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[COPIED FROM A MANUSCRIPT FOUND IN THE CABINET OF PRESIDENT STILES. BY A. HOLMES.]

A brief View of the State of religious Liberty in the Colony of New York, read before the Reverend General Convention of the Delegates from the associated Churches of Connecticut, and the Synod of New York and Philadelphia, met at Stanford, Sept. the 1st, 1773.

THE colony of New York was discovered in the year 1608, and began to be settled in 1610, under the states general of the Netherlands, who granted it to their West India Company, and called it New Netherlands. A regular government being established, it was peopled from Holland, and was tolerably settled at the time it was conquered by the English in 1664.

The West India Company being in Amsterdam, the Dutch missionaries who came out to this country were connected with the classis of that city, and under their care, and this gave rise to their claim of ecclesiastical dominion over the Dutch ministers and churches of this and the neighbouring province of New Jersey, and which they resigned but the year before last. It need not be said that the Dutch are Calvinists in doctrine, and Presbyterians in point of government, worship and discipline; and their churches in this colony continue so to this day.

At the conquest in 1664, there was a surrender upon terms, and the Dutch took care to insert the following short article in favour of their religious liberty: "The Dutch here shall enjoy the liberty of their consciences in divine worship and church discipline." Article 8th. This is all that is said on the subject of religion in the articles of capitulation which were signed August 27th of that year.

On the twelfth of March in the same year, this colony with all that tract of country, that now constitutes the province of New Jersey, was given by King Charles the second to his brother James, then duke of York. The duke, immediately after the conquest, published a proclamation for the encouragement of the settlement of the country, and among other articles are the two following:

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"1. In all territories of his royal highness liberty of conscience is allowed, provided such liberty is not converted to licentiousness, or the disturbance of others in the exercise of the Prostestant religion.

"2. Every township shall be obliged to pay their minister, according to such agreement as they shall make with him; and no man to refuse his proportion, the minister being elected by the major part of the householders, inhabitants of the town."

Encouraged by these privileges, many respctable French Protestant families came into this province about the time of the revocation of the edict of Nantz, and settled in the city of New York, at New Rochelle, in West Chester county, on Staten Island, and a few at New Paltz in Ulster county. These all adopted and adhered to the doctrines, worship, and discipline of Calvin.

The eastern part of Long Island was settled from New England when this colony was in the hands of the Dutch, and was claimed by Connecticut, as a part of its territory. The whole colony therefore was settled with non-episcopalians, chiefly Presbyterians, except a few Episcopal families in the city of New York, when Colonel Fletcher, the governor for the time being, projected the scheme of a general tax for building churches and supporting Episcopal ministers in the year 1693. This however he could not effect in all the extent he wished for. True he obtained a law that year from an ignorant and pusillanimous assembly by the various arts of chicanery accompanied with threats, entitled "An act for settling a ministry and raising a maintenance for them in the city of New York, county of Richmond, West Chester, and Queen's county." By this act one hundred pounds per annum was to be raised in the city and county of New York, for one minister; one hundred pounds in West Chester county to be divided between two ministers, each to have fifty pounds per annum; one hundred and twenty pounds in Queen's county to be divided between two ministers, each to have sixty pounds per annum; and forty pounds in Richmond county for one minister. This money was to be raised by tax laid on all the inhabitants of said city, counties and districts, by the vestrymen and two church wardens, who are merely civil

