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L A W S

OF THE

S T A T E

OF

NEW-YORK,

Passed by the Legislature of said State, at their Ninth Session.

N E W - Y O R K :

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L A W S

O F T H E

S T A T E O F N E W - Y O R K ;

Passed at the First Meeting of the Ninth Session of the Legislature
of the said State.

C H A P. I.

AN ACT *relative to Buildings in the City of New-York.* Passed the 31st of January, 1786.

BE it enacted by the People of the State of New-York, represented in Senate and Assembly, and it is hereby enacted by the Authority of the same, That all and every Fine or Penalty incurred before the passing of this Act, for any Offence or Neglect committed or suffered contrary to the true Intent and Meaning of an Act, entitled, "An Act for the more effectual Prevention of Fires, and for regulating of Buildings in the City of New-York," passed the 31st of December, in the Year of our Lord, 1761, and of the Act, entitled, "An Act to amend an Act for the more effectual Prevention of Fires, and for regulating of Buildings in the City of New-York," passed the 1st of April, 1775, shall be, and the same are hereby respectively remitted, and that the two above-mentioned Laws be, and they hereby are suspended, until the first Day of January next.

All Fines incurred for building in the City of New-York, contrary to two Acts herein recited remitted, and the said Acts suspended.

C H A P. II.

A supplementary Act to the Act, entitled, "An Act vesting the real Estate of Benjamin Moore, Senior, late of the City of New-York, Sail-Maker, deceased, in Trustees for the Payment of his Debts, and for other Purposes therein mentioned. Passed the 31st of January, 1786.

WHEREAS it was necessary in and by the said Act, that the Trustees thereby appointed, should, before they exercised any of the Powers to them in and by the said Act given, file in the Court of Chancery, a Bond in such Penalty and to such Person or Persons as the Chancellor should think fit, conditioned for the faithful discharge of the Trust and Powers vested in the said Trustees, in and by the said Act, and to render an Account of the aforesaid Estate when thereunto required. *And whereas* the Absence of the Chancellor from the City of New-York, after the passing of the said Act, prevented the filing of the said Bond, agreeable to the Directions of the said Act :

Preamble, reciting that it was necessary for the Trustees to file a Bond in Chancery before they exercised their Powers.

C H A P. XXV.

A N A C T to regulate the Militia. Passed the 4th April, 1786.

I. **B**E it enacted by the People of the State of New-York, represented in Senate and Assembly, and it is hereby enacted by the Authority of the same, That every able bodied male Person being a Citizen of this State, or of any of the United States, and residing in this State (except such Persons as are hereinafter excepted) and who are of the Age of Sixteen, and under the Age of Forty-five Years, shall, by the Captain or commanding Officer of the Beat in which such Citizen shall reside, within four Months after the passing of this Act, be enrolled in the Company of such Beat. That every Captain or commanding Officer of a Company shall also enrol every Citizen as aforesaid, who shall from Time to Time arrive at the Age of Sixteen Years, or come to reside within his Beat, and without Delay notify such Enrolment to such Citizen so enrolled, by some non-commissioned Officer of the Company, who shall be a competent Witness to prove such Notice. That all Disputes which may happen with Respect to the Age or Ability of any Person to bear Arms, shall be determined by the Captain or commanding Officer of the Company, with a Right of Appeal by the Person who may conceive himself aggrieved, or by any other Person belonging to the Company, to the Colonel or commanding Officer of the Regiment. That every Citizen so enrolled and notified, shall, within three Months thereafter, provide himself, at his own Expence, with a good Musket or Firelock, a sufficient Bayonet and Belt, a Pouch with a Box therein to contain not less than twenty-four Cartridges suited to the Bore of his Musket or Firelock, each Cartridge containing a proper Quantity of Powder and Ball, two spare Flints, a Blanket and Knapsack; and shall appear so armed, accoutred and provided, when called out to Exercise or Duty, as herein after directed, except that when called out to exercise only, he may appear without Blanket or Knapsack. That the commissioned Officers shall be respectively armed with a Sword or Hanger, and an Esponton. That the Commander in Chief for the Time being shall, by general Orders, arrange the whole Militia into Commands, as nearly equal as convenient may be, of Brigades, Regiments and Companies, and may, from Time to Time, alter such Arrangements as he shall think proper; and that to each Brigade of Infantry there shall be one Company of Artillery, and one Troop of Horse. That each Regiment of Infantry shall consist of two Battalions, each Battalion to be composed of four Companies, and each Company of

