New York Statutory Bill of Rights, 1787[1]

An ACT *concerning the Rights of the Citizens of this State*

Passed the 26th of January, 1787.

Be it Enacted by the People of the State of New-York, represented in Senate and Assembly and it is hereby enacted and declared by the Authority of the same:

First: That no authority shall, on any pretence whatsoever, be exercised over the Citizens of this State, but such as is or shall be derived from and granted by the People of this State.

Second: That no Citizen of this State shall be taken or imprisoned, or be disseised of his or her freehold or liberties or free customs, or outlawed, or exiled, or condemned, or otherwise destroyed, but by lawful judgment of his or her Peers or by due process of law.

Third: That no Citizen of this State shall be taken or imprisoned for any offence, upon petition or suggestion, unless it be by indictment or presentment of good and lawful men of the same neighbourhood, where such deeds be done, in due manner, or by due process of law.

Fourth: That no person shall be put to answer without presentment before Justices, or matter of record, or due process of law, according to the law of the land, and if any thing be done to the contrary, it shall be void in law and holden for error.

Fifth: That no person, of what estate or condition soever, shall be taken, or imprisoned, or disinherited, or put to death without being brought to answer by due process of law, and that no person shall be put out of his or her franchise or freehold, or lose his or her life or limb, or goods and chattels, unless he or she be duly brought to answer, and be fore-judged of the same by due course of law; and if any thing be done contrary to the same it shall be void in law and holden for none.

Sixth: That neither justice, nor right shall be sold to any person, nor denied, nor deferred; and that writs and process shall be granted freely and without delay, to all persons requiring the same and nothing from henceforth shall be paid or taken for any writ or process but the accustomed fees for writing, and for the seal of the same writ or process; and all fines, duties and impositions whatsoever, heretofore taken or demanded, under what name or description soever, for, or upon granting any writs, inquests, commissions, or process to suitors in their causes, shall be, and hereby are abolished.

Seventh: That no Citizens of this State shall be fined or amerced without reasonable cause, and such fine or amamercement, shall always be according to the quantity of his or her trespass or offence, and saving to him or her his or her contenement; that is to say, every freeholder saving his freehold, a merchant saving his merchandize, and a mechanic saving the implements of his trade.

Eighth: That excessive bail ought not to be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Ninth: That all elections shall be free, and that no person by force of arms, nor by malice or menacing, or otherwise, presume to disturb or hinder any Citizen of this State to make free election, upon pain of fine and imprisonment, and treble damages to the party grieved.

Tenth: That it is the right of the Citizens of this State to petition the Person administering the Government of this State for the time being, or either House of the Legislature, and all commitments and prosecutions for such petitioning are illegal.

Eleventh: That the freedom of speech and debates and proceedings in the Senate and Assembly, shall not be impeached or questioned in any Court or place out of the Senate or Assembly.

Twelfth: That no tax, duty, aid or imposition whatsoever, shall be taken or levied within this State, without the grant and assent of the People of this State, by their Representatives in Senate and Assembly, and that no Citizen of this State shall be by any means compelled to contribute to any gift, loan, tax, or other like charge, not set, laid, or imposed by the Legislature of this State; and further, that no Citizen of this State shall be constrained to arm himself, or to go out of this State, or to find soldiers, or men of arms, either horsemen or footmen, if it be not by assent and grant of the People of this State by their Representatives in Senate and Assembly.

Thirteenth: That by the laws and customs of this State, the Citizens and Inhabitants thereof cannot be compelled, against their wills to receive soldiers into their houses, and to sojourn them there, and therefore no Officer military or civil, nor any other person whatsoever, shall, from henceforth, presume to place, quarter, or billet any soldier, or soldiers upon any Citizen or Inhabitant of this State, of any degree or profession whatever, without his or her consent, and that it shall and may be lawful for every such Citizen and Inhabitant to refuse to sojourn or quarter any soldier or soldiers, notwithstanding any command, order, warrant, or billetting whatever.

1 *Laws of the State of New-York* . . . (New York, 1787) (Evans 20578), Chapter I, 5–6.

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