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officers, and to be chosen annually on the second Tuesday of January; and for the due election of these vestrymen and church wardens, all the inhabitants of the said city, counties and districts are to be convened by summons on the above day, issued by the magistrates of each county for this purpose. But this act extended only to four counties instead of the whole province, as governor Fletcher desired, and at first designed; and it is evident the assembly, which was composed almost entirely of non-episcopalians, intended it for the benefit of all Protestant ministers of every denomination, who should be chosen as the act prescribes. For though it directs that the ministers are to be inducted by the governor for the time being, yet it provides that the advowson or presentation shall belong to the above ten vestrymen and two church wardens, who, as you have just heard, are eligible not by the members of the church of England, but by the inhabitants at large, and the only specification of the minister's character to be thus chosen is that of "a good sufficient Protestant minister," without saying whether he shall be Episcopal or Presbyterian. And agreeably hereto, the assembly in 1695 entered a vote on their journals, April the twelfth, in the following words: "That the vestrymen and church wardens have power to call a dissenting Protestant minister, and that he is to be paid and maintained as the act directs." The design of this was to refute a claim made by the few Episcpalians of the city as long ago as that time, that the provision made in said act for the support of the gospel was for the sole benefit of Episcopal clergymen. Matters however have been so managed, owing to the pusillanimity of the people, that the Episcopalians alone have had the benefit of this tax. Those in the city of New York have a title to it by another law obtained by them June the twenty seventh, 1704, transferring the right of advowson, from the civil vestry and church wardens of the county to the vestry of Trinity church; and this same act farther incorporates the rector of said church and inhabitants of the city of New York in communion of the Church of England, vesting them with all the powers of a body known in law, and enabling them to hold an estate to the yearly amount of five hundred pounds currency; but expressly guards

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against abridging that liberty of conscience granted by the laws of England, or of this province to any other denomination of christians.

On the 4th of August, 1705, there was another act passed, entitled "An act for better explaining and more effectually putting in execution an act of General Assembly entitled, An act for settling a ministry and raising a maintenance for them in the City of New York, county of Richmond, West Chester, and Queen's county." The principal design of this act is to make provision for a succession of ministers in these four counties upon a vacancy taking place by the death or removal of the ministers settled by virtue of the first act, and in all times to come, of which the first act took no care, and farther providing that their salaries should be paid in money instead of country produce, as enjoined by the act of 1693; but neither of these acts of 1693 or 1705 give any distinguishing privileges to Episcopalians in preference to any other denomination. And in consequence of this the inhabitants of Queens county refuse to pay this tax to the Episcopal minister of Jamaica, and deny his right to it by either of the above laws; and a suit in chancery is now depending for a settlement of the controversy.

Besides these three acts, which are indeed the principal ones, there are the following of an ecclesiastical nature.

An act passed May the sixteenth, 1669, empowering the trustees of each town to raise money for building churches, or, as they are styled in the title of the act, meeting-houses, though styled churches in the body of the act, and for keeping them in repair, in the same manner that they raise money for court-houses, gaols, and other public buildings; but this law has never been acted upon, and is now considered as obsolete.

Also another act against jesuits and popish priests, who are prohibited the exercise of their office in the colony on pain of perpetual imprisonment, or in case of confinement and being taken, they are to suffer death. This law was passed in the year 1700, July the thirty first, principally to prevent the popish missionaries from Canada from practising on the Indian allies of this province, and hereby sedu-

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cing them from their allegiance to the British crown, under the pretext of religion.

There is another act passed June the 19th, 1703, enabling the then minister of the French Protestant church in this city, and his elders, who are named in the act, to sell their old church, and the lot on which it stood, and to purchase another lot and build another church and parsonage house thereon; and giving them a kind of an incorporation for these purposes, though a very imperfect one.

There is another act obliging the vestrymen chosen in the city and county of New York, and in the counties of Richmond, Queens and West Chester, by virtue of the first ministry act as it is called in 1693, to take an oath faithfully and impartially to assess every freeholder and inhabitant of said city and counties for raising the sums specified therein; and empowering any single justice in the county to administer said oath. This act was passed July 27, 1721.

There is also another act passed in the year 1744, changing the time of electing the vestrymen and church wardens in Richmond county from the second Tuesday in January, the time fixed by the act in 1693, to the third Tuesday in May.

And another passed November the 29th, 1745, enlarging the number of vestrymen to be chosen in the city of New York, by virtue of the act of 1693, from ten to fourteen, and obliging them to take an oath of the same tenor with that prescribed in the act of July 27th, 1721, which oath is to be administered by two justices, whereof one is to be of the quorum.