One Captain,
One Lieutenant,
One Ensign,
Four Serjeants,
Four Corporals,
One Drummer,
One Fifer, and not less than sixty-five Privates, as

nearly as local Circumstances will admit. The Serjeants, Corporals, Drummers and Fifers to be from Time to Time appointed by the Captain or commanding Officers of the several Companies. And if any non-commissioned Officer so to be appointed, shall refuse to accept the Office to which he shall be appointed, he shall forfeit the Sum of Forty Shillings, to be adjudged, levied, and disposed of as is herein after directed, with Respect to Fines for neglecting or refusing to appear to exercise. That each Regiment shall be commanded by three Field Officers, viz. One Lieutenant-Colonel Commandant, and two Majors; and that to each Regiment there shall be a regimental Staff, to consist of

One Adjutant,
One Quarter-Master,
And one Pay-Master,
One Surgeon, and
One Surgeon's Mate.

} To rank as Lieutenants, . . .

And

Citizens of 16 and under 45 Years of Age, to be enrolled by the Captain of the Beat in which they reside, and to be notified thereof by him.

Disputes about the Age of any Person how to be determined.

Militia how to be armed and accoutred.

Commander in Chief for the Time being, by General Orders, to arrange the Militia, and how.

Serjeants, &c. to be appointed by the Captain.

Regimental Staff.

And that to each Regiment there shall be two Light-Infantry Companies, composed of such active young Men as shall voluntarily engage in such Infantry Companies, and who shall form on the Flanks of the Regiment, and be clothed in such Uniform as is herein after directed. That four Regiments thus constituted, shall form a Brigade, to be commanded by a Brigadier General, who may nominate his own Brigade-Major, which Brigade Major shall rank as Captain. That each Troop of Horse shall consist of

Each Regiment to have two Light Infantry Companies.

Troops of Horse how arranged, &c.

One Captain,
One Captain-Lieutenant,
One Lieutenant,
One Cornet,
Four Serjeants,
Four Corporals,
One Saddler,
One Farrier,
One Trumpeter, and
Forty Horsemen.

Each Trooper to furnish himself with a serviceable Horse at least fourteen Hands high, a good Saddle, Bridle, Housing, Holsters, Breastplate and Crupper, a Pair of Boots and Spurs, a Pair of Pistols, a Sabre, a Cartouch-Box to contain twelve Cartridges for his Pistols ; and that the commissioned Officers shall be armed with a Sword and Pair of Pistols, the Holsters of which to be covered with Bearskin Caps.

That each Company of Artillery shall consist of

Artillery how to be officered, &c.

One Captain,
One Captain-Lieutenant,
Three Lieutenants,
Six Serjeants,
Six Corporals,
Six Gunners,
Six Bombardiers,
One Drummer,
One Fifer, and
Thirty-two Matrosses.

Each commissioned Officer shall be armed with a Sword or Hanger, a Fuzee, Bayonet and Belt, and Cartridge-Box to contain twelve Cartridges ; and each Artillerist shall furnish himself at his own Expence with all the Equipments of a Private in the Infantry, until proper Ordinance and Field Artillery can be provided by the State, the Drum and Fife to be provided by the commissioned Officers of the Company. That each Company of Artillery and Troop of Horse shall be formed of Volunteers from the District of the Brigade within which they reside, and shall be uniformly clothed in Regimentals to be furnished at their own Expence, the Colour and Fashion of which to be determined by the Brigadier commanding the Brigade. That on every Enlistment of a Volunteer into the Horse, Artillery, or Light-Infantry, the Captains of such Troops or Companies respectively shall immediately certify the same to the Captain of the Beat from which such Volunteer shall enlist. That each Regiment shall be provided with State and Regimental Colours at the Expence of the Field Officers, and each Company with a Drum and Fife at the Expence of its commissioned Officers. That all the Militia of the State shall rendezvous four Times in every Year, for the Purpose of training, disciplining, and improving in martial Exercises, twice by Companies within their Beats, once by Regiments, and once by Brigades ; the Time and Place of Rendezvous for the Companies, to be appointed by the Colonel or commanding Officer of the Regiment, and arranged on different Days, that the Field and Staff Officers may have an Opportunity of attending the several Companies exercised in Detail, in order to introduce Uniformity in the Manœuvres and Discipline of the Regiment. That each commanding Officer of a Regiment shall appoint a regimental Parade at some convenient Place as nearly central as may be within the District of his Regiment ; and each Brigadier-General shall appoint a brigade Parade at some convenient Place within the District of his Brigade, as nearly central as may be ; at which

Artillery and Troops of Horse to be formed of Volunteers.

