

## THE CONSTITUTIONAL CONVENTION OF 1821

**T**HE THIRD CONSTITUTIONAL CONVENTION came as the result of popular dissatisfaction with the existing government and a growing demand for democratization. The Council of Revision and the Council of Appointment were becoming unpopular and public pressure mounted still higher when the Council of Revision vetoed a bill in 1820 calling for a constitutional convention.

The following year a law was passed, Laws of 1821 chapter 90, whereby the question of holding a convention was to be submitted to the electorate. The people overwhelmingly voted for a convention. The delegates were to be chosen by the people and were to meet in Albany on the last Tuesday in August 1821. It was further provided that the convention was "for the purpose of considering the Constitution of this State, and making such alteration in the same as they may deem proper; and to provide the manner of making future amendments thereto." A further provision required the submission of an amended constitution to the citizens of the State.

The convention met on August 28, 1821, and wound up its proceedings on November 10. The entire Constitution was considered. The convention abrogated many provisions, modified others and continued some without change. It was submitted to the people and approved at a special election held January 15, 16 and 17, 1822, and all the provisions of the new Constitution took effect December 31, 1822.

The new Constitution eliminated the Council of Revision and the Council of Appointment. The suffrage was extended and for the first time the Legislature was authorized to initiate proposed constitutional amendments.

This Constitution is often cited as the Constitution of 1822 and was the first to be submitted to the electorate for approval.

For a history of this Constitution see *Lincoln*, I:613-756, and *Poletti*, I:Part II:24-41.

Eight amendments to this Constitution were later adopted between 1822 and 1846 by the legislative and referendum method. For a discussion of these amendments see *Lincoln*, II:3-8, and *Poletti*, I:Part II:41-43.

### **Preliminary Publications:**

None

### **Proceedings, Journals, Documents and Manuals:**

New York (State) Constitutional Convention, 1821. Documents, committee reports etc. (Printed as separates during the progress of the convention.) 1v.

——— Journal of the Convention of the State of New York. Begun and held at the Capitol in the City of Albany, on the twenty-eighth day of August, 1821. Albany: printed by Cantine & Leake, printers to the State. 1821. 564pp. Index, xii pp.

——— A report of the debates and proceedings of the convention by L. H. Clarke. New York. 1821. 367pp.

——— Reports of the proceedings and debates of the convention by Nathaniel H. Carter and William L. Stone, reporters. Albany. 1821. 703pp.

### **Texts, Engrossed:**

New York (State) Constitution. Constitution of the State of New York. 1821. Original manuscript. Signed and engrossed. (Ms. & Hist.)

### **Texts, Printed:**

New York (State) Constitutional Convention, 1821. Constitution of the State of New York adopted in convention, November 10, 1821: The Constitution of the United States and George Washington's Farewell Address. Hudson, N. Y. William E. Norman, 1822. 23, 47, 35pp.

New York (State) Constitutional Convention, 1821. Constitution of the State of New York as amended. Albany: printed by Cantine & Leake, printers to the State. 1821. Address of the delegates in convention to their constituents together with the Constitution of the State of New York, as amended, and the resolutions submitting the same to the people. 4, 25, 4pp.

### **Archival Material:**

New York (State) Constitutional Convention, 1821. Roll of delegates. Personal data, including occupations of the delegates.