

THE  
RATIFICATION  
of the proposed  
*Constitution of the United States,*  
by the  
STATE OF NEW YORK  
IN CONVENTION ASSEMBLED  
AT POUGHKEEPSIE,  
July 26, 1788.

SECRETARY'S  
OFFICE.

**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.

Sect. 1. 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.

Sect. 2. The House of Representatives shall be composed 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.

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.

Representatives and direct Taxes shall be apportioned among the several States which may be included <sup>with</sup> 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 United States, and within every subsequent Term of ten 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 chuse 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.

When Vacancies happen in the Representation from any State, the Executive Authority thereof shall issue writs of Election to fill such Vacancies.

The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

Sect. 3. 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.

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 Seats 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.

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.

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

The Senate shall chuse 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.

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 the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, 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.

Sect. 4. 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 chusing Senators.

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.

Sect. 5. Each House shall be the Judge of the Elections, Returns and Qualifications of its own 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.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behavior, and, with the Concurrence of two thirds, expel a Member.

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.

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.

Sect. 6. 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, Sedition 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.

No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof 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.

Sect. 7. All Bills for raising Revenue shall originate in the House of Representatives, but the Senate may propose or concur with Amendments as on other Bills.

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 reconsider 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.

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) shall be presented to the President of the United States; and before the same shall take Effect, <sup>shall</sup> be approved by him, or, being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

Sect. 8. The Congress shall have Power

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;

To borrow Money on the Credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes:

To establish an uniform rule of naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States:  
To coin money, regulate the Value thereof, and of foreign coin, and fix the Standard of weights and Measures:  
To provide for the Punishment of counterfeiting the Securities and current coin of the United States:  
To establish Post-Offices and Post-Roads:  
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:  
To constitute Tribunals inferior to the Supreme Court:  
To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations:  
To declare War, grant Letters of Marque and reprisal, and make Rules concerning Captures on Land and Water:  
To raise and support Armies, but no Appropriation of Money to that use shall be for a longer Term than two years:  
To provide and maintain a Navy:  
To make Rules for the Government and Regulation of the land and naval Forces:  
To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions:  
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:  
To exercise exclusive Legislation in all Cases whatsoever, over such District (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, Armories, Dockyards, and other needful Buildings: . . . . . And  
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.

SECT. 9. 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, not exceeding ten Dollars for each Person.

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.

No Bill of Attainder or ex post facto Law shall be passed.

No Capitation, or other direct Tax, shall be laid, unless in proportion to the Census or enumeration herein before directed to be taken.

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.

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.

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 the Congress, accept of any Present, Emolument, Office or Title, of any kind whatever, from any King, Prince or foreign State.

SECT. 10. No State shall enter into any Treaty, Alliance or Confederation; grant Letters of marque and reprisal, coin money, emit Bills of credit; make anything 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.

No State shall, without the Consent of the 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 the Congress, lay any duty of 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 II.

SECT. 1. The executive Power shall be vested in a 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: . . . . .

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.

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 chuse 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 chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; a quorum for this Purpose shall consist of a Member 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 chuse from them by Ballot, the Vice President.

The Congress may determine the Time of chusing the Electors, and the day on which they shall give their Votes, which day shall be the same throughout the United States.

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.

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.

The President shall, at Stated Times, receive for his Services, a Compensation, which shall neither be increased 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.

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."

SECT. 2. 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 Officer in each of the executive Departments, upon any Subject 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.

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, and 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.

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 next Session.

Sect. 3. 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.

Sect. 4. 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.

Sect. 1. 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 Court, 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.

Sect. 2. The judicial Powers 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, or 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.

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.

The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial 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.

Sect. 3. 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.

The Congress shall have 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 attainted.

### Article IV.

Sect. 1. 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.

Sect. 2. The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

A Person 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.

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.

Sect. 3. 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.

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 of any particular State.

Sect. 4. The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature or of the Executive (when the Legislature cannot be convened) against domestic Violence.

### 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.

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.

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.

