freeholder, possessing a freehold of the value of twenty pounds, within the said county, or have rented a tenement therein of the yearly value of forty shillings, and been rated and actually paid taxes to this state: Provided always, That every person who now is a freeman of the city of Albany, or who was made a freeman of the city of New-York, on or before the fourteenth day of October, in the year of our Lord one thousand seven hundred and seventy-five, and shall be actually and usually resident in the said cities respectively, shall be entitled to vote for representatives in assembly within his said place of residence.

VIII. That every elector, before he is admitted to vote, shall, if required by the returning officer or either of the inspectors, take an oath, or if of the people called Quakers, an affirmation, of allegiance to the state.

IX. That the assembly thus constituted, shall choose their own speaker, be judges of their own members, and enjoy the same privileges, and proceed in doing business, in like manner as the assemblies of the colony of New-York of right formerly did; and that a majority of the said members, shall from time to time, constitute a house to proceed upon business.

X. And this convention doth further, in the name, and by the authority of the good people of this state, ordain, determine and declare, That the senate of the state of New-York, shall consist of twenty-four freeholders, to be chosen out of the body of the freeholders, and that they be chosen by the freeholders of this state, possessing of freeholds of the value of one hundred pounds, over and above all debts charged thereon.

XI. That the members of the senate be elected for four years, and immediately after the first election, they be divided by lot into four classes, six in each class, and numbered one, two, three, and four; that the seats of the members of the first class shall be vacated at the expiration of the first year, the second class the second year, and so on continually, to the end that the fourth part of the senate, as nearly as possible, may be annually chosen.

XII. That the election of senators shall be after this manner; that so much of this state as is now parcelled into counties, be
divided into four great districts; the Southern district to comprehend the city and county of New-York, Suffolk, Westchester, King's, Queen's, and Richmond counties; the Middle district to comprehend the counties of Duchess, Ulster, and Orange; the Western district the city and county of Albany, and Tryon county; and the Eastern district, the counties of Charlotte, Cumberland and Gloucester. That the senators shall be elected by the freeholders of the said districts, qualified as aforesaid, in the proportions following, to wit; in the Southern district, nine; in the Middle district, six; in the Western district, six; and in the Eastern district, three. And be it ordained, That a census shall be taken as soon as may be, after the expiration of seven years from the termination of the present war, under the direction of the legislature: And if on such census it shall appear, that the number of senators is not justly proportioned to the several districts, that the legislature adjust the proportion as near as may be, to the number of freeholders qualified as aforesaid, in each district. That when the number of electors within any of the said districts, shall have increased one twenty-fourth part of the whole number of electors, which by the said census shall be found to be in this state, an additional senator shall be chosen by the electors of such district. That a majority of the number of senators to be chosen as aforesaid, shall be necessary to constitute a senate, sufficient to proceed upon business, and that the senate shall, in like manner with the assembly, be the judges of its own members. And be it ordained, That it shall be in the power of the future legislatures of this state, for the convenience and advantage of the good people thereof, to divide the same into such further and other counties and districts, as shall to them appear necessary.

XIII. And this convention doth further, in the name and by the authority of the good people of this State, ordain, determine, and declare, that no member of this State shall be disfranchised, or deprived of any of the rights or privileges secured to the subjects of this State by this Constitution, unless by law of the land, or the judgment of his peers.

XIV. That neither the Assembly or the Senate shall have power to adjourn themselves for any longer time than two days, without the mutual consent of both.

XV. That whenever the Assembly and Senate disagree, a conference shall be held in the presence of both, and be managed by committees to be by them respectively chosen by ballot. That the doors both of the Senate and Assembly shall at all times be kept open to all persons, except when the welfare of the State shall require their debates to be kept secret. And the journals of all their proceedings shall be kept in the manner heretofore accustomed by the General Assembly of
the colony of New-York, and except such parts as they shall, as aforesaid, respectively determine not to make public, from day to day (if the business of the legislature will permit) published.

XVI. It is nevertheless provided, that the number of senators shall never exceed one hundred, nor the number of the Assembly three hundred; but that whenever the number of senators shall amount to one hundred, or of the Assembly to three hundred, then, and in such case, the legislature shall from time to time hereafter, by laws for that purpose, apportion and distribute the said one hundred senators, and three hundred representatives, among the great districts and counties of this State, in proportion to the number of their respective electors; so that the representation of the good people of this State, both in the Senate and Assembly, shall for ever remain proportionate and adequate.

