

## Time Line, America During the Age of Revolution, 1764-1789

This time line is drawn largely from the work of Richard B. Morris, in particular his *Encyclopedia of American History*.

### 1764

**Sugar Act.** Parliament, desiring revenue from its North American colonies, passed the first law specifically aimed at raising colonial money for the Crown. The act increased duties on non-British goods shipped to the colonies.

**Currency Act.** This act prohibited American colonies from issuing their own currency, angering many American colonists.

**Beginnings of Colonial Opposition.** American colonists responded to the Sugar Act and the Currency Act with protest. In Massachusetts, participants in a town meeting cried out against taxation without proper representation in Parliament, and suggested some form of united protest throughout the colonies. By the end of the year, many colonies were practicing nonimportation, a refusal to use imported English goods.

### 1765

**Quartering Act.** The British further angered American colonists with the Quartering Act, which required the colonies to provide barracks and supplies to British troops.

**Stamp Act.** Parliament's first direct tax on the American colonies, this act, like those passed in 1764, was enacted to raise money for Britain. It taxed newspapers, almanacs, pamphlets, broadsides, legal documents, dice, and playing cards. Issued by Britain, the stamps were affixed to documents or packages to show that the tax had been paid.

**Organized Colonial Protest.** American colonists responded to Parliament's acts with organized protest. Throughout the colonies, a network of secret organizations known as the Sons of Liberty was created, aimed at intimidating the stamp agents who collected Parliament's taxes. Before the Stamp Act could even take effect, all the appointed stamp agents in the colonies had resigned. The Massachusetts Assembly suggested a meeting of all the colonies to work for the repeal of the Stamp Act. All but four colonies were represented. The Stamp Act Congress passed a "Declaration of Rights and Grievances," which claimed that American colonists were equal to all other British citizens, protested taxation without representation, and stated that, without colonial representation in Parliament, Parliament could not tax colonists. In addition, the colonists increased their nonimportation efforts.

### 1766

**Repeal of the Stamp Act.** Although some in Parliament thought the army should be used to enforce the Stamp Act (1765), others commended the colonists for resisting a tax passed by a

legislative body in which they were not represented. The act was repealed, and the colonies abandoned their ban on imported British goods.

**Declaratory Act.** The repeal of the Stamp Act did not mean that Great Britain was surrendering any control over its colonies. The Declaratory Act, passed by Parliament on the same day the Stamp Act was repealed, stated that Parliament could make laws binding the American colonies "in all cases whatsoever."

**Resistance to the Quartering Act in New York.** New York served as headquarters for British troops in America, so the Quartering Act (1765) had a great impact on New York City. When the New York Assembly refused to assist in quartering troops, a skirmish occurred in which one colonist was wounded. Parliament suspended the Assembly's powers but never carried out the suspension, since the Assembly soon agreed to contribute money toward the quartering of troops.

## 1767

**Townshend Acts.** To help pay the expenses involved in governing the American colonies, Parliament passed the Townshend Acts, which initiated taxes on glass, lead, paint, paper, and tea.

**Nonimportation.** In response to new taxes, the colonies again decided to discourage the purchase of British imports.

**"Letters from a Farmer in Pennsylvania to the Inhabitants of the British Colonies."** Originally published in a newspaper, this widely reproduced pamphlet by John Dickinson declared that Parliament could not tax the colonies, called the Townshend Acts unconstitutional, and denounced the suspension of the New York Assembly as a threat to colonial liberties.

## 1768

**Massachusetts Circular Letter.** Samuel Adams wrote a statement, approved by the Massachusetts House of Representatives, which attacked Parliament's persistence in taxing the colonies without proper representation, and which called for unified resistance by all the colonies. Many colonies issued similar statements. In response, the British governor of Massachusetts dissolved the state's legislature. **British Troops Arrive in Boston.** Although the Sons of Liberty threatened armed resistance to arriving British troops, none was offered when the troops stationed themselves in Boston.

## 1769

**Virginia's Resolutions.** The Virginia House of Burgesses passed resolutions condemning Britain's actions against Massachusetts, and stating that only Virginia's governor and legislature could tax its citizens. The members also drafted a formal letter to the King, completing it just before the legislature was dissolved by Virginia's royal governor.

## 1770

**Townshend Acts Cut Back.** Because of the reduced profits resulting from the colonial boycott of imported British goods, Parliament withdrew all of the Townshend Act (1767) taxes except for the tax on tea.

**An End to Nonimportation.** In response to Parliament's relaxation of its taxation laws, the colonies relaxed their boycott of British imported goods (1767).

**Conflict between Citizens and British Troops in New York.** After a leading New York Son of Liberty issued a broadside attacking the New York Assembly for complying with the Quartering Act (1765), a riot erupted between citizens and soldiers, resulting in serious wounds but no fatalities.

**Boston Massacre.** The arrival of troops in Boston provoked conflict between citizens and soldiers. On March 5, a group of soldiers surrounded by an unfriendly crowd opened fire, killing three Americans and fatally wounding two more. A violent uprising was avoided only with the withdrawal of the troops to islands in the harbor. The soldiers were tried for murder, but convicted only of lesser crimes; noted patriot John Adams was their principal lawyer.

## 1772

**Attack on the "Gaspee."** After several boatloads of men attacked a grounded British customs schooner near Providence, Rhode Island, the royal governor offered a reward for the discovery of the men, planning to send them to England for trial. The removal of the "Gaspee" trial to England outraged American colonists.

**Committees of Correspondence.** Samuel Adams called for a Boston town meeting to create committees of correspondence to communicate Boston's position to the other colonies. Similar committees were soon created throughout the colonies.

## 1773

**Tea Act.** By reducing the tax on imported British tea, this act gave British merchants an unfair advantage in selling their tea in America. American colonists condemned the act, and many planned to boycott tea.

**Boston Tea Party.** When British tea ships arrived in Boston harbor, many citizens wanted the tea sent back to England without the payment of any taxes. The royal governor insisted on payment of all taxes. On December 16, a group of men disguised as Indians boarded the ships and dumped all the tea in the harbor.

## 1774

**Coercive Acts.** In response to the Boston Tea Party, Parliament passed several acts to punish Massachusetts. The Boston Port Bill banned the loading or unloading of any ships in Boston harbor. The Administration of Justice Act offered protection to royal officials in Massachusetts, allowing them to transfer to England all court cases against them involving riot suppression or

revenue collection. The Massachusetts Government Act put the election of most government officials under the control of the Crown, essentially eliminating the Massachusetts charter of government.

**Quartering Act.** Parliament broadened its previous Quartering Act (1765). British troops could now be quartered in any occupied dwelling.

**The Colonies Organize Protest.** To protest Britain's actions, Massachusetts suggested a return to nonimportation, but several states preferred a congress of all the colonies to discuss united resistance. The colonies soon named delegates to a congress -- the First Continental Congress -- to meet in Philadelphia on September 5.

**The First Continental Congress.** Twelve of the thirteen colonies sent a total of fifty-six delegates to the First Continental Congress. Only Georgia was not represented. One accomplishment of the Congress was the Association of 1774, which urged all colonists to avoid using British goods, and to form committees to enforce this ban.

**New England Prepares for War.** British troops began to fortify Boston, and seized ammunition belonging to the colony of Massachusetts. Thousands of American militiamen were ready to resist, but no fighting occurred. Massachusetts created a Provincial Congress, and a special Committee of Safety to decide when the militia should be called into action. Special groups of militia, known as Minute Men, were organized to be ready for instant action.

## 1775

**New England Restraining Act.** Parliament passed an act banning trade between the New England colonies and any other country besides Great Britain.

**New England Resists.** British troops continued to attempt to seize colonial ammunition, but were turned back in Massachusetts, without any violence. Royal authorities decided that force should be used to enforce recent acts of Parliament; war seemed unavoidable.

**Lexington and Concord.** British troops planned to destroy American ammunition at Concord. When the Boston Committee of Safety learned of this plan, it sent Paul Revere and William Dawes to alert the countryside and gather the Minute Men. On April 19, Minute Men and British troops met at Lexington, where a shot from a stray British gun led to more British firing. The Americans only fired a few shots; several Americans were killed. The British marched on to Concord and destroyed some ammunition, but soon found the countryside swarming with militia. At the end of the day, many were dead on both sides.

**The Second Continental Congress.** The Second Continental Congress convened in Philadelphia on May 10. John Hancock was elected president of Congress.

**George Washington is named commander-in-chief.** On June 10, John Adams proposed that Congress consider the forces in Boston a Continental army, and suggested the need for a general. He recommended George Washington for the position. Congress began to raise men from other

colonies to join the army in New England, and named a committee to draft military rules. On June 15, Washington was nominated to lead the army; he accepted the next day. To pay for the army, Congress issued bills of credit, and the twelve colonies represented in the Congress promised to share in repaying the bills.

**Bunker Hill.** On June 12, British General Gage put martial law in effect, and stated that any person helping the Americans would be considered a traitor and rebel. When Americans began to fortify a hill against British forces, British ships in the harbor discovered the activity and opened fire. British troops -- 2,400 in number -- arrived shortly after. Although the Americans -- 1,000 in number -- resisted several attacks, eventually they lost the fortification.

**Olive Branch Petition.** Congress issued a petition declaring its loyalty to the king, George III, and stating its hope that he would help arrange a reconciliation and prevent further hostilities against the colonies. Four months later, King George III rejected the petition and declared the colonies in rebellion.

**Congress Treats with the Indians.** Acting as an independent government, Congress appointed commissioners to create peace treaties with the Indians.

**Congress Creates a Navy.** Congress began to plan for aggressive action against British ships stocked with ammunition. It authorized the building of four armed ships, and began to formulate rules for a navy. On December 22, Congress named Esek Hopkins commodore of the fledgling American navy. Soon after, Congress authorized privateering, and issued rules for dealing with enemy vessels and plunder.

**Congress Searches for Foreign Aid.** When a congressional committee began to investigate the possibility of foreign aid in the war against Great Britain, France expressed interest.

## 1776

**"Common Sense."** Thomas Paine moved many to the cause of independence with his pamphlet titled "Common Sense." In a direct, simple style, he cried out against King George III and the monarchical form of government.

**The British Evacuate Boston.** American General Henry Knox arrived in Boston with cannons he had moved with great difficulty from Fort Ticonderoga, New York. Americans began to entrench themselves around Boston, planning to attack the British. British General William Howe planned an attack, but eventually retreated from Boston.

**Congress Authorizes the Colonies to Write Constitutions.** In May, the Second Continental Congress adopted a resolution authorizing the colonies to adopt new constitutions; the former colonial governments had dissolved with the outbreak of war.

**Congress Declares Independence.** When North Carolina and Virginia empowered their delegates to vote for American independence, Virginian Richard Henry Lee offered a resolution stating that the colonies "are, and of right ought to be, free and independent States." A committee

was appointed to draft a declaration of independence, and Thomas Jefferson was chosen to write it. On July 2, Congress voted in favor of independence, and on July 4, the Declaration of Independence was approved. Copies were sent throughout the colonies to be read publicly.