The Senators and Representatives before mentioned, and the Members of the several 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 or 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. New-Hampshire, John Langdon, Nicholas Gilman. Massachusetts, Nathaniel Gorham, Rufus King. Connecticut, William Samuel Johnson, Roger Sherman. New-York, Alexander Hamilton. New-Jersey, William Livingston, David Brearley, William Paterson, Jonathan Dayton. Pennsylvania, Benjamin Franklin, Thomas Mifflin, Robert Morris, George Clymer, Thomas Fitzsimons, Jared Ingersoll, James Wilson, Gouverneur Morris. Delaware, George Read, Gunning Bedford junior, John Dickenson, Richard Bassett, Jacob Broom. Maryland, James M. Henry, Daniel of St. Tho. Jenifer, Daniel Carroll. Virginia, John Blair, James Madison junior. North Carolina, William Blount, Richard Dobbs Spaight, Hugh Williamson. South Carolina, Charles Cotesworth Pinckney, Charles Pinckney, Pierce Butler. Georgia, William Few, Abraham Baldwin. Attest, William Jackson, Secretary.

**WE**

the Delegates of the People of the State of New-York, duly elected and met in Convention, having maturely considered the Constitution for the United States of America, agreed to on the Seventeenth day of September in the year one thousand seven hundred and eighty seven, by the Convention then assembled at Philadelphia, in the Commonwealth of Pennsylvania, (a Copy whereof preceds these Presents) and having also seriously and deliberately considered the present Situation of the United States, Do declare and make known,

That all Power is originally vested in, and consequently derived from the People; and that Government is instituted by them, for their common Interest Protection and Security.

That

That the enjoyment of Life Liberty and the pursuit of Happiness, are essential Rights, which every Government ought to respect and preserve.

That the Powers of Government may be re-assumed by the People whenever it shall become necessary to their Happiness; that every Power Jurisdiction and Right, which is not by the said Constitution clearly delegated to the Congress of the United States, or the Departments of the Government thereof, remains to the People of the several States, or to their respective State Governments, to whom they may have granted the same; and that those Clauses in the said Constitution, which declare that Congress shall not have or exercise certain Powers, do not imply that Congress is entitled to any Powers not given by the said Constitution; but such Clauses are to be construed either as Exceptions to certain specified Powers, or as inserted merely for greater Caution.

That the People have an equal natural and unalienable Right freely and peaceably to exercise their Religion, according to the Dictates of Conscience; and that no religious Sect or Society ought to be favoured or established by Law in preference of others.

That the People have a Right to keep and bear Arms. That a well regulated Militia, including the Body of the People Capable of bearing Arms, is the proper natural and safe Defence of a free State.

That the Militia should not be subject to martial Law except in time of War Rebellion or Insurrection.

That standing Armies in time of Peace, are dangerous to Liberty, and ought not to be kept up, except in Cases of Necessity; and that at all Times, the military should be under strict Subordination to the civil Power.

That in time of Peace no Soldier ought to be quartered in any House without the Consent of the Owner; and in time of War only by the civil Magistrate in such manner as the Laws may direct.

That no Person ought to be taken imprisoned or deprived of his Freehold, or be exiled or deprived of his Privileges, Franchises, Life Liberty or Property, but by due Process of Law.

That no Person ought to be put twice in Jeopardy of Life or Limb for one and the same Offence; nor unless in Case of Impeachment, be punished more than Once for the same Offence.

That every Person restrained of his Liberty, is entitled to an enquiry into the Lawfulness of such Restraint, and to a removal thereof if unlawful, and that such enquiry and Removal ought not to be denied or delayed, except when on account of public Danger, the Congress shall suspend the Privilege of the writ of Habeas Corpus.

That excessive Bail ought not to be required, nor excessive Fines imposed, nor cruel or unusual Punishments inflicted.

That (except in the Government of the Land and naval Forces, and of the Militia when in actual Service, and in Cases of Impeachment) or Presentment or Indictment by a Grand Jury ought to be observed as a necessary Preliminary to the Trial of all Crimes, cognizable by the Judiciary of the United States, and such Trial should be speedy, public, and by an impartial Jury of the County where the Crime was committed; and that no Person can be found guilty, without the Unanimous Consent of such Jury. But in Cases of Crimes not committed within any County of any of the United States, and in Cases of Crimes committed within any County in which a general Insurrection may prevail, or which may be in the Possession of a foreign Enemy, the Enquiry and Trial may be in such County as Congress shall by Law direct; which County in the two Cases last mentioned, should be as near as conveniently may be, to that County in which the Crime may have been committed. And that in all criminal Prosecutions, the accused ought to be informed of the Cause and nature of his Accusation, to be confronted with his Accusers and the Witnesses against him, to have the Means of producing his Witnesses, and the Assistance of Council for his Defence, and should not be compelled to give Evidence against himself.