Besides these there is another act of the assembly, passed December the twelfth, 1753, entitled "An act to enable the ministers, elders, and deacons of the reformed protestant Dutch church of the City of New York, to sell and dispose of their lands, tenements, and hereditaments in the county of West Chester, commonly called and known by the name of the *manor of Fordham*, and for granting unto them some farther liberties and privileges for the better management of their affairs, and the well ordering and governing of their said church." This law not only empowers the then ministers, elders, and deacons of the Dutch church, to dispose of the above manor, and directs that the

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monies arising therefrom shall be laid out in the purchase or improvement of any lands or real estate that shall be more for the interest of said church, agreeably to the pious designs of the original donor, and for no other purposes. But it particularly mentions, and in the fullest manner confirms, the charter of incorporation which this church had obtained from governor Fletcher in the year 1696, and in some capital articles enlarges its privileges. The principal of these is, that whereas the charter confined them to an estate whose annual income should amount to no more than two hundred pounds currency, by this law they are enabled to enlarge it to the amount of one thousand pounds sterling annual revenue, and that over and above the sum or yearly rent of two hundred pounds mentioned in the said charter. This act received the royal confirmation February the 25th, 1755, without which, and until obtained by an express clause in the law itself, it was to be of no force.*

These are all the acts of an ecclesiastical nature to be found in our code of laws, unless you include those against profaneness; such as drunkenness, sabbath-breaking, profane cursing, swearing, blasphemy, and the like, of which there are several, and some very good ones. And perhaps the reason of it is, that beside the evident design of the Episcopalians, though a very handful at that time, to secure to themselves a dominion over their brethren of other denominations, by the three first of the above acts my lord Cornbury, governor for the time being, in the summer of 1702, and but a few months after his arrival, countenanced and supported a most cruel and ignominious persecution of the Presbyterians in the town of Jamaica on Long Island, by which they were violently dispossessed of their church, and most dishonorably robbed of their parsonage-house and glebe lands by his lordship himself, and were many years before they recovered them. Many of the principal inhabitants were harassed with severe persecutions, heavy fines and long imprisonments, for assuming their just

* This church has a respectable fund of about 12000l. many valuable lots in the city of New York, and the township of Leyden six miles square in Gloucester county, which was granted in 1769, and is subject to no quit-rents, his majesty having graciously released them forever under the signet and sign manual in this present year, 1773.

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rights, and others fled out of the province to avoid the rage of episcopal cruelty.

In the year 1707 his lordship gave another specimen of his bigotry, cruelty, and persecuting spirit, by causing Mr. M'Kennie and Mr. Hampton, two Presbyterian ministers travelling through the province, to be apprehended and imprisoned for preaching each a sermon without his lordship's licence; the former in the city of New York, and the latter at Newtown on Long Island. Mr. Hampton was afterwards discharged, no evidence being offered against him to the grand jury; but a bill was found against Mr. M'Kennie, to the immortal disgrace of the jurors, most of whom were members of the French and Dutch churches, and he stood trial, but was honorably acquitted, though still held in bonds by the court, till they had illegally extorted from him all the fees of his prosecution. In these attempts on religious liberty my lord however lost his aim; and they only tended greatly to increase the load of deserved infamy under which he fell, and finally sunk.

The colony in general being non-episcopalian, and forewarned by the above measures, both insidious and violent, to give the Episcopalians a superiority over other denominations; and withal becoming more enlightened, all the attempts to get the assent of the assembly to any other laws of so odious and discriminating a nature have been hitherto in vain; and it is to be hoped will become more and more so; though it is evident the Episcopalians are watching every opportunity for this purpose. Of this the following fact may serve as an instance: Colonel Phillips having projected the scheme of episcopizing that part of his manor commonly called the Yonkers in West Chester county, for this purpose caused a petition, artfully obtained, to be presented to the House of Assembly on the 18th day of September, 1764, praying that the ministry act of 1693 might be extended to that district. The house, not attending to the design, gave leave to bring a bill,* which was accordingly done.

But the scheme was happily defeated by the seasonable and spirited opposition of a few gentlemen of the Presbyterian church of this city, who have repeatedly distinguish-

* This leave was given 27th September.

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ed themselves in defence of the liberties of their country, civil and religious; and the bill was accordingly rejected by a great majority on the twelfth of October following, when its tendency came to be fully understood, there being only five votes in its favour. This measure would have been the more unjust, as the inhabitants of that manor are chiefly non-episcopalians, and like to continue so, unless episcopized by such an establishment.