Regiments to be provided with Colours, and all the Militia to rendezvous four Times in a Year.

brigade

Adjutant-General to be appointed.

Every Brigade to have an Inspector.

Light Infantry Companies, at the annual Review, to be formed into a Regiment, &c.

Artillery and Horse to be attached to such Regiment, and remain with them.

Commissioned Officers to report their Acceptance of their Appointment.

Oath to be taken by the Members of the Court-Martial.

Oath to be taken by the Judge Advocate.

brigade Parade such Brigade shall rendezvous on such Days as the Commander in Chief shall appoint by General Orders ; and which Days shall be so arranged that the Adjutant-General may be enabled to visit and review them at their respective brigade Parades. That there shall be an Adjutant-General of the Militia, whose Duty shall be to distribute all Orders from the Commander in Chief to the several Corps, and once in every Year review the Brigades ; to attend the respective Brigades on their respective Parades ; and the Regiment of Infantry, and Companies of Artillery and Cavalry during the Time of their being under Arms, pursuant to this Act ; and shall inspect their Arms, Ammunition, Accoutrements and Clothing ; superintend their Exercises and Manœuvres, and introduce a System of military Discipline throughout the State, agreeable to such Orders as he shall from Time to Time receive from the Commander in Chief ; to furnish blank Forms of different Returns that may be required, and explain the Principles on which they shall be made ; that within three Weeks after he shall have finished his annual Review, he shall deliver to the Commander in Chief a Return of all the Militia of the State, reporting the actual Situation of the Arms, Accoutrements, and Ammunition of the several Corps, their Delinquencies, and every other Thing which in his Judgment may relate to their Police, and the general Advancement of good Order and military Discipline ; that he shall have the Rank of Lieutenant-Colonel, and shall be allowed, as a full Compensation for all the Services he is required to perform by this act, at and after the Rate of Two Hundred and Fifty Pounds for every Year. That to every Brigade there shall be an Inspector, to rank as Major, whose Duty it shall be to attend the regimental Parades, and shall then and there inspect their Arms, Ammunition, Accoutrements, and Clothing ; superintend their Exercises and Manœuvres, and introduce a proper System of military Discipline throughout his Brigade, agreeable to such Orders as he may from Time to Time receive from the Adjutant-General. That at the annual Brigade Rendezvous, the Light Infantry Companies of the Regiments composing the Brigades, shall be formed into a Regiment, to be commanded by such Field Officers as the commanding Officer of the Brigade shall appoint for that Service. That when so embodied, they shall continue together at least four Days, and perform such Manœuvres and Evolutions, under the Direction of the Adjutant-General, as he shall assign them. That the Artillery Company and Troop of Horse belonging to each Brigade, shall, during such Service, be attached to, and remain with the Regiment of Light Infantry, and be subject to the Orders of the commanding Officer thereof. That every regimental commissioned Officer shall report his Acceptance of his Appointment within ten Days from his receiving Notice thereof, to the commanding Officer of the Regiment, who shall in like Manner, within ten Days, make Return thereof to his Brigadier. The commissioned Officers of Cavalry and Artillery shall also notify the Acceptance of their Appointments, within ten Days after they have received Notice, to their Captains, and the Captains shall make similar Returns to their Brigadiers, within ten Days. That a general Court-Martial shall consist of thirteen commissioned Officers, who shall appoint their own Judge Advocate ; which Judge-Advocate shall tender to each Member, and each Member is hereby enjoined to take the following Oath :

You do swear that you will well and truly try and determine, according to Evidence, the Matter now depending between the People of the State of New-York, and the Prisoner or Prisoners to be tried ; and you do further swear, that you will not divulge the Sentence of the Court, until the same shall be approved of, pursuant to this Act ; neither will you, upon any Account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-Martial, unless required to give Evidence thereof by a Court of Justice, in a due Course of Law. So help you God.

And the President is hereby authorized to tender to the Judge-Advocate, who is hereby enjoined to take the following Oath :

You do swear that you will not, upon any Account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-Martial, unless required to give Evidence thereof as a Witness, by a Court of Justice, in a due Course of Law ; and that you will not divulge the Sentence of this Court, until the same shall be approved, pursuant to this Act. So help you God.

That