That the Trial by Jury, in the extent that it obtains by the Common Law of England, is one of the greatest Securities to the Rights of a free People, and ought to remain inviolate.

That every Freeman has a right to be secure from all unreasonable Searches and Seizures of his Person, his Papers or his Property; and therefore that all Warrants to search suspected Places, or seize any Freeman his Papers or Property, without Information upon Oath or Affirmation of sufficient Cause are grievous and oppressive; and that all general Warrants, (or such in which the Place or Person suspected are not particularly designated) are dangerous and ought not to be granted.

That the People have a Right peaceably to assemble together to consult for their Common Good, or to instruct their Representatives, and that every Person has a Right to Petition or apply to the Legislature for Redress of Grievances.

That the Freedom of the Press ought not to be violated or restrained.

That there should be once in ~~4~~ four years an Election of the President and Vice-President, so that no Officer who may be appointed by the Congress to act as President, in Case of the Removal, Death, Resignation or Inability of the President and Vice-President, can in any Case continue to act beyond the Termination of the Period for which the last President and Vice-President were elected.

That nothing contained in the said Constitution is to be construed to prevent the Legislature of any State from passing Laws at its discretion from time to time, to divide such State into convenient Districts, and to apportion its Representatives to and amongst such Districts.

That the Prohibition contained in the said Constitution against *ex post facto* Laws, extends only to Laws concerning Crimes.

That all Appeals in Causes determinable according to the Course of the Common Law, ought to be by writ of Error, and not otherwise.

That the judicial Power of the United States, in Cases in which a State may be a Party, does <sup>not</sup> extend to criminal Prosecutions, or to authorize any Suit by any Person against a State.

That the judicial Power of the United States as to Controversies between Citizens of the same State, claiming Lands under Grants of different States, is not to be construed to extend to any other Controversies between them, except those which relate to such Lands so claimed under Grants of different States.

That the Jurisdiction of the Supreme Court of the United States, or of any other Court to be instituted by the Congress, is not in any Case to be increased enlarged or extended, by any Fiction Collusion or mere Suggestion. And

That no Treaty is to be construed so to operate as to alter the Constitution of any State.

Under these Impressions, and declaring that the Rights aforesaid cannot be abridged or violated, and that the Explanations aforesaid are consistent with the said Constitution, and in Confidence, that the Amendments which shall have been proposed to the said Constitution will receive an early and mature Consideration; We the said Delegates in the Name and in the behalf of the People of the State of New York, DO by these presents assent to and ratify the said Constitution. In full Confidence, nevertheless, that until a Convention shall be called and convened for proposing Amendments to the said Constitution, the Militia of this State will not be continued in Service out of this State for a longer Term than six Weeks, without the Consent of the Legislature thereof; that the Congress will not make or alter any Regulation in this State respecting the Times Places & Manner of holding Elections for Senators or Representatives unless the Legislature of this State shall neglect or refuse to make Laws or Regulations for the Purpose, or from any Circumstance be incapable of making the same, and that in those Cases, such Power will only be exercised, until the Legislature of this State shall make Provision in the Premises; that no Excise will be imposed on any Article of the Growth Production or manufacture of the United States or any of them, within this State, ardent Spirits excepted; and that Congress will not lay direct Taxes within this State, but when the Monies arising from the Impost and <sup>made</sup> Excise shall be insufficient for the public Urgencies, nor then, until Congress shall first have made a Requisition upon this State to <sup>make</sup> a levy and pay the Amount of such Requisition, agreeably to the Census fixed in the said Constitution, in such way and manner as the Legislature of this State shall judge best, but that in such Case if the State shall neglect or refuse to pay its Proportion pursuant to such Requisition, then the Congress may assess and levy this States Proportion, together with Interest at the Rate of six per Centum per Annum from the Time at which the same was required to be paid.

Attica *[Signature]*  
Secretary

Secretary

Done in Convention atoughkeepsie in the County of Dutchess in the State of New York, the twenty sixth day of July, in the year of our Lord One thousand Seven hundred and eighty eight.

By Order of the Convention,

*[Signature]* President

**AND** the Convention do in the Name and behalf of the People of the State of New York, enjoin it upon their Representatives in the Congress to exert their Influence, and use all reasonable means, to obtain a Ratification of the following Amendments to the said Constitution in the manner prescribed therein; and in all laws to be passed by the Congress in the mean Time; to conform to the Spirit of the said Amendments, as far as the Constitution will admit.

