

Petition of the Mayor and Common Council of New-York for a new Charter.

[New-York Papers, I. 177.]

To the Right Honorable Coll^o Thomas Dongan Esq^r Lieutenant & Governor & Vice Admirall under his Royall Highness James Duke of York and Albany &^e of New York and Dependencyes in America.

The humble peticón of the Mayor and Aldermen & Comonalty of the City of New York.

Sheweth

That this Citty hath had and enjoyed seuerall ancient Customes Priviledges and Immunityes which were confirmed and granted to them by Coll^o Richard Nicholls the late Governor of this Province by authority under His Royall Highness A^o 1665 who incorporated the Inhabitants thereof New Harlem and all other Inhabitants¹ on the Island Manhattans whereon this Citty standeth as one body Politique and Corporate under the Government of a Mayor Aldermen an Sheriff in which manner it hath continued in practice ever since and hath had, used and enjoyed the Customes, Libertyes and priviledges following, Viz^t

1. That all the Inhabitants on the Island Manhattans was under the Govern^t of the Citty of New York.
2. That the Governing of the said Citty was by seven Magistrates and a Schout formerly called Burgemaster and Schepen now one Mayo^r six Aldermen and one Sheriffe.
3. These Magistrates had power to appoint all inferior Officers as Constables and Overseers, Undersheriffs, Cryers, and Marshalls throughout the whole Island and also did make such peculiar Lawes² and Orders as they judge convenient for the well governeing the inhabitants of the s^d Corporacón and held once in fourteen dayes or oftener on Special request³ or occasion a Court of Judicature att the Citty Hall where they did heare and determine all causes and Matters whatsoever brought before them by Jury⁴ or in Equity as the cause required The Mayor or chief Magistrate had power to determine all matters that came before him under forty shillings without appeale or any other process then a verball heareing of partyes.
4. The Sheriffs served all writts, summons, and attachments within the Limmitts of the Corporacón and officiated as Watterbayliff on the water.
5. They had theire owne Clerke and kept the Records of the Citty distinctly.
6. This Citty was the Staple porte-of the whole Province where all merchandize was Shipped and unloaden.
7. None were to bee esteemed freemen of the citty but who were admitted by the Magistrates aforesaid and none before such admission to sell by Retayle or Exercise any handicraft trade or occupacón and every merchant or shopkeeper was to pay for the publique use of the Citty three pounds, twelve shillings, Every handy crafts man one pound foure Shillings on being made free.
8. Noe fireeman of the citty was to bee arrested or to have their goods attached unless it was

¹ "All others inhabiting." *Petition in Council Minutes*, V. 17. — Ed.

² "By Laws." *Ibid.* ³ "Desire." *Ibid.* ⁴ "Juries." *Ibid.*

made to appeare that they were departing or conveying away their Estates to defraude their Creditors.

9. Noe person was admitted to trade up Hudsons River except hee was a freeman and had been an actuall inhabitant in this City for the space of three yeares, And if any freeman should bee absent out of the City the space of Twelve moneths and not keepe fire and candle and pay Scott and lott should loose his freedome.

10. All that Inhabite up Hudson's River were forbid to trade over sea.

11. Noe flower was to be bolted or packed or biskett made for Exportacón butt in the City of New York being for the encouragm^t of trade and keepeing up the Reputacón of New York flower which is in greater request in the West Indies and the only support and maintenenance of the Inhabitants of this City and if not confirmed to them will ruine and depopulate the same.

12. That the said City had a Comón Seale to serve for the sealeing of all and singular their affaires, matters and businesses touching the said Corporacón.

All which said ancient Customes, Priviledges and Libertyes wee the said Mayor and Aldermen in behalfe of themselves and the Cittizens of the said City doe humbly present and make knowne to your Honor Humbly beseeching yo^r Honor in their behalfs to Interceed and procure that the same bee confirmed to them by Charter from his Royall Highnesse with these Addicóns following viz^t

1. That the said Corporacón bee divided into six wards.
2. That the freemen in each ward doe once every yeare elect their own Officers that is to say Aldermen, Common Council men, Constable, Overseers of the poore, Assessors, Scavengers, Questmen, or other officers usefull and necessary for the said Corporacón and Ward.
3. That there bee a Mayor and a Recorder who with the said six Aldermen and six Comón Councill men shall represent the whole body of the said City and Corporacón and shall have power to make peculier lawes¹ for the good government and support thereof.
4. That a Mayor bee appointed every yeare by the Governor and Councill and to bee one of the Aldermen soe chosen as aforesaid.
5. That all Magistrates soe chosen shall not be admitted to the Execucón of their offices untill sworne before the Governor and Councill.
6. That the Recorder bee appointed by the Governor and Councill who shall bee Judge of the City and Corporacón and bee aydeing and assisteing to the Mayor and Aldermen & Comón Councill in all matters that relate to the well beinge and supporte thereof.
7. That a Sheriffe bee annually appointed by the Governor and Councill.
8. That the Coroner & Town Clerk be appointed by the Governor & Council.²
9. That the Mayo^r Recorder, Aldermen and Comon Councill doe appoint a Threasurer for collecting and payeing all publike debts and Revenues.

This and whatever else yo^r honor or his Royall Highness shall think fitt, necessary & convenient for the good rule, order and welfare of this City and Corporacón yo^r petitioners humbly praye may bee graunted and confirmed to them in as full and ample manner and forme as His Majesty has been graciously pleased to graunt to other Corporacóns within his Realme

¹ "Laws and Orders." *Council Minutes*, V. 18. — Ed.

² This clause is omitted in the London MS. It is inserted here from the copy of the Petition in the *Council Minutes*. — Ed.

of England for the Obteyning of which they again humbly begg Yo^r Hono^r to become theyr supplicant whose kyndeness and service therein shall bee most thankfully acknowledged.

And as in duty bound Yo^r peticóners shall ever pray &^c

— BEEREMUTH¹

JOHANNES VAN BRUG

JOHN LAWRENCE

PIETER JACOB MARIUS

JA. GRAHAM

CORN STEENEWIJCK

N. BAYARD.

New Yorke. Novemb^r 9th 1683.

By order of the above

JOHN WEST Cl:

(This paper is endorsed as follows.)

1. Q. for a Copy of y^e old Charter.
2. if the Duke intends to graunt them all they desire and in y^e same words of the former Graunt wth the desired additions onely adding the regulating, confirming or discharging of Officers to y^e Governor.
3. if the former graunt be surrendered w^{ch} ought first to be done and that to be mencóned as part of the Considercñs moving his H^s to graunt this New Charter.

Q. If S^r John Werden or some other of y^e Dukes Officers haue not y^e Copy of y^e Grant of Incorporation or at least y^e Warrant to y^e Dukes Councill to draw it.

But I think it absolutely necessary there should be a surrender of y^e Old, otherwise they may keep all their Old Priviledges by virtue of that and take y^e additions by this new one without Subjecting their Officers &^c to approbation & Refusall &^c of y^e Gouverno^{rs}

A. P.

[ALURED POPPLE.]