

**SPEECHES AND REPORTS
IN THE ASSEMBLY OF
NEW YORK, AT THE
ANNUAL SESSION OF 1838**

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Speeches and Reports in the Assembly of New York, at the Annual Session of 1838 by Daniel D. Barnard

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DANIEL D. BARNARD

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ASSEMBLY OF NEW-YORK.

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By **DANIEL D. BARNARD.**

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INTRODUCTION.

THE Legislature of the State of New-York, elected in the fall of 1837, convened at Albany, in January, 1838, under circumstances of no common interest. The opinion of the people, as expressed through the ballot box, was shown to be in decided disapproval of the course and policy avowed by the Administration of the National Government. This was evinced by the election of a large majority of members of the Assembly, and three-fourths of the candidates for the Senate, from the party opposed to the declared policy of the government. As the executive officers of the State were intimately linked in, and connected, as partizan approvers, with the opinions of the national cabinet, the popular election referred to, may, with equal fairness, be deemed a rebuke of them, in common with their coadjutors at Washington city. In this state of things, the assemblage of a Legislature composed of a majority in

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opposition, on joint ballot, to the State and General Governments, commanded the public attention in no ordinary degree. The more particularly, as the topics which would naturally be presented for their deliberation were of unusual weight and importance.

The suspension of specie payments by the banks of this State—no matter by whom caused, or by whom sanctioned—inflicted an almost intolerable inconvenience upon the people, from the consequent scarcity of silver coin. As the laws prohibited the emission of small notes by our State banks, the people were of necessity subjected to an influx of depreciated paper money from foreign States, which circulated from hand to hand by common consent, in despite of the ineffectual laws which had been enacted to restrain them. This state of things forced the general conviction upon the public mind, that it was the wisest policy to return to our ancient system, and allow our banks to furnish a better small-note currency, than that which then filled the lower channels of business. Upon this conviction the Legislature acted, and their measures were followed by the general relief, from a depreciated currency of which the people, in the main, knew nothing, and the necessity of practically proclaiming the law which prohibited it, to be a dead letter.

At an early period of the session a memorial of a most unexpected and extraordinary character was pre-

sented to the Assembly. It prayed neither more nor less, than that the Legislature would enact a law to prohibit the practice of praying, singing, reading the Bible, and other religious exercises in such schools, academies, and seminaries of education, as receive aid from the public treasury. This subject, of so much importance to the substantial welfare of the youth of the State, and the perpetuity of its institutions, was referred to the Committee on Colleges, Academies and Common Schools. The report of that Committee, confining its views, with great strictness, to the question in a solely political light, demonstrated with much delicacy and forbearance, and yet with sufficient strength, the fallacy of that theory which forebodes an infringement of republican liberty as inseparable from a general reading of the Holy Scriptures. The action of the Assembly, subsequent to the production of this Report, was all but unanimous, in adopting the recommendation of the Committee, viz: "that the prayer of the memorialists be *not* granted." It is sufficient for the merit of this Report, to say that it has not only been received with commendation in this State, but it has commanded for itself an extensive circulation and reprint in other States.

The introduction to the Assembly of a Bill to incorporate the Cold Spring Whaling Company, though in itself of limited public interest, became of importance in consequence of the discussion which it drew out, bear-