That there shall be one Representative for every thirty thousand Inhabitants, according to the Enumeration or Census mentioned in the Constitution, until the whole Number of Representatives amounts to two hundred; after which that Number shall be continued or increased, but not diminished, as Congress shall direct, and according to such Ratio as the Congress shall fix, in Conformity to the Rules prescribed for the Apportionment of Representatives and direct Taxes.

That the Congress do not impose any Excise on any Article (except ardent Spirits) of the Growth Production or Manufacture of the United States, or any of them.

That Congress do not lay direct Taxes but when the monies arising from the Impost and Excise shall be insufficient for the public Exigencies; nor then until Congress shall first have made a Requisition upon the States to assess levy and pay their respective Proportions of such Requisition, agreeably to the Census fixed in the said Constitution, in such way and manner as the Legislatures of the respective States shall judge best; and in such case if any State shall neglect or refuse to pay its proportion pursuant to such Requisition, then Congress may assess and levy such States Proportion, together with Interest at the Rate of six per Centum per annum, from the Time of Payment prescribed in such Requisition.

That the Congress shall not make or alter any Regulation in any State respecting the Times places and manner of holding Elections for Senators or Representatives, unless the Legislature of such State shall neglect or refuse to make Laws or Regulations for the purpose, or from any Circumstance be incapable of making the same; and then only until the Legislature of such State shall make Provision in the Premises; Provided that the Congress may prescribe the Time for the Election of Representatives.

That no Person, except natural born Citizens, or such as were Citizens on or before the fourth day of July one thousand seven hundred and seventy six, or such as held Commissions under the United States during the War, and have at any Time since the fourth day of July one thousand seven hundred and seventy six, become Citizens of one or other of the United States, and who shall be freeholders, shall be eligible to the places of President, Vice President, or Members of either House of the Congress of the United States.

That Congress do not grant ~~any~~ <sup>the</sup> Monopolies, or erect any Company with exclusive Advantages of Commerce.

That no Standing Army or regular Troops shall be raised or kept up in Time of Peace, without the Consent of two thirds of the Senators and Representatives <sup>atives</sup> present in each House.

That no money be borrowed on the Credit of the United States, without the Assent of two thirds of the Senators and Representatives present in each House.

That the Congress shall not declare War without the Concurrence of two thirds of the Senators and Representatives present in each House.

That the Privilege of the Habeas Corpus shall not by any Law be suspended for a longer Term than six Months, or until twenty Days after the meeting of the Congress next following the passing of the Act for such suspension.

That the Right of the Congress to exercise exclusive Legislation over such District not exceeding ten Miles square; as may by Cession of a particular State, and the Acceptance of Congress, become the Seat of the Government of the United States shall not be so exercised as to exempt the Inhabitants of such District from paying the like Taxes, Imposts, Duties and Excises as shall be imposed on the other Inhabitants of the State in which such District may be; and that no Person shall be privileged within the said District from Arrest for Crimes committed or Debts contracted out of the said District.

That the Right of exclusive Legislation with respect to such Places as may be purchased for the Direction of Forts Magazines Arsenals Dockyards and other needful Buildings, shall not authorize the Congress to make any Law to prevent the Laws of the States respectively in which they may be, from extending to such places in all civil and criminal matters, except as to such Persons as shall be in the Service of the United States, nor to them with respect to Crimes committed without such places.

That the Compensation for the Senators and Representatives be ascertained by Standing Laws; and that no Alteration of the ~~xx~~ existing Rate of Compensation shall operate for the Benefit of the Representatives until after a subsequent Election shall have been had.

That the Journals of the Congress shall be published at least once a year, with the Exception of such parts relating to Treaties or military Operations as in the Judgment of either House, shall require Secrecy; and that both Houses of Congress shall always keep their Doors open during their Sessions, unless the Business may in their Opinion require Secrecy.

That the yeas and nays shall be entered on the Journals whenever two Members in either House may require it.

That no Capitation Tax shall ever be laid by the Congress.

That no Person be eligible as a Senator for more than six years, in any Term of twelve years; and that the Legislatures of the respective States may recall their Senators, or either of them, and elect others in their Stead to serve the Remainder of the Time for which the Senators so recalled were appointed.