**Battle of Long Island.** After leaving Boston, British General Howe planned to use New York as a base. The British captured Staten Island and began a military build-up on Long Island in preparation for an advance on Brooklyn. Washington succeeded in saving his army by secretly retreating onto Manhattan Island. Washington eventually retreated from Manhattan, fearing the prospect of being trapped on the island, and the British occupied New York City.

**Congress Names Commissioners to Treat with Foreign Nations.** Congress sent a delegation of three men to Europe -- Silas Deane, Benjamin Franklin, and Arthur Lee -- to prepare treaties of commerce and friendship, and to attempt to secure loans from foreign nations.

**The Battle of White Plains.** British and American forces met at White Plains, New York, where the British captured an important fortification. Washington once again retreated, still attempting to save his army from the full force of the British army.

**Retreat through New Jersey.** Washington and his army retreated across New Jersey, crossing the Delaware River into Pennsylvania. Congress, fearing a British attack on Philadelphia, fled to Baltimore.

**Battle of Trenton.** On December 26, Washington launched a surprise attack against a British fortification at Trenton, New Jersey, that was staffed by Hessian soldiers. After one hour of confused fighting, the Hessians surrendered. Only five American soldiers were killed.

## 1777

**Battle of Princeton.** British General Howe reacted to the Battle of Trenton by sending a large force of men to New Jersey. At Princeton, Washington once again launched a surprise attack, and succeeded in defeating the British. His efforts cleared most of New Jersey of enemy forces, and greatly boosted American morale.

**America Has a Flag.** On June 14, Congress declared that the flag of the United States would consist of thirteen alternating red and white stripes, and a blue field with thirteen white stars.

**The British Attack Philadelphia.** British and Americans met at Brandywine Creek, Pennsylvania. The Americans retreated, and the British soon occupied Philadelphia, forcing Congress once again to flee the city. After retreating further during the Battle of Germantown, Washington settled his army for the winter in Valley Forge -- a winter of extreme cold and great hunger.

**Saratoga.** On October 7, British and American troops engaged in New York. Fatigued from battle and short of supplies, British General John Burgoyne's troops were repulsed by American forces under General Horatio Gates. On October 8, Burgoyne retreated to Saratoga; by October 13th, he asked for terms of surrender. The "Convention of Saratoga" called for Burgoyne's army

to be sent back to England, and for each soldier to pledge not to serve again in the war against the colonies.

**The "Conway Cabal."** Many in Congress were unhappy with Washington's leadership; some murmured the name of General Horatio Gates as a possible replacement. Thomas Conway, the army's inspector general, wrote a critical letter to Gates about Washington, leading many to believe there was an organized effort to replace Washington. Conway resigned from the army, and eventually apologized to Washington.

**Articles of Confederation.** When Richard Henry Lee made a motion for independence (1776), he also proposed a formal plan of union among the states. After a discussion lasting more than a year, the Articles of Confederation were adopted by Congress, although the states did not ratify the Articles until 1781.

## 1778

**France and America Become Allies.** France and America formed an alliance, negotiated by Benjamin Franklin, stating that each would consider the other a "most favored nation" for trade and friendship; France would be obligated to fight for American independence; and America would be obligated to stand by France if war should occur between France and Great Britain. Within four months, France and Great Britain were at war.

**The British Attempt to Make Peace.** Threatened by the alliance between France and America, Parliament proposed the repeal of the Tea Act (1773) and Coercive Acts (1774), pledged not to tax the colonies, and sent peace commissioners to America. However, most Americans were interested only in British recognition of American independence. When a British commissioner tried to bribe congressmen Joseph Reed, Robert Morris, and Francis Dana, Americans became even less interested in reconciliation. Competing for support from the American people, both Congress and the desperate commissioners appealed directly to them with broadsides, but the British commissioners soon returned to Great Britain, their mission a failure.

**John Paul Jones Wins Victories.** Although Esek Hopkins was never very successful with the American navy, Captain John Paul Jones won several victories against the British with his ship, the "Ranger."

**The Battle of Monmouth.** When the British headed for New York, Washington left Valley Forge to follow. At the Battle of Monmouth, American General Charles Lee gave several confused orders, and then ordered a sudden retreat. Washington's arrival on the scene saved the battle, although the British escaped to New York during the night. Lee was later court-martialed.

## 1779

**The British Attack in North and South.** Fighting continued in both the northern and southern states. In the frontier settlements of Pennsylvania, Loyalists and Indians led by Mohawk Joseph Brant attacked American settlers. The Loyalists soon were defeated, and Americans went on to destroy many Native American villages whose residents were fighting on the side of the British.

**Spain Joins the War.** Spain asked Britain for Gibraltar as a reward for joining the war on the British side. When Britain refused, Spain joined with France in its war against Britain, although refusing to recognize American independence.

## 1780

**The British Take Charleston, South Carolina.** After a brief fight, the British took Charleston, capturing 5,400 men and four American ships in the harbor. It was the worst American defeat of the war.

**A Mutiny in the Continental Army.** When the value of Continental currency sank to a new low, Congress had problems supplying the American army. Great shortages of food led to a short-lived mutiny among some Connecticut soldiers at Washington's camp in New Jersey.

**The Treason of Benedict Arnold.** American General Benedict Arnold, frustrated and ambitious, began dealing with British General Sir Henry Clinton. After he was promised the command at West Point by General Washington, Arnold told Clinton that he would give the strategic American fortification to the British. But when British Major John André, acting as messenger, was captured, Arnold fled to a British ship, revealing his involvement in the treasonous plan. André was executed as a spy, and Arnold was made a brigadier general in the British army.

## 1781

**Congress Creates a Department of Finance.** American finances were in such dire straits that Congress saw the need for a separate department of finance. Robert Morris was appointed superintendent of finance.

**The Articles of Confederation Are Ratified.** With the ratification of the Articles of Confederation, under discussion since 1777, Congress assumed a new title, "The United States in Congress Assembled."

**The Battle of Yorktown.** French and American forces joined at Yorktown, on land and at sea, and attacked British fortifications. Key British points were soon held by the Americans and French, and British General Cornwallis soon surrendered, giving up almost 8,000 men. With this defeat, Britain lost hope of winning the war in America.

## 1782

**Peace Negotiations Begin in Paris.** British, French, and American commissioners met in Paris to discuss peace. The United States sent Benjamin Franklin, John Adams, and John Jay. By November, the commissioners had drafted a peace treaty. Its terms called for Great Britain to recognize American independence and provide for the evacuation of all British troops. Great Britain also gave up its territory between the Mississippi River and the Allegheny Mountains, doubling the size of the new nation.

## 1783



**The Army Complains.** When a delegation of army officers complained to Congress about their unpaid salaries and pensions, Congress had no quick solution. An anonymous letter urged officers to unite and attempt one last appeal to Congress. If its attempt was ignored, the army was prepared to revolt against Congress. Washington, addressing the army in person at its headquarters in Newburgh, New York, convinced them to be patient, and not to dishonor themselves after their glorious victory. Visibly moved, the officers adopted resolutions to present to Congress, and pledged not to threaten violence or rebellion.

**Congress Ratifies the Preliminary Articles of Peace.** After Spain, France, and Britain successfully came to terms, the treaty between France, Britain, and America was put into effect, and warfare formally ceased. Congress ratified the Articles of Peace on April 15.

**The Loyalists and British Evacuate New York.** New York City was the last Loyalist refuge in America. Starting in April, nearly 30,000 Loyalists, knowing that the British soon would leave New York, packed their belongings and sailed to Canada and England, followed shortly by the British army. In November, when the British sailed away, Washington entered the city and formally bade farewell to his officers. Soon after, he resigned his commission.

**The American Army Disbands.** In June, most of Washington's army disbanded and headed for home just before the British evacuated New York. A small force remained until all the British had departed.

**Congress Is Threatened.** A group of soldiers from Pennsylvania marched on Congress, demanding their pay. Armed and angry, they surrounded Independence Hall. The members of Congress eventually were allowed to leave the building; they fled to Princeton, New Jersey.

## 1784

**The Western Territories.** Thomas Jefferson headed a committee that proposed a plan for dividing the western territories, providing a temporary government for the West, and devising a method for new western states to enter the Union on an equal basis with the original states. The plan was adopted, but not put into effect.

**Congress Creates a Board of Finance.** When Robert Morris resigned as superintendent of finance, he was replaced by a Board of Finance consisting of three commissioners.

**New York the Temporary Capital.** Congress decided to make New York City the temporary capital of the United States, until the location of a permanent federal city was decided upon.

## 1785

**Congress Lacks Power over Commerce.** When American commissioners attempted to make trade arrangements with Britain, the British Ambassador refused, because any state could decline to abide by Congress's trade regulations. The inability of Congress to regulate commerce on a national scale led to the formation of a committee dedicated to appealing to the states to grant Congress enlarged powers over commerce. Despite these attempts, no effective action was taken.

**Conference at Mount Vernon.** Several commissioners from Virginia and Maryland met at Mount Vernon, the home of George Washington, to discuss regulation of trade between the two states. At the meeting's conclusion, the commissioners suggested that all the states meet at a convention in Annapolis to discuss common commercial problems.

**Basic Land Ordinance.** Congress arranged for surveys to divide the western territories into townships, with one lot in each town set aside as a site for a public school.

## 1786

**The Virginia Statute for Religious Freedom.** The Virginia House of Burgesses passed a statute, written by Thomas Jefferson in 1779 and sponsored by James Madison, declaring that no person should be discriminated against because of religious belief, or compelled to join or support any church. This statute helped shape the First Amendment of the United States Constitution.

**Attempts to Revise the Articles of Confederation.** In Congress, Charles Pinckney proposed a revision of the Articles of Confederation. A committee debated the question, and recommended several changes, including granting Congress power over foreign and domestic commerce, and enabling Congress to collect money owed by the states. Under the Articles, unanimous approval from all thirteen states would be necessary to pass the suggested changes. Doubting that all the states would ever agree, Congress never acted.

**Annapolis Convention.** Nine states agreed to send delegates to Annapolis to discuss commerce, but only five state delegations arrived on time. Because of the poor attendance, the delegates decided to invite the states to another convention. Alexander Hamilton drafted an address to the states, inviting them to a convention to be held in Philadelphia in 1787, to discuss not only commerce, but all matters necessary to improve the federal government. After debate, on February 21, 1787, Congress endorsed the plan to revise the Articles of Confederation.

## 1787

**The Constitutional Convention.** Every state but Rhode Island sent delegates to the Constitutional Convention in Philadelphia. The gathering included some of the most respected and talented men in America. George Washington was named president.

Edmund Randolph proposed the "Virginia Plan," drafted by James Madison -- a plan that recommended an entirely new form of government, including an executive, a judiciary, and a legislature composed of two houses and including a number of representatives from each state based on their population.

Opposition came from the small states, which feared domination by the more populous states in the legislature. William Paterson proposed the "New Jersey Plan," which essentially revised the Articles of Confederation, preserving equal representation of the states. After much debate, the Convention rejected the New Jersey Plan, deciding instead to work toward an entirely new form of government.