XVII. And this convention doth further, in the name and by the authority of the good people of this State; ordain, determine and declare, that the supreme executive power and authority of this State shall be vested in a governor; and that stedily, once in every three years, and as often as the seat of government shall become vacant, a wise and discreet freeholder of this State shall be by ballot elected governor by the freeholders of this State, qualified as before described to elect senators; which elections shall be always held at the times and places of choosing representatives in Assembly for each respective county; and that the person who hath the greatest number of votes within the said State shall be the governor thereof.

XVIII. That the governor shall continue in office three years, and shall, by virtue of his office, be general and commander in chief of all the militia, and admiral of the navy of this State; that he shall have power to convene the Assembly and Senate on extraordinary occasions, to prorogue them from time to time, provided such prorogations shall not exceed sixty days in the space of any one year; and at his discretion to grant reprieves and pardons to persons convicted of crimes, other than treason or murder, in which he may suspend the execution of the sentence, until it shall be reported to the legislature at their subsequent meeting; and they shall either pardon or direct the execution of the criminal, or grant a further reprieve.

XIX. That it shall be the duty of the governor to inform the legislature, at every session, of the condition of the State, so far as may respect his departments; to recommend such matters to their consideration as shall appear to him to concern its good government, welfare, and prosperity; to correspond with the Continental Congress and other States, to transact all necessary business with the officers of government, civil and milita-
; and to take care that the laws are faithfully executed to the best of his ability; and to expedite all such measures as may be resolved upon by the legislature.

XX. That a lieutenant-governor shall, at every election of a governor, and as often as the lieutenant-governor shall die, resign, or be removed from office, be elected in the same manner with the governor, to continue in office until the next election of a governor; and such lieutenant-governor shall, by virtue of his office, be president of the senate, and, upon an equal division, have a casting voice in their decisions, but not vote on any other occasion.

And in case of the impeachment of the governor, or his removal from office, death, resignation, or absence from the State, the lieutenant-governor shall exercise all the power and authority appertaining to the office of governor, until another be chosen, or the governor absent or impeached, shall return or be acquitted. Provided, that where the governor shall, with the consent of the legislature, be out of the State, in time of war, at the head of a military force thereof, he shall still continue in his command of all the military force of the State, both by sea and land.

XXI. That whenever the government shall be administered by the lieutenant-governor, or he shall be unable to attend as president of the senate, the senators shall have power to elect one of their own members to the office of president of the senate, which he shall exercise pro hac vie. And if, during such vacancy of the office of governor, the lieutenant-governor shall be impeached, displaced, resign, die, or be absent from the State, the president of the senate shall in like manner as the lieutenant-governor, administer the government, until others shall be elected by the suffrage of the people at the succeeding election.

XXII. And this Convention doth further, in the name and by the authority of the good people of this State, ordain, determine, and declare, that the treasurer of this State shall be appointed by act of legislature, to originate with the Assembly; provided, that he shall not be elected out of either branch of the legislature.

XXIII. That all officers, other than those who by this constitution are directed to be otherwise appointed, shall be appointed in the manner following, to wit, the Assembly shall once in every year openly nominate and appoint one of the senators from each great district, which senators shall form a council for the appointment of the said officers, of which the governor for the time being, or the lieutenant-governor, or the president of the senate, when they shall respectively administer the government, shall be president, and have a casting voice
but no other vote; and with the advice and consent of the said council shall appoint all the said officers; and that a majority of the said council be a quorum. And further, the said senators shall not be eligible to the said council for two years successively.

XXIV. That all military officers be appointed during pleasure; that all commissioned officers, civil and military, be commissioned by the governor; and that the chancellor, the judges of the supreme court, and first judge of the county court in every county, hold their offices during good behaviour, or until they shall have respectively attained the age of sixty years.

XXV. That the chancellor and judges of the supreme court shall not at the same time hold any other office, excepting that of delegate to the General Congress upon special occasions; and that the first judges of the county courts in the several counties shall not at the same time hold any other office, excepting that of senator or delegate to the General Congress. But if the chancellor, or either of the said judges, be elected or appointed to any other office, excepting as is before excepted, it shall be at his option in which to serve.

XXVI. That sheriffs and coroners be annually appointed; and that no person shall be capable of holding either of the said offices more than four years successively, nor the sheriff of holding any other office at the same time.