That no Senator or Representative shall during the Time for which he was elected, be appointed to any Office under the Authority of the United States.

That the Authority given to the executives of the States to fill the Vacancies of Senators be abolished, and that such Vacancies be filled by the respective Legislatures.

That the Power of Congress to pass uniform Laws concerning Bankruptcy, shall only extend to Merchants and other Traders; and that the States respectively may pass Laws of other insolvent Debtors.

That

That no Person shall be eligible to the Office of President of the United States a third Time.

That the Executive shall not grant Pardons for Treason, unless with the Consent of the Congress, but may at his Discretion grant Reprieves to Persons convicted of Treason, until their Cases can be laid before the Congress.

That the President, or Person exercising his Powers for the Time being, shall not command an Army in the Field in Person without the previous Desire of the Congress.

That all Letters Patent, Commissions, Pardons Writs and Procefs of the United States, shall run in the Name of the People of the United States and be tested in the Name of the President of the United States, or the Person exercising his Powers for the Time being, or the first Judge of the Court out of which the same shall issue, as the Case may be.

That the Congress shall not constitute or establish any Tribunals or inferior Courts, with any other than appellate Jurisdiction, except such as may be necessary for the Trial of Causes of Admiralty and maritime Jurisdiction, and for the Trial of Piracies and Felonies committed on the high Seas, and in all other Cases to which the judicial Power of the United States extends, and in which the Supreme Court of the United States has not original Jurisdiction, the Causes shall be heard tried and determined in some one of the State Courts, with the Right of Appeal to the Supreme Court of the United States, or other proper Tribunal to be established for that Purpose by the Congress, with such Exceptions, and under such Regulations as the Congress shall make.

That the Court for the Trial of Impeachments shall consist of the Senate, the Judges of the Supreme Court of the United States, and the first or junior Judge for the Time being of the highest Court of general and ordinary common Law Jurisdiction in each State - That the Congress shall by standing Laws designate the Courts in the respective States answering this Description, and in States having no Courts exactly answering this Description shall designate some other Court preferring such if any there be whose Judge or Judges may hold their Places during good Behaviour - provided that no more than one Judge, other than Judges of the Supreme Court of the United States shall come from one State - That the Congress be authorized to pass Laws for compensating the said Judges for such Services and for compelling their Attendance - and that a Majority at least of the said Judges shall be requisite to constitute the said Court. That no Person impeached shall sit as a Member thereof - That each Member shall previous to the entering upon any Trial take an Oath or Affirmation honestly and impartially to hear and determine the Cause, and that a Majority of the Members present shall be necessary to a Conviction.

That Persons aggrieved by any Judgment Sentence or Decree of the Supreme Court of the United States in any Cause in which that Court has original Jurisdiction, with such Exceptions and under such Regulations as the Congress shall make concerning the same, shall upon application have a Commission, to be issued by the President of the United States to such Men learned in the Law as he shall nominate, and by and with the Advice and Consent of the Senate appoint not less than seven, authorizing such Commissioners or any seven or more of them to correct the Errors in such Judgment or to review such Sentence and Decree as the Case may be and to do Justice to the parties in the Premises.

That no Judge of the Supreme Court of the United States shall hold any other Office under the United States or any of them.

That the judicial Power of the United States shall extend to no Controversies respecting Land unless it relate to Claims of Territory or Jurisdiction between States or to Claims of Land between Individuals or between States and Individuals under the Grants of different States.

That the Militia of any State shall not be compelled to serve without the Limits of the State for a longer Term than six weeks without the Consent of the Legislature thereof.

That the words without the Consent of the Congress in the seventh Clause of the ninth Section of the first Article of the Constitution be expunged.

That the Senators and Representatives and all Executive and Judicial Officers of the United States shall be bound by Oath or Affirmation not to infringe or violate the Constitutions or Rights of the respective States.

That the Legislatures of the respective States may make provision by Law that the Electors of the Election Districts to be by them appointed, shall chuse a Citizen of the United States who shall have been an Inhabitant of such District for the Term of one year immediately preceding the Time of his Election for one of the Representatives of such State.

Done in Convention at Poughkeepsie in the County of Dutchess in the State of New York the twenty Sixth Day of July in the year of our Lord One thousand Seven hundred and eighty eight.

By Order of the Convention.

Attested  
John M. Hanson  
Secretary

John M. Hanson, President