The issue of representation in the two houses of the new national legislature became a major sticking point for the Convention. Roger Sherman was helpful in framing the "Connecticut Compromise," a plan that suggested representation in the lower house (the House of Representatives) based on population, and equal representation in the upper house (the Senate). With this compromise, the Convention succeeded in completing a rough draft of a constitution.

A Committee of Style was appointed to create a final draft; Gouverneur Morris was chosen to write it. After carefully reviewing the draft, the Convention approved the Constitution on September 17. After signing it and sending it to Congress, the Convention adjourned.

**Northwest Ordinance.** While the Constitutional Convention debated a new government, Congress decided upon a plan for governing all western territories north of the Ohio River. The Northwest Ordinance provided for a plan of government, the creation of states, the acceptance of each new state as an equal of the original states, freedom of religion, right to a trial by jury, public support of education, and the prohibition of slavery. Arthur St. Clair was named first governor of the territory.

**Congress Receives the Constitution.** Although some congressmen were displeased at the Convention for doing far more than revising the Articles of Confederation, on September 28 Congress agreed to pass the Constitution on to the states, so each could debate it in separate ratifying conventions. Nine states had to agree to the new Constitution for it to go into effect.

**"The Federalist."** Supporters of the Constitution -- Federalists -- and opponents of the Constitution -- Antifederalists -- fought fiercely in the press. Seventy-seven essays, written anonymously by "Publius," appeared in New York newspapers, explaining and defending the new Constitution. These essays, published in book form with eight additional essays, were titled *The Federalist*. Written by Alexander Hamilton, James Madison, and John Jay, *The Federalist* was the most organized, coherent effort to defend the Constitution.

## 1788

**The Constitution Is Ratified by Nine States.** On June 21, New Hampshire became the ninth state to ratify the new Constitution, making its adoption official. Preceding New Hampshire were Delaware, Pennsylvania, New Jersey, Georgia, Connecticut, Massachusetts, Maryland, and South Carolina. Virginia and New York ratified shortly after New Hampshire, followed by North Carolina in November 1789. Rhode Island was last to ratify, not joining the Union until May 1790.

**Congress Steps Aside for a New Government.** On July 2, Congress announced that the Constitution had been adopted. By September, a committee had prepared for the change in government, naming New York City as the temporary official capital, and setting dates for elections and for the meeting of the first Congress under the new Constitution. Congress completed its business on October 10. Its last action was the granting of ten square miles of land to Congress for a federal town.

## English Bill of Rights 1689

## **An Act Declaring the Rights and Liberties of the Subject and Settling the Succession of the Crown**

Whereas the Lords Spiritual and Temporal and Commons assembled at Westminster, lawfully, fully and freely representing all the estates of the people of this realm, did upon the thirteenth day of February in the year of our Lord one thousand six hundred eighty-eight [old style date] present unto their Majesties, then called and known by the names and style of William and Mary, prince and princess of Orange, being present in their proper persons, a certain declaration in writing made by the said Lords and Commons in the words following, viz.:

Whereas the late King James the Second, by the assistance of divers evil counsellors, judges and ministers employed by him, did endeavour to subvert and extirpate the Protestant religion and the laws and liberties of this kingdom;

By assuming and exercising a power of dispensing with and suspending of laws and the execution of laws without consent of Parliament;

By committing and prosecuting divers worthy prelates for humbly petitioning to be excused from concurring to the said assumed power;

By issuing and causing to be executed a commission under the great seal for erecting a court called the Court of Commissioners for Ecclesiastical Causes;

By levying money for and to the use of the Crown by pretence of prerogative for other time and in other manner than the same was granted by Parliament;

By raising and keeping a standing army within this kingdom in time of peace without consent of Parliament, and quartering soldiers contrary to law;

By causing several good subjects being Protestants to be disarmed at the same time when papists were both armed and employed contrary to law;

By violating the freedom of election of members to serve in Parliament;

By prosecutions in the Court of King's Bench for matters and causes cognizable only in Parliament, and by divers other arbitrary and illegal courses;

And whereas of late years partial corrupt and unqualified persons have been returned and served on juries in trials, and particularly divers jurors in trials for high treason which were not freeholders;

And excessive bail hath been required of persons committed in criminal cases to elude the benefit of the laws made for the liberty of the subjects;

And excessive fines have been imposed;

And illegal and cruel punishments inflicted;

And several grants and promises made of fines and forfeitures before any conviction or judgment against the persons upon whom the same were to be levied;

All which are utterly and directly contrary to the known laws and statutes and freedom of this realm;

And whereas the said late King James the Second having abdicated the government and the throne being thereby vacant, his Highness the prince of Orange (whom it hath pleased Almighty God to make the glorious instrument of delivering this kingdom from popery and arbitrary power) did (by the advice of the Lords Spiritual and Temporal and divers principal persons of the Commons) cause letters to be written to the Lords Spiritual and Temporal being Protestants, and other letters to the several counties, cities, universities, boroughs and cinque ports, for the choosing of such persons to represent them as were of right to be sent to Parliament, to meet and sit at Westminster upon the two and twentieth day of January in this year one thousand six hundred eighty and eight [old style date], in order to such an establishment as that their religion, laws and liberties might not again be in danger of being subverted, upon which letters elections having been accordingly made;

And thereupon the said Lords Spiritual and Temporal and Commons, pursuant to their respective letters and elections, being now assembled in a full and free representative of this nation, taking into their most serious consideration the best means for attaining the ends aforesaid, do in the first place (as their ancestors in like case have usually done) for the vindicating and asserting their ancient rights and liberties declare

That the pretended power of suspending the laws or the execution of laws by regal authority without consent of Parliament is illegal;

That the pretended power of dispensing with laws or the execution of laws by regal authority, as it hath been assumed and exercised of late, is illegal;

That the commission for erecting the late Court of Commissioners for Ecclesiastical Causes, and all other commissions and courts of like nature, are illegal and pernicious;

That levying money for or to the use of the Crown by pretence of prerogative, without grant of Parliament, for longer time, or in other manner than the same is or shall be granted, is illegal;

That it is the right of the subjects to petition the king, and all commitments and prosecutions for such petitioning are illegal;

That the raising or keeping a standing army within the kingdom in time of peace, unless it be with consent of Parliament, is against law;

That the subjects which are Protestants may have arms for their defence suitable to their conditions and as allowed by law;

That election of members of Parliament ought to be free;

That the freedom of speech and debates or proceedings in Parliament ought not to be impeached or questioned in any court or place out of Parliament;

That excessive bail ought not to be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted;

That jurors ought to be duly impanelled and returned, and jurors which pass upon men in trials for high treason ought to be freeholders;

That all grants and promises of fines and forfeitures of particular persons before conviction are illegal and void;

And that for redress of all grievances, and for the amending, strengthening and preserving of the laws, Parliaments ought to be held frequently.

And they do claim, demand and insist upon all and singular the premises as their undoubted rights and liberties, and that no declarations, judgments, doings or proceedings to the prejudice of the people in any of the said premises ought in any wise to be drawn hereafter into consequence or example; to which demand of their rights they are particularly encouraged by the declaration of his Highness the prince of Orange as being the only means for obtaining a full redress and remedy therein. Having therefore an entire confidence that his said Highness the prince of Orange will perfect the deliverance so far advanced by him, and will still preserve them from the violation of their rights which they have here asserted, and from all other attempts upon their religion, rights and liberties, the said Lords Spiritual and Temporal and Commons assembled at Westminster do resolve that William and Mary , prince and princess of Orange, be and be declared king and queen of England, France and Ireland and the dominions thereunto belonging, to hold the crown and royal dignity of the said kingdoms and dominions to them, the said prince and princess, during their lives and the life of the survivor to them, and that the sole and full exercise of the regal power be only in and executed by the said prince of Orange in the names of the said prince and princess during their joint lives, and after their deceases the said crown and royal dignity of the same kingdoms and dominions to be to the heirs of the body of the said princess, and for default of such issue to the Princess Anne of Denmark and the heirs of her body, and for default of such issue to the heirs of the body of the said prince of Orange. And the Lords Spiritual and Temporal and Commons do pray the said prince and princess to accept the same accordingly.

And that the oaths hereafter mentioned be taken by all persons of whom the oaths have allegiance and supremacy might be required by law, instead of them; and that the said oaths of allegiance and supremacy be abrogated.

I, A.B., do sincerely promise and swear that I will be faithful and bear true allegiance to their Majesties King William and Queen Mary . So help me God.

I, A.B., do swear that I do from my heart abhor, detest and abjure as impious and heretical this damnable doctrine and position, that princes excommunicated or deprived by the Pope or any authority of the see of Rome may be deposed or murdered by their subjects or any other whatsoever. And I do declare that no foreign prince, person, prelate, state or potentate hath or ought to have any jurisdiction, power, superiority, pre-eminence or authority, ecclesiastical or spiritual, within this realm. So help me God.

Upon which their said Majesties did accept the crown and royal dignity of the kingdoms of England, France and Ireland, and the dominions thereunto belonging, according to the resolution and desire of the said Lords and Commons contained in the said declaration. And thereupon their Majesties were pleased that the said Lords Spiritual and Temporal and Commons, being the two Houses of Parliament, should continue to sit, and with their Majesties' royal concurrence make effectual provision for the settlement of the religion, laws and liberties of this kingdom, so that the same for the future might not be in danger again of being subverted, to which the said Lords Spiritual and Temporal and Commons did agree, and proceed to act accordingly. Now in pursuance of the premises the said Lords Spiritual and Temporal and Commons in Parliament assembled, for the ratifying, confirming and establishing the said declaration and the articles, clauses, matters and things therein contained by the force of law made in due form by authority of Parliament, do pray that it may be declared and enacted that all and singular the rights and liberties asserted and claimed in the said declaration are the true, ancient and indubitable rights and liberties of the people of this kingdom, and so shall be esteemed, allowed, adjudged, deemed and taken to be; and that all and every the particulars aforesaid shall be firmly and strictly holden and observed as they are expressed in the said declaration, and all officers and ministers whatsoever shall serve their Majesties and their successors according to the same in all time to come. And the said Lords Spiritual and Temporal and Commons, seriously considering how it hath pleased Almighty God in his marvellous providence and merciful goodness to this nation to provide and preserve their said Majesties' royal persons most happily to reign over us upon the throne of their ancestors, for which they render unto him from the bottom of their hearts their humblest thanks and praises, do truly, firmly, assuredly and in the sincerity of their hearts think, and do hereby recognize, acknowledge and declare, that King James the Second having abdicated the government, and their Majesties having accepted the crown and royal dignity as aforesaid, their said Majesties did become, were, are and of right ought to be by the laws of this realm our sovereign liege lord and lady, king and queen of England, France and Ireland and the dominions thereunto belonging, in and to whose princely persons the royal state, crown and dignity of the said realms with all honours, styles, titles, regalities, prerogatives, powers, jurisdictions and authorities to the same belonging and appertaining are most fully, rightfully and entirely invested and incorporated, united and annexed. And for preventing all questions and divisions in this realm by reason of any pretended titles to the crown, and for preserving a certainty in the succession thereof, in and upon which the unity, peace, tranquility and safety of this nation doth under God wholly consist and depend, the said Lords Spiritual and Temporal and Commons do beseech their Majesties that it may be enacted, established and declared, that the crown and regal government of the said kingdoms and dominions, with all and singular the premises thereunto belonging and appertaining, shall be and continue to their said Majesties and the survivor of them during their lives and the life of the survivor of them, and that the entire, perfect and full exercise of the regal power and government be only in and executed by his Majesty in the names of both their Majesties during their joint lives; and after their deceases the