I cannot with proper precision give the numbers of the different denominations of christians in this colony; I shall however mention the following facts, and leave every one to judge for himself.

By a return made to the Secretary's office, in consequence of an order issued for this purpose in the year 1771, it appears there were one hundred and forty eight thousand one hundred and twenty four inhabitants in this province the last year. To which if we add about eight hundred persons who have come into it this year from Scotland and the north of Ireland, and the people who have removed into Cumberland, Gloucester, and Charlotte counties, out of Connecticut, Massachusetts and New Hampshire governments since the above list was taken, the number of which is considerable; and to these add the many families scattered through the woods in the frontier counties of the province, that could not possibly be numbered with any degree of exactness, we may with great justice call its present inhabitants at least 150,000.

To enable you to guess at the proportion the several denominations that compose this number bear to each other, please to observe, that there are twenty three Dutch ministers settled in the province, who have congregations, all of which are pretty large, and most of them serve two, and some three churches: and there are besides twenty four vacant congregations, some of which are well able to support the gospel could they get ministers, and the rest by joining two, and in some places three together would be fully able for this purpose.

There are forty five Presbyterian ministers in the colony who have fixed charges, and three who at present have none. The most of these congregations are large, and none of them very small, and there are fifteen vacant con-

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gregations, some of which are very large and very well able to support the gospel, and the rest by joining two together, and in some places three, would be sufficiently able also. Please to add to these, great numbers of Presbyterians, who are scattered in their settlements through the new counties of Cumberland, Gloucester, and Charlotte on the north-easterly parts of the province; these counties are settling very fast, and almost entirely by Presbyterians. Some of them are already populous, and there is scarce one in fifty of the new settlers, who is an Episcopalian.

There are twenty one Episcopal ministers in the colony, some of whom have large congregations, particularly in the city of New York, where indeed the chief strength of episcopacy in the province lies. Here they have three large churches, in which three ministers officiate; and a small one which has a minister of its own, not in connexion with his brethren. Those of that denomination are very respectable in this city in point of numbers and wealth, and have as a corporation a very great estate in lands in and adjoining the city, granted them by lord Cornbury, the greatest part of which however some persons still claim as their right; beside a large tract of land lying in Gloucester county, and which they have free of quit-rent. This tract consists of twenty five thousand acres, and was granted March the thirty first, 1770. There were also two respectable missions in Queen's county, and two missionaries; the one at Jamaica, Newtown, and Flushing, in which three towns there are about one hundred Episcopal families; and the other at Hempstead and Oyster Bay, rather larger in point of numbers, but not much. They have also a mission in Suffolk county, and two churches; one at Huntington, where the congregation does not consist of more than twenty families, and the other at Brookhaven, which is still smaller. I cannot give a particular account of the several Episcopal congregations in the province, but none of them can be called large, but those I have already mentioned. That in the city of Albany, which is an old mission, and has had many essential aids from home,* and some worthy ministers, does not after all consist of more

* This congregation has had 50l. sterling annually out of the privy purse ever since Queen Ann's day; beside the Society's bounty every year.

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than thirty families. That in Schenectady, where they also have a missionary, of not more than a dozen families. The missionary at Fort Hunter on the Mohawks river preaches only to the Indians and a few whites in the neighbourhood. There is also a very small number of Episcopalians at Johnstown and parts adjacent in Tryon county, where Sir William Johnson notwithstanding has a clergyman, who is one of the above twenty one. The missions in Ulster and Dutchess counties are very small. Those in West Chester and Richmond counties are larger, though none of them can be called large. And excepting those in the city of New York, and perhaps those in Queen's county, there is not a congregation of Episcopalians in the province sufficiently numerous and able to support the gospel without the aid of the money raised by the ministry act of 1693, which they have most unjustly monopolized to themselves; or the annual bounty they receive from the society for propagating the gospel in foreign parts. Not one of them however does it, not even those of the city. There is no congregation of this denomination vacant in the province but the small one at Huntington by the death of their minister a few months ago. There are two of the above ministers who have no parishes.