XXVII. And be it further ordained, that the register and clerks in chancery be appointed by the chancellor; the clerks of the supreme court by the judges of the said court; the clerk of the court of probates by the judge of the said court; and the register and marshal of the court of admiralty by the judge of the admiralty; the said marshal, registers and clerks, to continue in office during the pleasure of those by whom they are to be appointed as aforesaid.

And all attorneys, solicitors and counsellors at law, hereafter to be appointed, be appointed by the court and licensed by the first judge of the court in which they shall respectively plead or practice; and be regulated by the rules and orders of the said courts.

XXVIII. And be it further ordained, that where by this Constitution the duration of any office shall not be ascertained, such office shall be construed to be held during the pleasure of the council of appointment; provided, that new commissions shall be issued to judges of the county courts (other than to the first judge) and to justices of the peace, once at the least in every three years.

XXIX. That town-clerks, supervisors, assessors, constables and collectors, and all other officers heretofore eligible by the people, shall always continue to be so eligible, in the manner directed by the present or future acts of legislature.
CONSTITUTION OF THE STATE OF NEW-YORK.

XXX. That delegates to represent this State in the General Congress of the United States of America be annually appointed, as follows, to wit, the Senate and Assembly shall each openly nominate as many persons as shall be equal to the whole number of delegates to be appointed: after which nomination, they shall meet together, and those persons named in both lists shall be delegates; and out of those persons whose names are not on both lists, one-half shall be chosen by the joint ballot of the senators and members of Assembly so met together as aforesaid.

XXXI. That the style of all laws shall be as follows, to wit, "Be it enacted by the people of the State of New-York, represented in Senate and Assembly." And that all writs and other proceedings shall run in the name of "the People of the State of New-York," and be attested in the name of the chancellor or chief judge of the court from whence they shall issue.

XXXII. And this Convention doth further, in the name and by the authority of the good people of this State, ordain, determine and declare, that a court shall be instituted for the trial of impeachments, and the correction of errors, under the regulations which shall be established by the legislature; and to consist of the president of the Senate for the time being, and the senators, chancellor and judges of the supreme court, or the major part of them; except, that when an impeachment shall be prosecuted against the chancellor, or either of the judges of the supreme court, the person so impeached shall be suspended from exercising his office until his acquittal; and in like manner, when an appeal from a decree in equity shall be heard, the chancellor shall inform the court of the reasons of his decree, but shall not have a voice in the final sentence. And if the cause to be determined shall be brought up by writ of error on a question of law, on a judgment in the supreme court, the judges of the court shall assign the reasons of such their judgment, but shall not have a voice for its affirmance or reversal.

XXXIII. That the power of impeaching all officers of the State for mal and corrupt conduct in their respective offices, be vested in the representatives of the people in Assembly: but that it shall always be necessary that two-thirds parts of the members present shall consent to and agree in such impeachment. That previous to the trial of every impeachment, the members of the said court shall respectively be sworn, truly and impartially to try and determine the charge in question.
according to evidence; and that no judgment of the
shall be valid, unless it shall be assented to by two-thirds part
the members then present: nor shall it extend farther than
to removal from office, and disqualification to hold or enjoy
any place of honour, trust or profit, under this State. But
the party so convicted shall be, nevertheless, liable and subject
to indictment, trial, judgment and punishment, according to the
laws of the land.

XXXIV. And it is further ordained, that in every trial on
impeachment or indictment for crimes or misdemeanors, the
party impeached or indicted shall be allowed counsel as in civil
actions.

XXXV. And this Convention doth further, in the name
and by the authority of the good people of this State, ordain,
determine and declare, that such parts of the common law of
England, and of the statute law of England and Great-Britain,
and of the acts of the legislature of the colony of New-York,
as together did form the law of the said colony on the 19th
day of April, in the year of our Lord one thousand seven
hundred and seventy-five, shall be and continue the law of
this State; subject to such alterations and provisins as the legi-
s Previous to the time to time make concerning
the same. That such of the said acts as are temporary shall ex-
pire at the times limited for their duration respectively. That
all such parts of the said common law, and all such of the said
statutes and acts aforesaid, or parts thereof, as may be construed
to establish or maintain any particular denomination of Christians
or their ministers, or concern the allegiance heretofore yield-
ed to, and the supremacy, sovereignty, government or prero-
gatives, claimed or exercised by the king of Great-Britain and
his predecesors over the colony of New-York and its inha-
bitants, or are repugnant to this constitution, be, and they
hereby are abrogated and rejected. And this Convention doth
further ordain, that the resolves or resolutions of the congre-
ses of the colony of New-York and of the Convention of the
State of New-York now in force, and not repugnant to the
government established by this constitution, shall be considered
as making part of the laws of this State; subject, nevertheless,
to such alterations and provisions as the legislature of this State
may, from time to time, make concerning the same.