said crown and premises shall be and remain to the heirs of the body of her Majesty, and for default of such issue to her Royal Highness the Princess Anne of Denmark and the heirs of the body of his said Majesty; and thereunto the said Lords Spiritual and Temporal and Commons do in the name of all the people aforesaid most humbly and faithfully submit themselves, their heirs and posterities for ever, and do faithfully promise that they will stand to, maintain and defend their said Majesties, and also the limitation and succession of the crown herein specified and contained, to the utmost of their powers with their lives and estates against all persons whatsoever that shall attempt anything to the contrary. And whereas it hath been found by experience that it is inconsistent with the safety and welfare of this Protestant kingdom to be governed by a popish prince, or by any king or queen marrying a papist, the said Lords Spiritual and Temporal and Commons do further pray that it may be enacted, that all and every person and persons that is, are or shall be reconciled to or shall hold communion with the see or Church of Rome, or shall profess the popish religion, or shall marry a papist, shall be excluded and be for ever incapable to inherit, possess or enjoy the crown and government of this realm and Ireland and the dominions thereunto belonging or any part of the same, or to have, use or exercise any regal power, authority or jurisdiction within the same; and in all and every such case or cases the people of these realms shall be and are hereby absolved of their allegiance; and the said crown and government shall from time to time descend to and be enjoyed by such person or persons being Protestants as should have inherited and enjoyed the same in case the said person or persons so reconciled, holding communion or professing or marrying as aforesaid were naturally dead; and that every king and queen of this realm who at any time hereafter shall come to and succeed in the imperial crown of this kingdom shall on the first day of the meeting of the first Parliament next after his or her coming to the crown, sitting in his or her throne in the House of Peers in the presence of the Lords and Commons therein assembled, or at his or her coronation before such person or persons who shall administer the coronation oath to him or her at the time of his or her taking the said oath (which shall first happen), make, subscribe and audibly repeat the declaration mentioned in the statute made in the thirtieth year of the reign of King Charles the Second entitled, “An Act for the more effectual preserving the king's person and government by disabling papists from sitting in either House of Parliament.” But if it shall happen that such king or queen upon his or her succession to the crown of this realm shall be under the age of twelve years, then every such king or queen shall make, subscribe and audibly repeat the same declaration at his or her coronation or the first day of the meeting of the first Parliament as aforesaid which shall first happen after such king or queen shall have attained the said age of twelve years. All which their Majesties are contented and pleased shall be declared, enacted and established by authority of this present Parliament, and shall stand, remain and be the law of this realm for ever; and the same are by their said Majesties, by and with the advice and consent of the Lords Spiritual and Temporal and Commons in Parliament assembled and by the authority of the same, declared, enacted and established accordingly.

II. And be it further declared and enacted by the authority aforesaid, that from and after this present session of Parliament no dispensation by “non obstante” of or to any statute or any part thereof shall be allowed, but that the same shall be held void and of no effect, except a dispensation be allowed of in such statute, and except in such cases as shall be specially provided for by one or more bill or bills to be passed during this present session of Parliament.



III. Provided that no charter or grant or pardon granted before the three and twentieth day of October in the year of our Lord one thousand six hundred eighty-nine shall be any ways impeached or invalidated by this Act, but that the same shall be and remain of the same force and effect in law and no other than as if this Act had never been made.

## History of the Bill of Rights

**Although 12 amendments were originally proposed, the 10 that were ratified became the Bill of Rights in 1791. They defined citizens' rights in relation to the newly established government under the Constitution.**



During the debates on the adoption of the Constitution, its opponents repeatedly charged that the Constitution as drafted would open the way to tyranny by the central government. Fresh in their minds was the memory of the British violation of civil rights before and during the Revolution. They demanded a "bill of rights" that would spell out the immunities of individual citizens. Several state conventions in their formal ratification of the Constitution asked for such amendments; others ratified the Constitution with the understanding that the amendments would be offered.

On September 25, 1789, the First Congress of the United States therefore proposed to the state legislatures 12 amendments to the Constitution that met arguments most frequently advanced against it. Articles 3 to 12, ratified December 15, 1791, by three-fourths of the state legislatures, constitute the first 10 amendments of the Constitution, known as the Bill of Rights. Article 2 concerning the compensation of congressman was finally ratified on May 7, 1992. The first amendment, which concerned the number of constituents for each Representative, was never ratified.

### Bill of Rights (1791) - Transcript

#### Congress of the United States

begun and held at the City of New-York, on  
Wednesday the fourth of March, one thousand seven hundred and eighty nine.

**THE** Conventions of a number of the States, having at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added: And as extending the ground of public confidence in the Government, will best ensure the beneficent ends of its institution.

**RESOLVED** by the Senate and House of Representatives of the United States of America, in Congress assembled, two thirds of both Houses concurring, that the following Articles be proposed to the Legislatures of the several States, as amendments to the Constitution of the

United States, all, or any of which Articles, when ratified by three fourths of the said Legislatures, to be valid to all intents and purposes, as part of the said Constitution; viz.

**ARTICLES** in addition to, and Amendment of the Constitution of the United States of America, proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth Article of the original Constitution.

**Article the first...** After the first enumeration required by the first article of the Constitution, there shall be one Representative for every thirty thousand, until the number shall amount to one hundred, after which the proportion shall be so regulated by Congress, that there shall be not less than one hundred Representatives, nor less than one Representative for every forty thousand persons, until the number of Representatives shall amount to two hundred; after which the proportion shall be so regulated by Congress, that there shall not be less than two hundred Representatives, nor more than one Representative for every fifty thousand persons.

**Article the second...** No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened.

**Article the third...** Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

**Article the fourth...** A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

**Article the fifth...** No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

**Article the sixth...** The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

**Article the seventh...** No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

**Article the eighth...** In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have

compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

**Article the ninth...** In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

**Article the tenth...** Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

**Article the eleventh...** The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

**Article the twelfth...** The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

**ATTEST,**

**Frederick Augustus Muhlenberg**, Speaker of the House of Representatives

**John Adams**, Vice-President of the United States, and President of the Senate

**John Beckley**, Clerk of the House of Representatives.

**Sam. A Otis** Secretary of the Senate

**Citation:** Engrossed Bill of Rights, September 25, 1789; General Records of the United States Government; Record Group 11; National Archives.



## **History of the Constitution**

### **The Constitution: A History**

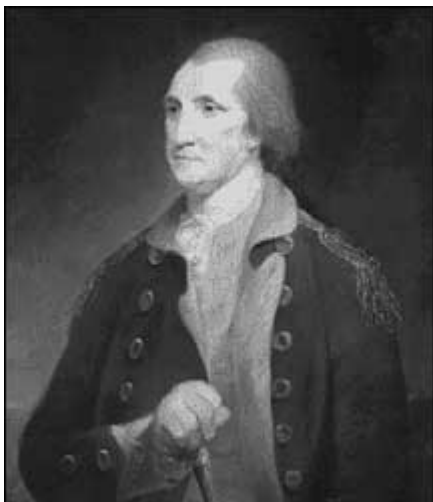
#### **A More Perfect Union: The Creation of the U.S. Constitution**

May 25, 1787, Freshly spread dirt covered the cobblestone street in front of the Pennsylvania State House, protecting the men inside from the sound of passing carriages and carts. Guards stood at the entrances to ensure that the curious were kept at a distance. Robert Morris of Pennsylvania, the "financier" of the Revolution, opened the proceedings with a nomination--Gen.

George Washington for the presidency of the Constitutional Convention. The vote was unanimous. With characteristic ceremonial modesty, the general expressed his embarrassment at his lack of qualifications to preside over such an august body and apologized for any errors into which he might fall in the course of its deliberations.

To many of those assembled, especially to the small, boyish-looking, 36-year-old delegate from Virginia, James Madison, the general's mere presence boded well for the convention, for the illustrious Washington gave to the gathering an air of importance and legitimacy. But his decision to attend the convention had been an agonizing one. The Father of the Country had almost remained at home.

Suffering from rheumatism, despondent over the loss of a brother, absorbed in the management of Mount Vernon, and doubting that the convention would accomplish very much or that many men of stature would attend, Washington delayed accepting the invitation to attend for several months. Torn between the hazards of lending his reputation to a gathering perhaps doomed to failure and the chance that the public would view his reluctance to attend with a critical eye, the general finally agreed to make the trip. James Madison was pleased.



**General George Washington was unanimously elected president of the Philadelphia convention.**

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### **The Articles of Confederation**

The determined Madison had for several years insatiably studied history and political theory searching for a solution to the political and economic dilemmas he saw plaguing America. The Virginian's labors convinced him of the futility and weakness of confederacies of independent states. America's own government under the Articles of Confederation, Madison was convinced, had to be replaced. In force since 1781, established as a "league of friendship" and a constitution for the 13 sovereign and independent states after the Revolution, the articles seemed to Madison woefully inadequate. With the states retaining considerable power, the central government, he believed, had insufficient power to regulate commerce. It could not tax and was generally

impotent in setting commercial policy It could not effectively support a war effort. It had little power to settle quarrels between states. Saddled with this weak government, the states were on the brink of economic disaster. The evidence was overwhelming. Congress was attempting to function with a depleted treasury; paper money was flooding the country, creating extraordinary inflation--a pound of tea in some areas could be purchased for a tidy \$100; and the depressed condition of business was taking its toll on many small farmers. Some of them were being thrown in jail for debt, and numerous farms were being confiscated and sold for taxes.

In 1786 some of the farmers had fought back. Led by Daniel Shays, a former captain in the Continental army, a group of armed men, sporting evergreen twigs in their hats, prevented the circuit court from sitting at Northampton, MA, and threatened to seize muskets stored in the arsenal at Springfield. Although the insurrection was put down by state troops, the incident confirmed the fears of many wealthy men that anarchy was just around the corner. Embellished day after day in the press, the uprising made upper-class Americans shudder as they imagined hordes of vicious outlaws descending upon innocent citizens. From his idyllic Mount Vernon setting, Washington wrote to Madison: "Wisdom and good examples are necessary at this time to rescue the political machine from the impending storm."

Madison thought he had the answer. He wanted a strong central government to provide order and stability. "Let it be tried then," he wrote, "whether any middle ground can be taken which will at once support a due supremacy of the national authority," while maintaining state power only when "subordinately useful." The resolute Virginian looked to the Constitutional Convention to forge a new government in this mold.