There are three Lutheran ministers in the colony who have congregations, and two of them pretty large; and there are ten vacant congregations, some of which are large and well able to support ministers, and some of them that must join two or three together for this purpose. There are two other Lutheran ministers in it, but they have no parishes.

There are twelve Anabaptist ministers in this province who have congregations, some of them pretty large, and some but small. There are four vacant congregations, but none of them very large.

There are two small French Protestant congregations, the one in the city of New York, and the other at New Rochelle in West Chester county; but neither of them have settled ministers.

There are three Moravian congregations in the province, one in New York, one on Staten Island, and one in the Oblong in Dutchess county. But they are all small. The two former have ministers, but the third is vacant.

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There are seventeen Quaker meeting houses in the colony, in some of which pretty large congregations assemble for worship. There is one in Dutchess county to which there belong seventy or eighty families. Their congregation in New York consists of about sixty families. And there are some others in the country respectable in point of numbers, and some of them but very small.

There is beside a considerable number of separate or lay preachers in the province who have congregations to which they statedly preach, and some of them large. Some of these people call themselves Presbyterians or Congregationalists, and some Anabaptists. They are pretty numerous in the new countries in the north and north easterly parts of the province, and parts adjacent, and on the east end of Long Island, where they have two ministers.*

We have a congregation of Jews in the city of New York, which consists of between thirty and forty families. They have a synagogue, and enjoy full liberty of conscience.

There are no Roman Catholic churches in the province, they being prohibited the publick exercise of their religion by the law I have already mentioned.

There are also throughout the whole government many people who make no profession of any religion, and rarely, if ever, attend any place of worship; who therefore cannot be ranked with propriety under any of the above denominations, though probably bred in one or other of them.

Upon the whole, if I may hazard a conjecture on the subject, I think the Episcopalians cannot be more than the fifteenth part of the whole province. But this I submit. However, notwithstanding their great inferiority in point of numbers, the Episcopalians enjoy the smiles of government beyond all other denominations. They obtain charters of incorporation, however small their congregations, whenever they ask them, which none of the rest can. The Dutch churches in the cities of New York and Albany, in Kingstown in Ulster county and Schenectady in Albany county are the only non-episcopal churches in the province that have charters of incorporation.

The Scotch Presbyterian congregation in the city of New York applied to colonel Schuyler, then President of

* There are seven Baptist separate preachers in the colony, and some of them have pretty large congregations.

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the council and commander in chief, for a charter as long ago as March the third, 1720, but were disappointed by the opposition of the Episcopalians. Governor Burnet arriving the same year, a petition of the same tenor was preferred to him September the nineteenth following: and though they asked nothing but a bare legal capacity to hold a small estate for the support of the worship of God among them according to their consciences, without any other boon, yet they were opposed and defeated by the rector and church wardens of Trinity church, who publickly appeared by their counsel against them before the governor and his majesty's council. The thirtieth of March, 1759, they again applied for the same favour to governor De Lancey, who had given them encouragement to expect it, and were disappointed by the practices of the same party. And March the eighteenth, in the year 1766, they petitioned the throne on the subject, and had the greatest encouragement of success from Lord Dartmouth himself, then at the head of the board of trade; but were a fourth time defeated by the warm opposition of the bishop of London and other ecclesiastical dignitaries; his lordship appearing twice against them at the board of trade, being roused and animated, as we have the greatest reason to apprehend, by the Episcopalians on this side of the atlantic.

The first Lutheran church in the city of New York applied for a charter February the eighth, 1759. Their petition was sent home, and on being referred to the lords of trade, they reported it to be inexpedient to grant such a favour to people who were of neither of the establishments of Great Britain; in consequence of which they were denied it.

The Dutch churches of Orange Town, Kakiate, Marbletown, Rochester, and Wawaising, and the French Protestants of the city of New York, have all petitioned for the like favour several years ago, but hitherto without success.

Could the several non-episcopal denominations procure charters to hold estates for the support of the gospel among them, with as much ease as they are given to Episcopalians, it would greatly contribute to the security of religious liberty in the colony.