XXXVI. And be it further ordained, that all grants of lands
within this State, made by the king of Great-Britain, or per-
sions acting under his authority, after the fourteenth day of
October, one thousand seven hundred and seventy-five, shall
be null and void; but that nothing in this constitution con-
tained shall be construed to affect any grants of land, within
this State, made by the authority of the said king or his pre-
and for to annul any charters to bodies politic, by him or any of them made prior to that day. And that none of the said charters shall be adjudged to be void, by reason of non-user or mis-user of any of their respective rights or privileges, between the nineteenth day of April, in the year of our Lord one thousand seven hundred and seventy-five, and the publication of this constitution. And further, that all such of the officers described in the said charters respectively, as by the terms of the said charters were to be appointed by the governor of the colony of New-York, with or without the advice and consent of the council of the said king in the said colony, shall henceforth be appointed by the council established by this constitution for the appointment of officers in this State, until otherwise directed by the legislature.

XXXVII. And whereas it is of great importance to the safety of this State, that peace and amity with the Indians within the same be at all times supported and maintained; and whereas the frauds too often practiced towards the said Indians, in contracts made for their lands, have in divers instances been productive of dangerous discontents and animosities, be it ordained, that no purchases or contracts for the sale of lands, made since the fourteenth day of October, in the year of our Lord one thousand seven hundred and seventy-five, or which may hereafter be made with or of the said Indians within the limits of this State, shall be binding on the said Indians, or deemed valid, unless made under the authority and with the consent of the legislature of this State.

XXXVIII. And whereas we are required by the benevolent principles of rational liberty, not only to expel civil tyranny, but also to guard against that spiritual oppression and intolerance wherewith the bigotry and ambition of weak and wicked priests and princes have scourged mankind; this Convention doth farther, in the name and by the authority of the good people of this State, ordain, determine, and declare, that the free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall for ever hereafter be allowed within this State to all mankind. Provided, that the liberty of conscience hereby granted shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of this State.

XXXIX. And whereas the ministers of the gospel are by their profession dedicated to the service of God and the cure of souls, and ought not to be diverted from the great duties of their function; therefore no minister of the gospel, or priest of any denomination whatsoever, shall at any time hereafter, under any pretense or description whatever, be eligible to, or capable of holding any civil or military office or place within this State.
XL. And whereas it is of the utmost importance to the safety of every State, that it should always be in a condition of defence; and it is the duty of every man who enjoys the protection of society to be prepared and willing to defend his country, this Convention, therefore, in the name and by the authority of the good people of this State doth ordain, determine, and declare, that the militia of this State, at all times hereafter, as well in peace as in war, shall be armed and disciplined, and in readiness for service. That all such of the inhabitants of this State, being of the people called Quakers, as, from scruples of conscience, may be averse to the bearing of arms, be therefrom excused by the legislature; and do pay to the State such sums of money in lieu of their personal service, as the same may, in the judgment of the legislature, be worth: and that a proper magazine of warlike stores, proportionate to the number of inhabitants, be for ever hereafter at the expense of this State, and by acts of the legislature, established, maintained, and continued in every county in this State.

XL I. And this Convention doth further ordain, determine, and declare, in the name and by the authority of the good people of this State, that trial by jury in all cases in which it hath heretofore been used in the colony of New-York, shall be established, and remain inviolate for ever: and that no acts of attainder shall be passed by the legislature of this State for crimes, other than those committed before the termination of the present war; and that such acts shall not work a corruption of blood. And further, that the legislature of this State shall at no time hereafter institute any new court or courts but such as shall proceed according to the course of the common law.

XLII. And this Convention doth further, in the name and by the authority of the good people of this State, ordain, determine, and declare, that it shall be in the discretion of the legislature to naturalize all such persons, and in such manner, as they shall think proper, provided all such of the persons so to be by them naturalized, as being born in parts beyond sea, and out of the United States of America, shall come to settle in, and become subjects of this State, shall take an oath of allegiance to this State, and abjure and renounce all allegiance and subjection to all and every foreign king, prince, potentate, and State, in all matters ecclesiastical as well as civil.

By order,

LEONARD GANSEVOORT.
Presid. P. T.

FINIS.