The convention had its specific origins in a proposal offered by Madison and John Tyler in the Virginia assembly that the Continental Congress be given power to regulate commerce throughout the Confederation. Through their efforts in the assembly a plan was devised inviting the several states to attend a convention at Annapolis, MD, in September 1786 to discuss commercial problems. Madison and a young lawyer from New York named Alexander Hamilton issued a report on the meeting in Annapolis, calling upon Congress to summon delegates of all of the states to meet for the purpose of revising the Articles of Confederation. Although the report was widely viewed as a usurpation of congressional authority, the Congress did issue a formal call to the states for a convention. To Madison it represented the supreme chance to reverse the country's trend. And as the delegations gathered in Philadelphia, its importance was not lost to others. The squire of Gunston Hall, George Mason, wrote to his son, "The Eyes of the United States are turned upon this Assembly and their Expectations raised to a very anxious Degree. May God Grant that we may be able to gratify them, by establishing a wise and just Government."

## **The Delegates**

Seventy-four delegates were appointed to the convention, of which 55 actually attended sessions. Rhode Island was the only state that refused to send delegates. Dominated by men wedded to paper currency, low taxes, and popular government, Rhode Island's leaders refused to participate in what they saw as a conspiracy to overthrow the established government. Other Americans also had their suspicions. Patrick Henry, of the flowing red Glasgow cloak and the magnetic oratory,

refused to attend, declaring he "smelt a rat." He suspected, correctly, that Madison had in mind the creation of a powerful central government and the subversion of the authority of the state legislatures. Henry along with many other political leaders, believed that the state governments offered the chief protection for personal liberties. He was determined not to lend a hand to any proceeding that seemed to pose a threat to that protection.

With Henry absent, with such towering figures as Jefferson and Adams abroad on foreign missions, and with John Jay in New York at the Foreign Office, the convention was without some of the country's major political leaders. It was, nevertheless, an impressive assemblage. In addition to Madison and Washington, there were Benjamin Franklin of Pennsylvania--crippled by gout, the 81-year-old Franklin was a man of many dimensions printer, storekeeper, publisher, scientist, public official, philosopher, diplomat, and ladies' man; James Wilson of Pennsylvania--a distinguished lawyer with a penchant for ill-advised land-jobbing schemes, which would force him late in life to flee from state to state avoiding prosecution for debt, the Scotsman brought a profound mind steeped in constitutional theory and law; Alexander Hamilton of New York--a brilliant, ambitious former aide-de-camp and secretary to Washington during the Revolution who had, after his marriage into the Schuyler family of New York, become a powerful political figure; George Mason of Virginia--the author of the Virginia Bill of Rights whom Jefferson later called "the Cato of his country without the avarice of the Roman"; John Dickinson of Delaware--the quiet, reserved author of the "Farmers' Letters" and chairman of the congressional committee that framed the articles; and Gouverneur Morris of Pennsylvania-- well versed in French literature and language, with a flair and bravado to match his keen intellect, who had helped draft the New York State Constitution and had worked with Robert Morris in the Finance Office.

There were others who played major roles - Oliver Ellsworth of Connecticut; Edmund Randolph of Virginia; William Paterson of New Jersey; John Rutledge of South Carolina; Elbridge Gerry of Massachusetts; Roger Sherman of Connecticut; Luther Martin of Maryland; and the Pinckneys, Charles and Charles Cotesworth, of South Carolina. Franklin was the oldest member and Jonathan Dayton, the 27-year-old delegate from New Jersey was the youngest. The average age was 42. Most of the delegates had studied law, had served in colonial or state legislatures, or had been in the Congress. Well versed in philosophical theories of government advanced by such philosophers as James Harrington, John Locke, and Montesquieu, profiting from experience gained in state politics, the delegates composed an exceptional body, one that left a remarkably learned record of debate. Fortunately we have a relatively complete record of the proceedings, thanks to the indefatigable James Madison. Day after day, the Virginian sat in front of the presiding officer, compiling notes of the debates, not missing a single day or a single major speech. He later remarked that his self-confinement in the hall, which was often oppressively hot in the Philadelphia summer, almost killed him.

The sessions of the convention were held in secret--no reporters or visitors were permitted. Although many of the naturally loquacious members were prodded in the pubs and on the streets, most remained surprisingly discreet. To those suspicious of the convention, the curtain of secrecy only served to confirm their anxieties. Luther Martin of Maryland later charged that the conspiracy in Philadelphia needed a quiet breeding ground. Thomas Jefferson wrote John Adams from Paris, "I am sorry they began their deliberations by so abominable a precedent as that of tying up the tongues of their members."

## **The Virginia Plan**

On Tuesday morning, May 29, Edmund Randolph, the tall, 34-year-old governor of Virginia, opened the debate with a long speech decrying the evils that had befallen the country under the Articles of Confederation and stressing the need for creating a strong national government. Randolph then outlined a broad plan that he and his Virginia compatriots had, through long sessions at the Indian Queen tavern, put together in the days preceding the convention. James Madison had such a plan on his mind for years. The proposed government had three branches--legislative, executive, and judicial--each branch structured to check the other. Highly centralized, the government would have veto power over laws enacted by state legislatures. The plan, Randolph confessed, "meant a strong *consolidated* union in which the idea of states should be nearly annihilated." This was, indeed, the rat so offensive to Patrick Henry.

The introduction of the so-called Virginia Plan at the beginning of the convention was a tactical coup. The Virginians had forced the debate into their own frame of reference and in their own terms.

For 10 days the members of the convention discussed the sweeping and, to many delegates, startling Virginia resolutions. The critical issue, described succinctly by Gouverneur Morris on May 30, was the distinction between a federation and a national government, the "former being a mere compact resting on the good faith of the parties; the latter having a complete and *compulsive* operation." Morris favored the latter, a "supreme power" capable of exercising necessary authority not merely a shadow government, fragmented and hopelessly ineffective.

## **The New Jersey Plan**

This nationalist position revolted many delegates who cringed at the vision of a central government swallowing state sovereignty. On June 13 delegates from smaller states rallied around proposals offered by New Jersey delegate William Paterson. Railing against efforts to throw the states into "hotchpot," Paterson proposed a "union of the States merely federal." The "New Jersey resolutions" called only for a revision of the articles to enable the Congress more easily to raise revenues and regulate commerce. It also provided that acts of Congress and ratified treaties be "the supreme law of the States."

For 3 days the convention debated Paterson's plan, finally voting for rejection. With the defeat of the New Jersey resolutions, the convention was moving toward creation of a new government, much to the dismay of many small-state delegates. The nationalists, led by Madison, appeared to have the proceedings in their grip. In addition, they were able to persuade the members that any new constitution should be ratified through conventions of the people and not by the Congress and the state legislatures--another tactical coup. Madison and his allies believed that the constitution they had in mind would likely be scuttled in the legislatures, where many state political leaders stood to lose power. The nationalists wanted to bring the issue before "the people," where ratification was more likely.

## Hamilton's Plan

On June 18 Alexander Hamilton presented his own ideal plan of government. Erudite and polished, the speech, nevertheless, failed to win a following. It went too far. Calling the British government "the best in the world," Hamilton proposed a model strikingly similar an executive to serve during good behavior or life with veto power over all laws; a senate with members serving during good behavior; the legislature to have power to pass "all laws whatsoever." Hamilton later wrote to Washington that the people were now willing to accept "something not very remote from that which they have lately quitted." What the people had "lately quitted," of course, was monarchy. Some members of the convention fully expected the country to turn in this direction. Hugh Williamson of North Carolina, a wealthy physician, declared that it was "pretty certain . . . that we should at some time or other have a king." Newspaper accounts appeared in the summer of 1787 alleging that a plot was under way to invite the second son of George III, Frederick, Duke of York, the secular bishop of Osnaburgh in Prussia, to become "king of the United States."



**Alexander Hamilton on June 18 called the British government "the best in the world" and proposed a model strikingly similar. The erudite New Yorker, however, later became one of the most ardent spokesmen for the new Constitution.**

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Strongly militating against any serious attempt to establish monarchy was the enmity so prevalent in the revolutionary period toward royalty and the privileged classes. Some state constitutions had even prohibited titles of nobility. In the same year as the Philadelphia convention, Royall Tyler, a revolutionary war veteran, in his play *The Contract*, gave his own jaundiced view of the upper classes:

Exult each patriot heart! this night is shewn  
A piece, which we may fairly call our own;  
Where the proud titles of "My Lord!" "Your Grace!"  
To humble Mr. and plain Sir give place.

Most delegates were well aware that there were too many Royall Tylers in the country, with too many memories of British rule and too many ties to a recent bloody war, to accept a king. As the



debate moved into the specifics of the new government, Alexander Hamilton and others of his persuasion would have to accept something less.

By the end of June, debate between the large and small states over the issue of representation in the first chamber of the legislature was becoming increasingly acrimonious. Delegates from Virginia and other large states demanded that voting in Congress be according to population; representatives of smaller states insisted upon the equality they had enjoyed under the articles. With the oratory degenerating into threats and accusations, Benjamin Franklin appealed for daily prayers. Dressed in his customary gray homespun, the aged philosopher pleaded that "the Father of lights . . . illuminate our understandings." Franklin's appeal for prayers was never fulfilled; the convention, as Hugh Williamson noted, had no funds to pay a preacher.

On June 29 the delegates from the small states lost the first battle. The convention approved a resolution establishing population as the basis for representation in the House of Representatives, thus favoring the larger states. On a subsequent small-state proposal that the states have equal representation in the Senate, the vote resulted in a tie. With large-state delegates unwilling to compromise on this issue, one member thought that the convention "was on the verge of dissolution, scarce held together by the strength of an hair."

By July 10 George Washington was so frustrated over the deadlock that he bemoaned "having had any agency" in the proceedings and called the opponents of a strong central government "narrow minded politicians . . . under the influence of local views." Luther Martin of Maryland, perhaps one whom Washington saw as "narrow minded," thought otherwise. A tiger in debate, not content merely to parry an opponent's argument but determined to bludgeon it into eternal rest, Martin had become perhaps the small states' most effective, if irascible, orator. The Marylander leaped eagerly into the battle on the representation issue declaring, "The States have a right to an equality of representation. This is secured to us by our present articles of confederation; we are in possession of this privilege."

### **The Great Compromise**

Also crowding into this complicated and divisive discussion over representation was the North-South division over the method by which slaves were to be counted for purposes of taxation and representation. On July 12 Oliver Ellsworth proposed that representation for the lower house be based on the number of free persons and three-fifths of "all other persons," a euphemism for slaves. In the following week the members finally compromised, agreeing that direct taxation be according to representation and that the representation of the lower house be based on the white inhabitants and three-fifths of the "other people." With this compromise and with the growing realization that such compromise was necessary to avoid a complete breakdown of the convention, the members then approved Senate equality. Roger Sherman had remarked that it was the wish of the delegates "that some general government should be established." With the crisis over representation now settled, it began to look again as if this wish might be fulfilled.