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There has no law been made in this province relating to marriages, nor do any of the English statutes concerning them extend to it. They stand therefore on the common law of the land; and as words de presenti constitute a marriage by that law, the courts of judicature, on any contest, must leave the question *married or not* to the jury of the county upon the proofs that are offered, as they do with respect to any other enquiry relating to matter of fact. This is attended with some inconveniences; but the politicians contend that they would be greater, if the legislature should interpose by a law to prevent clandestine marriages; and it is much to be doubted, whether the several branches would be brought to any unanimity on the subject, were it attempted. The rites of marriage were at first celebrated by the justices of the peace, as well as the clergy, either upon the governor's licence, or the publication of the bans thrice in some place of worship. This was the case till the year 1748, before which time the licences ran, *to all Protestant ministers;* but upon application of the Episcopal clergy who meant to monopolize this business, they are since directed *to all Protestant ministers of the gospel*, and from the time of this alteration the justices do not intermeddle, except in such counties where clergymen are scarce. But marriages are celebrated by clergymen of all denominations without distinction, and yet for any law to the contrary, a marriage with or without licence or publication, and with or without the aid of a clergyman or magistrate, will be valid in law. A contract in words de presenti, proved by witnesses and subsequent cohabitation as man and wife, constitute a marriage of legal validity, as already suggested.

It must not be forgotten, that the establishment of the college in the city of New York in the year 1754, on its present narrow Episcopal plan, after the legislature had granted a sum of money for the erection and support of a college on a broad bottom, is justly considered as an infringement of the religious liberty of the province.

It ought also to be mentioned, when considering the state of religious liberty in the colony, that a bill passed the House of Assembly, May the fifteenth, 1769, entitled "An Act to exempt all Protestants in the counties of

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West Chester, New York, Queens, and Richmond, from any taxation for the support of the ministers of the gospel." This was designed to operate as a repeal of the ministry acts of 1693 and 1705, at least so far as they have been perverted to the obliging of non-episcopalians to contribute to the support of the Episcopal clergy without a formal repeal of them. But it was lost in the council.

Another bill of the same tenor, and with the same design, entitled "An act to exempt Protestants of all denominations from paying any clergyman by compulsory taxation," passed the House of Assembly January the twelfth, 1770, but it shared the same fate with the former.

There was also another bill passed the present Assembly in 1769, for incorporating the congregations of the several denominations of christians in the county of Albany of every persuasion, excepting the Quakers, and enabling them to hold estates to the amount of several hundred pounds a year for the maintenance of public worship and schools, but was also lost in the council, for the same reasons that charters of incorporation are denied to non-episcopalians, lest the subjection of the province to episcopacy in a future day should be hereby rendered more difficult.

This matter was taken up again the next session, and the bill the second time passed the House January the sixteenth, 1770. It had now many advocates without doors, and instructions and petitions in its favour were given by several of the counties; but it sunk again in the council.

There was also a bill passed the House of Assembly March the fourteenth, 1772, entitled "An act to remove doubts in the administration of oaths." This bill was designed in favour of a number of people in the province, chiefly from Scotland and the north of Ireland, who conscientiously scruple the present legal form of taking an oath, *by kissing the Bible*, and to admit them to use the form established and in use in Scotland and the New England colonies *by lifting up the right hand.* These people have no objection to taking an oath when lawfully called to it; on the other hand they esteem it a duty. They scruple only the present mode of swearing, in which this bill was designed to ease them, and to which they have a just right

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as good subjects. But it too was lost in the council. These several bills may be considered as so many struggles of the people by their representatives in favour of religious liberty, and as so many instances of defeat in this glorious cause, that will assuredly prevail one day or other.

It is a settled point, that the ecclesiastical establishment of England does not attend to the plantations; and as we have no general establishment in New York, the religious state of the colony, is that of a set of Protestants of different denominations which have been already mentioned, and proportioned as above suggested, supporting the worship of God, by voluntary contributions, or by their congregational funds, without any law favouring one sect more than another; unless the acts I have already mentioned may be construed as the Episcopalians contend, without just cause. Except the act incorporating Trinity Church.