For the next few days the air in the City of Brotherly Love, although insufferably muggy and swarming with blue-bottle flies, had the clean scent of conciliation. In this period of welcome calm, the members decided to appoint a Committee of Detail to draw up a draft constitution. The

convention would now at last have something on paper. As Nathaniel Gorham of Massachusetts, John Rutledge, Edmund Randolph, James Wilson, and Oliver Ellsworth went to work, the other delegates voted themselves a much needed 10-day vacation.

During the adjournment, Gouverneur Morris and George Washington rode out along a creek that ran through land that had been part of the Valley Forge encampment 10 years earlier. While Morris cast for trout, Washington pensively looked over the now lush ground where his freezing troops had suffered, at a time when it had seemed as if the American Revolution had reached its end. The country had come a long way.

### **The First Draft**

On Monday August 6, 1787, the convention accepted the first draft of the Constitution. Here was the article-by-article model from which the final document would result some 5 weeks later. As the members began to consider the various sections, the willingness to compromise of the previous days quickly evaporated. The most serious controversy erupted over the question of regulation of commerce. The southern states, exporters of raw materials, rice, indigo, and tobacco, were fearful that a New England-dominated Congress might, through export taxes, severely damage the South's economic life. C. C. Pinckney declared that if Congress had the power to regulate trade, the southern states would be "nothing more than overseers for the Northern States."

On August 21 the debate over the issue of commerce became very closely linked to another explosive issue--slavery. When Martin of Maryland proposed a tax on slave importation, the convention was thrust into a strident discussion of the institution of slavery and its moral and economic relationship to the new government. Rutledge of South Carolina, asserting that slavery had nothing at all to do with morality, declared, "Interest alone is the governing principle with nations." Sherman of Connecticut was for dropping the tender issue altogether before it jeopardized the convention. Mason of Virginia expressed concern over unlimited importation of slaves but later indicated that he also favored federal protection of slave property already held. This nagging issue of possible federal intervention in slave traffic, which Sherman and others feared could irrevocably split northern and southern delegates, was settled by, in Mason's words, "a bargain." Mason later wrote that delegates from South Carolina and Georgia, who most feared federal meddling in the slave trade, made a deal with delegates from the New England states. In exchange for the New Englanders' support for continuing slave importation for 20 years, the southerners accepted a clause that required only a simple majority vote on navigation laws, a crippling blow to southern economic interests.

The bargain was also a crippling blow to those working to abolish slavery. Congregationalist minister and abolitionist Samuel Hopkins of Connecticut charged that the convention had sold out: "How does it appear . . . that these States, who have been fighting for liberty and consider themselves as the highest and most noble example of zeal for it, cannot agree in any political Constitution, unless it indulge and authorize them to enslave their fellow men . . . Ah! these unclean spirits, like frogs, they, like the Furies of the poets are spreading discord, and exciting men to contention and war." Hopkins considered the Constitution a document fit for the flames.

On August 31 a weary George Mason, who had 3 months earlier written so expectantly to his son about the "great Business now before us," bitterly exclaimed that he "would sooner chop off his right hand than put it to the Constitution as it now stands." Mason despaired that the convention was rushing to saddle the country with an ill-advised, potentially ruinous central authority. He was concerned that a "bill of rights," ensuring individual liberties, had not been made part of the Constitution. Mason called for a new convention to reconsider the whole question of the formation of a new government. Although Mason's motion was overwhelmingly voted down, opponents of the Constitution did not abandon the idea of a new convention. It was futilely suggested again and again for over 2 years.

One of the last major unresolved problems was the method of electing the executive. A number of proposals, including direct election by the people, by state legislatures, by state governors, and by the national legislature, were considered. The result was the electoral college, a master stroke of compromise, quaint and curious but politically expedient. The large states got proportional strength in the number of delegates, the state legislatures got the right of selecting delegates, and the House the right to choose the president in the event no candidate received a majority of electoral votes. Mason later predicted that the House would probably choose the president 19 times out of 20.

In the early days of September, with the exhausted delegates anxious to return home, compromise came easily. On September 8 the convention was ready to turn the Constitution over to a Committee of Style and Arrangement. Gouverneur Morris was the chief architect. Years later he wrote to Timothy Pickering: "That Instrument was written by the Fingers which wrote this letter." The Constitution was presented to the convention on September 12, and the delegates methodically began to consider each section. Although close votes followed on several articles, it was clear that the grueling work of the convention in the historic summer of 1787 was reaching its end.

Before the final vote on the Constitution on September 15, Edmund Randolph proposed that amendments be made by the state conventions and then turned over to another general convention for consideration. He was joined by George Mason and Elbridge Gerry. The three lonely allies were soundly rebuffed. Late in the afternoon the roll of the states was called on the Constitution, and from every delegation the word was "Aye."

On September 17 the members met for the last time, and the venerable Franklin had written a speech that was delivered by his colleague James Wilson. Appealing for unity behind the Constitution, Franklin declared, "I think it will astonish our enemies, who are waiting with confidence to hear that our councils are confounded like those of the builders of Babel; and that our States are on the point of separation, only to meet hereafter for the purpose of cutting one another's throats." With Mason, Gerry, and Randolph withstanding appeals to attach their signatures, the other delegates in the hall formally signed the Constitution, and the convention adjourned at 4 o'clock in the afternoon.

Weary from weeks of intense pressure but generally satisfied with their work, the delegates shared a farewell dinner at City Tavern. Two blocks away on Market Street, printers John Dunlap and David Claypoole worked into the night on the final imprint of the six-page

Constitution, copies of which would leave Philadelphia on the morning stage. The debate over the nation's form of government was now set for the larger arena.

As the members of the convention returned home in the following days, Alexander Hamilton privately assessed the chances of the Constitution for ratification. In its favor were the support of Washington, commercial interests, men of property, creditors, and the belief among many Americans that the Articles of Confederation were inadequate. Against it were the opposition of a few influential men in the convention and state politicians fearful of losing power, the general revulsion against taxation, the suspicion that a centralized government would be insensitive to local interests, and the fear among debtors that a new government would "restrain the means of cheating Creditors."

### **The Federalists and the Anti-Federalists**

Because of its size, wealth, and influence and because it was the first state to call a ratifying convention, Pennsylvania was the focus of national attention. The positions of the Federalists, those who supported the Constitution, and the anti-Federalists, those who opposed it, were printed and reprinted by scores of newspapers across the country. And passions in the state were most warm. When the Federalist-dominated Pennsylvania assembly lacked a quorum on September 29 to call a state ratifying convention, a Philadelphia mob, in order to provide the necessary numbers, dragged two anti-Federalist members from their lodgings through the streets to the State House where the bedraggled representatives were forced to stay while the assembly voted. It was a curious example of participatory democracy.

On October 5 anti-Federalist Samuel Bryan published the first of his "Centinel" essays in Philadelphia's Independent Gazetteer. Republished in newspapers in various states, the essays assailed the sweeping power of the central government, the usurpation of state sovereignty, and the absence of a bill of rights guaranteeing individual liberties such as freedom of speech and freedom of religion. "The United States are to be melted down," Bryan declared, into a despotic empire dominated by "well-born" aristocrats. Bryan was echoing the fear of many anti-Federalists that the new government would become one controlled by the wealthy established families and the culturally refined. The common working people, Bryan believed, were in danger of being subjugated to the will of an all-powerful authority remote and inaccessible to the people. It was this kind of authority, he believed, that Americans had fought a war against only a few years earlier.

The next day James Wilson, delivering a stirring defense of the Constitution to a large crowd gathered in the yard of the State House, praised the new government as the best "which has ever been offered to the world." The Scotsman's view prevailed. Led by Wilson, Federalists dominated in the Pennsylvania convention, carrying the vote on December 12 by a healthy 46 to 23.

The vote for ratification in Pennsylvania did not end the rancor and bitterness. Franklin declared that scurrilous articles in the press were giving the impression that Pennsylvania was "peopled by a set of the most unprincipled, wicked, rascally and quarrelsome scoundrels upon the face of the globe." And in Carlisle, on December 26, anti-Federalist rioters broke up a Federalist celebration

and hung Wilson and the Federalist chief justice of Pennsylvania, Thomas McKean, in effigy; put the torch to a copy of the Constitution; and busted a few Federalist heads.

In New York the Constitution was under siege in the press by a series of essays signed "Cato." Mounting a counterattack, Alexander Hamilton and John Jay enlisted help from Madison and, in late 1787, they published the first of a series of essays now known as the Federalist Papers. The 85 essays, most of which were penned by Hamilton himself, probed the weaknesses of the Articles of Confederation and the need for an energetic national government. Thomas Jefferson later called the *Federalist Papers* the "best commentary on the principles of government ever written."

Against this kind of Federalist leadership and determination, the opposition in most states was disorganized and generally inert. The leading spokesmen were largely state-centered men with regional and local interests and loyalties. Madison wrote of the Massachusetts anti-Federalists, "There was not a single character capable of uniting their wills or directing their measures. . . . They had no plan whatever." The anti-Federalists attacked wildly on several fronts: the lack of a bill of rights, discrimination against southern states in navigation legislation, direct taxation, the loss of state sovereignty. Many charged that the Constitution represented the work of aristocratic politicians bent on protecting their own class interests. At the Massachusetts convention one delegate declared, "These lawyers, and men of learning and moneyed men, that . . . make us poor illiterate people swallow down the pill . . . they will swallow up all us little folks like the great Leviathan; yes, just as the whale swallowed up Jonah!" Some newspaper articles, presumably written by anti-Federalists, resorted to fanciful predictions of the horrors that might emerge under the new Constitution: pagans and deists could control the government; the use of Inquisition-like torture could be instituted as punishment for federal crimes; even the pope could be elected president.

One anti-Federalist argument gave opponents some genuine difficulty--the claim that the territory of the 13 states was too extensive for a representative government. In a republic embracing a large area, anti-Federalists argued, government would be impersonal, unrepresentative, dominated by men of wealth, and oppressive of the poor and working classes. Had not the illustrious Montesquieu himself ridiculed the notion that an extensive territory composed of varying climates and people, could be a single republican state? James Madison, always ready with the Federalist volley, turned the argument completely around and insisted that the vastness of the country would itself be a strong argument in favor of a republic. Claiming that a large republic would counterbalance various political interest groups vying for power, Madison wrote, "The smaller the society the fewer probably will be the distinct parties and interests composing it; the fewer the distinct parties and interests, the more frequently will a majority be found of the same party and the more easily will they concert and execute their plans of oppression." Extend the size of the republic, Madison argued, and the country would be less vulnerable to separate factions within it.

## **Ratification**

By January 9, 1788, five states of the nine necessary for ratification had approved the Constitution--Delaware, Pennsylvania, New Jersey, Georgia, and Connecticut. But the eventual

outcome remained uncertain in pivotal states such as Massachusetts, New York, and Virginia. On February 6, with Federalists agreeing to recommend a list of amendments amounting to a bill of rights, Massachusetts ratified by a vote of 187 to 168. The revolutionary leader, John Hancock, elected to preside over the Massachusetts ratifying convention but unable to make up his mind on the Constitution, took to his bed with a convenient case of gout. Later seduced by the Federalists with visions of the vice presidency and possibly the presidency, Hancock, whom Madison noted as "an idolater of popularity," suddenly experienced a miraculous cure and delivered a critical block of votes. Although Massachusetts was now safely in the Federalist column, the recommendation of a bill of rights was a significant victory for the anti-Federalists. Six of the remaining states later appended similar recommendations.