The countenance of government will notwithstanding greatly tend to encourage and increase the Episcopalians, who, from their inferiority, will be also led to a closer attention to their interests than other denominations, whose numbers render them fearless and unguarded. The bishops in England are also very watchful of their interests here. The bishop of London in particular makes it a rule to apply to every governor on his appointment on this head, and strongly recommends the Episcopal cause in the colony to his friendship, and no opportunity is lost to procure aids for small and weak congregations of that denomination from the society for propagating the gospel to enable them to support ministers. Add to this, that in all the new towns, patenteed in this province for some years past, there is a glebe of three hundred acres of land laid out near the centre of the town for an Episcopal missionary, and the fee vested in said society. And besides all this, the crown gives instructions to every governor in their favour. The standing instructions of a religious nature are of the following import. They command the governor,

1. To find out means for the conversion of Negroes and Indians.

2. To permit liberty of conscience to all except Papists.

3. To take care that God be worshipped, the Book of Common Prayer used, and the sacraments administered according to the rites of the Church of England.

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4. To see that the churches be built, that the clergy be maintained, and glebes be provided for this purpose.

5. That parishes have convenient limits.

6. To present no minister to a benefice without a certificate from the bishop of London, of his conformity to the doctrines and discipline of the Church of England, and of his good life and conversation.

7. To give orders that the minister be of the vestry in every church, and that there be no vestry held in his absence.

8. To report to the bishop of London every minister who preaches without orders.

9. To countenance the exercise of the ecclesiastical jurisdiction of the bishop of London in the province.

10. To take care that no schoolmaster from England be permitted to teach school without the bishop of London's license, nor from any other place without the Governor's license.

11. That a table of marriages be hung up in every church according to the canons of the Church of England.

12. To recommend it to the Assembly to pass laws against immorality.

13. To transmit an account of the number of the people.

14. To see that accounts be kept of all the baptisms and burials.

My lord Cornbury threatened to execute the tenth article, but durst not; nor any governor since. It is not indeed the interest of any governor to interfere in these matters, and they rarely do.

I shall only add, that there are no laws in this colony disqualifying persons for any civil office on account of their religious persuasions: unless Quakers may be considered as an exception, who, though they are indulged with affirmations instead of oaths, by a law extending the acts of parliament in their favour on this head; yet these are confined to civil cases. And as they cannot take the oath required in such cases, they cannot be members of his Majesty's council, or sit in the house of Assembly, which is a real and a great grievance, and unfriendly to the cause of liberty.

I consider the subject only as it respects the causes of *Religious Liberty*, and therefore designedly omit many things that would be proper to observe, were I giving you the religious state of the province in any other view.

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line, to be a Trustee and have power to supply vacancies in case of the death, &c. of the Associate Trustees.

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The Librarian is to deliver books to such persons as shall come to the Library to read, and receive them again before shutting up the room. He must enter in a book the name of the reader of the book delivered to him, and cancel the entry when the book is returned. No person may take a book out of the room before he has signed a promissory note to return it undefaced; a folio in five weeks, a 4to. in three, and smaller sizes in two weeks; and has deposited double the value of the book with the Librarian until it is returned.

Persons residing out of the city of Philadelphia, who wish to take a book out, must obtain permission in writing, from at least one Trustee.

NOTICE RESPECTING THE AUTHOR OF "A BRIEF VIEW OF THE STATE OF RELIGIOUS LIBERTY IN NEW YORK, 1773." See Histor. Coll. vol. I. 2d series. p. 140.

From a letter of Ebenezer Hazard, Esq. to the Corresponding Secretary. Phila. February, 1808.

"ON my return home, I called upon Dr. Rodgers,* and asked him if he could tell me who wrote the *Brief View*, &c. He said he believed that he did; he recollected his having once written a pretty lengthy communication upon that subject. I apprehend that was it; for you may recollect my mentioning that the emendatory interlineations were in his handwriting. After my arrival at home, I turned to the Minutes of the Convention to which the communication was made, (yet in my possession, and now before me,) and found that Dr. R. was appointed to that service in 1771. In 1772 he reported Extracts from the Laws of New York, as other members did from the laws of other colonies; but as it was apprehended that the communications could be made more complete, if more time were allowed, this was granted; and the next year the Doctor, among others, delivered in a report, of which I suppose what you have to be a copy."

* Rev. John Rodgers, D. D. of New York.—Died 7 May, 1811. Ed.

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