When the New Hampshire convention was adjourned by Federalists who sensed imminent defeat and when Rhode Island on March 24 turned down the Constitution in a popular referendum by an overwhelming vote of 10 to 1, Federalist leaders were apprehensive. Looking ahead to the Maryland convention, Madison wrote to Washington, "The difference between even a postponement and adoption in Maryland may . . . possibly give a fatal advantage to that which opposes the constitution." Madison had little reason to worry. The final vote on April 28 63 for, 11 against. In Baltimore, a huge parade celebrating the Federalist victory rolled through the downtown streets, highlighted by a 15-foot float called "Ship Federalist." The symbolically seaworthy craft was later launched in the waters off Baltimore and sailed down the Potomac to Mount Vernon.

On July 2, 1788, the Confederation Congress, meeting in New York, received word that a reconvened New Hampshire ratifying convention had approved the Constitution. With South Carolina's acceptance of the Constitution in May, New Hampshire thus became the ninth state to ratify. The Congress appointed a committee "for putting the said Constitution into operation."

In the next 2 months, thanks largely to the efforts of Madison and Hamilton in their own states, Virginia and New York both ratified while adding their own amendments. The margin for the Federalists in both states, however, was extremely close. Hamilton figured that the majority of the people in New York actually opposed the Constitution, and it is probable that a majority of people in the entire country opposed it. Only the promise of amendments had ensured a Federalist victory.

### **The Bill of Rights**

The call for a bill of rights had been the anti-Federalists' most powerful weapon. Attacking the proposed Constitution for its vagueness and lack of specific protection against tyranny, Patrick Henry asked the Virginia convention, "What can avail your specious, imaginary balances, your rope-dancing, chain-rattling, ridiculous ideal checks and contrivances." The anti-Federalists, demanding a more concise, unequivocal Constitution, one that laid out for all to see the right of the people and limitations of the power of government, claimed that the brevity of the document only revealed its inferior nature. Richard Henry Lee despaired at the lack of provisions to protect "those essential rights of mankind without which liberty cannot exist." Trading the old government for the new without such a bill of rights, Lee argued, would be trading Scylla for Charybdis.

A bill of rights had been barely mentioned in the Philadelphia convention, most delegates holding that the fundamental rights of individuals had been secured in the state constitutions. James Wilson maintained that a bill of rights was superfluous because all power not expressly delegated to the new government was reserved to the people. It was clear, however, that in this argument the anti-Federalists held the upper hand. Even Thomas Jefferson, generally in favor of the new government, wrote to Madison that a bill of rights was "what the people are entitled to against every government on earth."

By the fall of 1788 Madison had been convinced that not only was a bill of rights necessary to ensure acceptance of the Constitution but that it would have positive effects. He wrote, on October 17, that such "fundamental maxims of free Government" would be "a good ground for an appeal to the sense of community" against potential oppression and would "counteract the impulses of interest and passion."

Madison's support of the bill of rights was of critical significance. One of the new representatives from Virginia to the First Federal Congress, as established by the new Constitution, he worked tirelessly to persuade the House to enact amendments. Defusing the anti-Federalists' objections to the Constitution, Madison was able to shepherd through 17 amendments in the early months of the Congress, a list that was later trimmed to 12 in the Senate. On October 2, 1789, President Washington sent to each of the states a copy of the 12 amendments adopted by the Congress in September. By December 15, 1791, three-fourths of the states had ratified the 10 amendments now so familiar to Americans as the "Bill of Rights."

Benjamin Franklin told a French correspondent in 1788 that the formation of the new government had been like a game of dice, with many players of diverse prejudices and interests unable to make any uncontested moves. Madison wrote to Jefferson that the welding of these clashing interests was "a task more difficult than can be well conceived by those who were not concerned in the execution of it." When the delegates left Philadelphia after the convention, few, if any, were convinced that the Constitution they had approved outlined the ideal form of government for the country. But late in his life James Madison scrawled out another letter, one never addressed. In it he declared that no government can be perfect, and "that which is the least imperfect is therefore the best government."

### **The Document Enshrined**

The fate of the United States Constitution after its signing on September 17, 1787, can be contrasted sharply to the travels and physical abuse of America's other great parchment, the Declaration of Independence. As the Continental Congress, during the years of the revolutionary war, scurried from town to town, the rolled-up Declaration was carried along. After the formation of the new government under the Constitution, the one-page Declaration, eminently suited for display purposes, graced the walls of various government buildings in Washington, exposing it to prolonged damaging sunlight. It was also subjected to the work of early calligraphers responding to a demand for reproductions of the revered document. As any visitor to the National Archives can readily observe, the early treatment of the now barely legible Declaration took a disastrous toll. The Constitution, in excellent physical condition after more than 200 years, has enjoyed a more serene existence. By 1796 the Constitution was in the

custody of the Department of State along with the Declaration and traveled with the federal government from New York to Philadelphia to Washington. Both documents were secretly moved to Leesburg, VA, before the imminent attack by the British on Washington in 1814. Following the war, the Constitution remained in the State Department while the Declaration continued its travels--to the Patent Office Building from 1841 to 1876, to Independence Hall in Philadelphia during the Centennial celebration, and back to Washington in 1877. On September 29, 1921, President Warren Harding issued an Executive order transferring the Constitution and the Declaration to the Library of Congress for preservation and exhibition. The next day Librarian of Congress Herbert Putnam, acting on authority of Secretary of State Charles Evans Hughes, carried the Constitution and the Declaration in a Model-T Ford truck to the library and placed them in his office safe until an appropriate exhibit area could be constructed. The documents were officially put on display at a ceremony in the library on February 28, 1924. On February 20, 1933, at the laying of the cornerstone of the future National Archives Building, President Herbert Hoover remarked, "There will be aggregated here the most sacred documents of our history--the originals of the Declaration of Independence and of the Constitution of the United States." The two documents however, were not immediately transferred to the Archives. During World War II both were moved from the library to Fort Knox for protection and returned to the library in 1944. It was not until successful negotiations were completed between Librarian of Congress Luther Evans and Archivist of the United States Wayne Grover that the transfer to the National Archives was finally accomplished by special direction of the Joint Congressional Committee on the Library.

On December 13, 1952, the Constitution and the Declaration were placed in helium-filled cases, enclosed in wooden crates, laid on mattresses in an armored Marine Corps personnel carrier, and escorted by ceremonial troops, two tanks, and four servicemen carrying submachine guns down Pennsylvania and Constitution avenues to the National Archives. Two days later, President Harry Truman declared at a formal ceremony in the Archives Exhibition Hall.

"We are engaged here today in a symbolic act. We are enshrining these documents for future ages. This magnificent hall has been constructed to exhibit them, and the vault beneath, that we have built to protect them, is as safe from destruction as anything that the wit of modern man can devise. All this is an honorable effort, based upon reverence for the great past, and our generation can take just pride in it."





**George Washington, Father of Our Country**

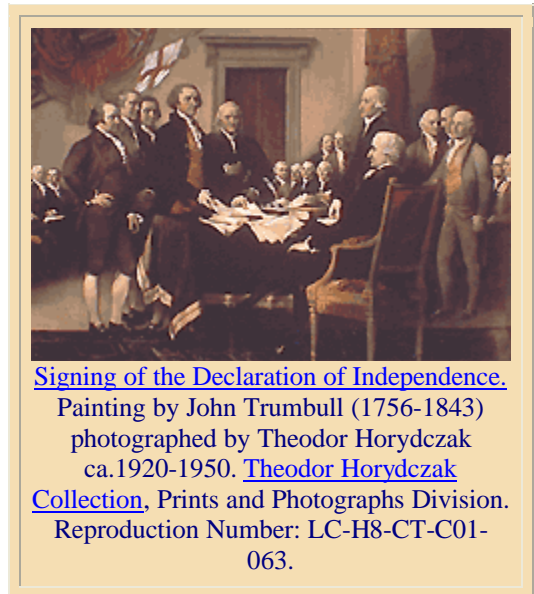
## **Introduction**

Between 1774 and 1789, thirteen colonies became a nation - the United States of America. In 1774, Great Britain's North American colonies first came together to defend themselves against wrongs committed by their "mother country." By 1789, these colonies had become independent states, joined by a new federal constitution into a single nation.

Assembling representatives from every colony, the Continental Congress (1774-1789) began as a coordinated effort to resist the British. With the outbreak of the Revolutionary War, the Congress became the central institution for managing the struggle for American independence.

Independence raised new issues. How could thirteen separate self-governed states unite? What form would that union take? The Articles of Confederation (1781-1789) were America's first attempt to govern itself as an independent nation. They united the states as a confederation - a loose league of states represented in a Congress.

In 1783, with the war formally drawing to a close, the Congress faced a wider range of issues: the disbanding of the Continental Army, the large debts owed by each state, foreign debts owed by the Confederation, the governing of territories won from the British, and the establishment of formal relationships with foreign countries.



[Signing of the Declaration of Independence.](#)

Painting by John Trumbull (1756-1843)

photographed by Theodor Horydczak

ca.1920-1950. [Theodor Horydczak](#)

[Collection](#), Prints and Photographs Division.

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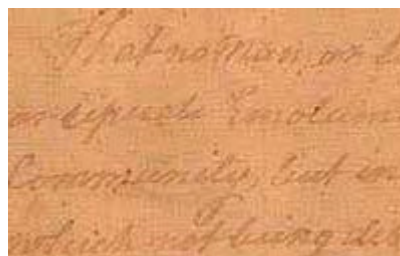
Despite the Congress's continued efforts to improve its effectiveness, many Americans saw the need for a more powerful central authority; the Congress as defined by the Articles of Confederation was too weak to make the states obey congressional mandates. Anxious for change, in 1786, leading statesmen called for a special convention to revise the Articles -- the Constitutional Convention.

The Constitutional Convention of 1787 proposed a new constitution establishing a much stronger national government. Although this controversial new Constitution provoked a great deal of resistance, it was eventually ratified by the necessary number of states, replacing the Articles of Confederation as the framework of the United States government.

Debate and compromise, controversy and tedious detail, foreign affairs and domestic problems, are all included in the 267 documents of the Continental Congress and Constitutional Convention Broadside Collections. Including public announcements of congressional actions, drafts of legislation, committee reports, and final versions of legislation or treaties, these broadsides illustrate the evolution of a government, from a legislative body called together in the crisis of war, to an intricate system of checks and balances. These documents show the birth of the American nation.

A call for American independence from Britain, the Virginia Declaration of Rights was drafted by George Mason in May 1776 and amended by Thomas Ludwell Lee and the Virginia Convention. Thomas Jefferson drew heavily from this document when he drafted the Declaration of Independence one month later.

Mason wrote that "all men are born equally free and independant [sic], and have certain inherent natural rights,...among which are the Enjoyment of Life and Liberty, with the Means of acquiring and possessing Property, and pursueing [sic] and obtaining Happiness and Safety." This uniquely influential document was also used by James Madison in drawing up the Bill of Rights (1789) and the Marquis de Lafayette in drafting the French Declaration of the Rights of Man (1789).



George Mason (1725-1792) and  
Thomas Ludwell Lee (ca. 1730-1778)  
The Virginia Declaration of Rights  
Holograph manuscript, May 1776

## **The Virginia Declaration of Rights**

Virginia's Declaration of Rights was drawn upon by Thomas Jefferson for the opening paragraphs of the Declaration of Independence. It was widely copied by the other colonies and

became the basis of the Bill of Rights. Written by George Mason, it was adopted by the Virginia Constitutional Convention on June 12, 1776.

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**A DECLARATION OF RIGHTS** made by the representatives of the good people of Virginia, assembled in full and free convention which rights do pertain to them and their posterity, as the basis and foundation of government .

**Section 1.** That all men are by nature equally free and independent and have certain inherent rights, of which, when they enter into a state of society, they cannot, by any compact, deprive or divest their posterity; namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety.

**Section 2.** That all power is vested in, and consequently derived from, the people; that magistrates are their trustees and servants and at all times amenable to them.

**Section 3.** That government is, or ought to be, instituted for the common benefit, protection, and security of the people, nation, or community; of all the various modes and forms of government, that is best which is capable of producing the greatest degree of happiness and safety and is most effectually secured against the danger of maladministration. And that, when any government shall be found inadequate or contrary to these purposes, a majority of the community has an indubitable, inalienable, and indefeasible right to reform, alter, or abolish it, in such manner as shall be judged most conducive to the public weal.

**Section 4.** That no man, or set of men, is entitled to exclusive or separate emoluments or privileges from the community, but in consideration of public services; which, nor being descendible, neither ought the offices of magistrate, legislator, or judge to be hereditary.

**Section 5.** That the legislative and executive powers of the state should be separate and distinct from the judiciary; and that the members of the two first may be restrained from oppression, by feeling and participating the burdens of the people, they should, at fixed periods, be reduced to a private station, return into that body from which they were originally taken, and the vacancies be supplied by frequent, certain, and regular elections, in which all, or any part, of the former members, to be again eligible, or ineligible, as the laws shall direct.

**Section 6.** That elections of members to serve as representatives of the people, in assembly ought to be free; and that all men, having sufficient evidence of permanent common interest with, and attachment to, the community, have the right of suffrage and cannot be taxed or deprived of their property for public uses without their own consent or that of their representatives so elected, nor bound by any law to which they have not, in like manner, assembled for the public good.

**Section 7.** That all power of suspending laws, or the execution of laws, by any authority, without consent of the representatives of the people, is injurious to their rights and ought not to be exercised.

**Section 8.** That in all capital or criminal prosecutions a man has a right to demand the cause and nature of his accusation, to be confronted with the accusers and witnesses, to call for evidence in his favor, and to a speedy trial by an impartial jury of twelve men of his vicinage, without whose unanimous consent he cannot be found guilty; nor can he be compelled to give evidence against himself; that no man be deprived of his liberty except by the law of the land or the judgment of his peers.

**Section 9.** That excessive bail ought not to be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

**Section 10.** That general warrants, whereby an officer or messenger may be commanded to search suspected places without evidence of a fact committed, or to seize any person or persons not named, or whose offense is not particularly described and supported by evidence, are grievous and oppressive and ought not to be granted.

**Section 11.** That in controversies respecting property, and in suits between man and man, the ancient trial by jury is preferable to any other and ought to be held sacred.

**Section 12.** That the freedom of the press is one of the great bulwarks of liberty, and can never be restrained but by despotic governments.

**Section 13.** That a well-regulated militia, composed of the body of the people, trained to arms, is the proper, natural, and safe defense of a free state; that standing armies, in time of peace, should be avoided as dangerous to liberty; and that in all cases the military should be under strict subordination to, and governed by, the civil power.

**Section 14.** That the people have a right to uniform government; and, therefore, that no government separate from or independent of the government of Virginia ought to be erected or established within the limits thereof.

**Section 15.** That no free government, or the blessings of liberty, can be preserved to any people but by a firm adherence to justice, moderation, temperance, frugality, and virtue and by frequent recurrence to fundamental principles.

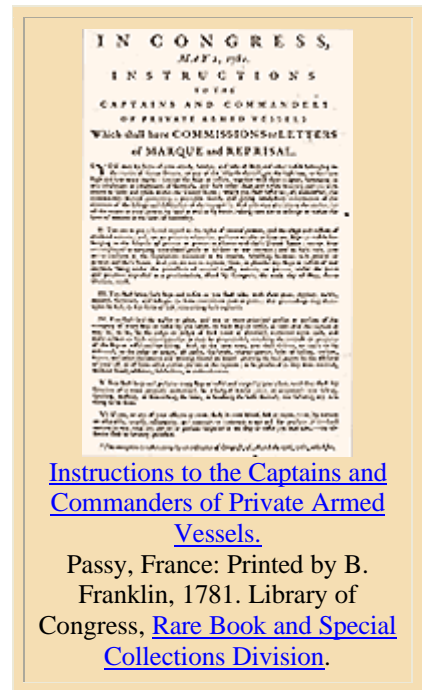
**Section 16.** That religion, or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence; and therefore all men are equally entitled to the free exercise of religion, according to the dictates of conscience; and that it is the mutual duty of all to practise Christian forbearance, love, and charity toward each other.

## Organizing a War

The huge task of organizing thirteen separate governments and militia into a united, effective fighting force was a main concern of the Continental Congress. The hastily assembled Continental Army was an army without a precedent; Congress had to create rules for organization and conduct, and invent an effective system of raising money to fund the war effort.

### Congress Makes Rules for Plundering Enemy Ships

In December 1775, Great Britain passed the Prohibitory Act, removing the colonies from the protection of the crown, banning trade with them, and allowing seizure of American ships at sea. The Continental Congress responded by issuing "letters of marque and reprisal", permitting Americans to arm private ships for attacking and seizing British vessels and cargoes at sea. Intended to supplement the infant Continental Navy, recently established under the command of [Esek Hopkins](#), privateering was a frequent practice throughout the war, with the Continental Congress commissioning more than a thousand private vessels.



The [displayed document](#), printed in 1781 by [Benjamin Franklin](#), American Minister to France, reproduces congressional instructions to captains of privateers issued in May 1780.

### Congress Provides for Prisoners of War

The colonies' first measures of resistance to British rule were enacted before they had officially declared themselves independent, and without a formal declaration of war. As combat between British troops and American militia increased, Congress quickly saw the need for formal rules and procedures in handling prisoners. A [resolution](#), passed on May 21, 1776 and published by order of Congress, included specific instructions for feeding, housing, and imprisoning British prisoners of war. Although most prisoners were eventually exchanged, British [Major John André](#) suffered a different fate.

### Congress Reorganizes the Army

Throughout the Revolutionary War, the Continental Army suffered problems of low recruitment, supply shortages, and sinking morale. In January 1778, at [General George Washington's](#) urging, Congress sent a committee to military headquarters at Valley Forge, to confer with Washington on necessary improvements. Although the committee made proposals for reorganizing supply procedures and revising recruitment regulations, Congress's response was slow and piecemeal; other issues, such as the [controversy surrounding a prisoner exchange](#), kept Congress distracted. Congress did not approve the

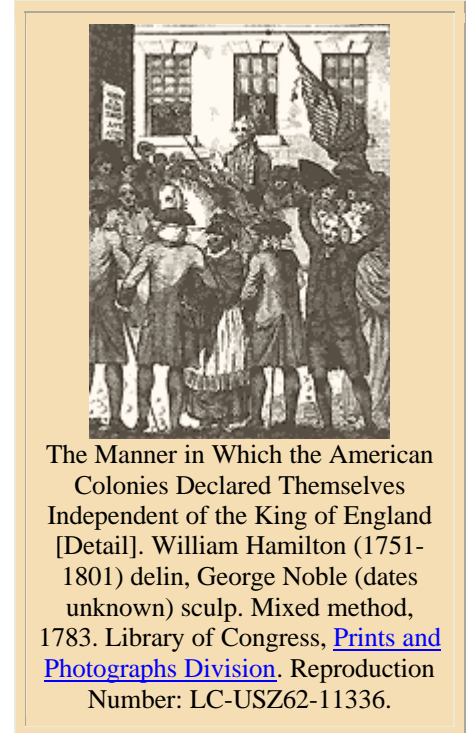
[plan for rearrangement](#) of the army until May 1778, and it was November before implementation was completed.

## Fanning the Flames of Patriotism

As the only institution encompassing all thirteen states, the Continental Congress served as a symbol of national unity, laboring to inspire patriotic spirit in support of the war, and communicating news of victories, defeats, and major political decisions.

### Congress Declares Independence

On June 7, 1776, Virginia delegate [Richard Henry Lee](#) offered a formal resolution that the united colonies "are, and of right ought to be, free and independent States." After some debate, a committee was appointed to write a formal declaration of independence; [Thomas Jefferson](#) of Virginia drafted the document. On July 2, 1776, Congress officially resolved that the united colonies should be free and independent states, and on July 4, the [Declaration of Independence](#) was formally approved by Congress. The displayed copy of the Declaration -- the first official printing with the names of the signers attached -- was printed by Baltimore printer [Mary Katherine Goddard](#).



The Manner in Which the American Colonies Declared Themselves Independent of the King of England [Detail]. William Hamilton (1751-1801) delin, George Noble (dates unknown) sculp. Mixed method, 1783. Library of Congress, [Prints and Photographs Division](#). Reproduction Number: LC-USZ62-11336.

The new nation celebrated with prayer, speeches, fireworks, and formal readings of the Declaration. Delegate John Adams later stated that the vote for American independence was "the greatest question...which ever was debated in America, and a greater, perhaps, never was nor will be decided among men."

### Congress Warns: "The British Are Coming"

On December 10, 1776, [Congress warned citizens of Pennsylvania that British troops were fast approaching](#). It encouraged them to unite and offer strong resistance, and assured them that [General Charles Lee](#) was on his way with reinforcements. Despite its strong pleas to resist the British until Lee could arrive, Congress packed its bags and departed Philadelphia two days later, reassembling in Baltimore.

### Congress Boosts Public Morale

In an effort to rally the nation in the midst of war, and attract popular support for itself, [Congress addressed the inhabitants of the United States](#), reminding them of the cruelties they had suffered at the hands of the British, and warning them that more such treatment would result from a reunion with Britain. Because people regularly gathered at places of

worship, Congress distributed the address to "churches and chapels and other places of religious worship" with the request that ministers read it aloud to their congregation immediately after divine service. Written by Congressman [Gouverneur Morris](#), the address was sent throughout the states, and 50 copies were given to General Washington, to disperse throughout the army.

### **Congress Publicly Threatens the British**

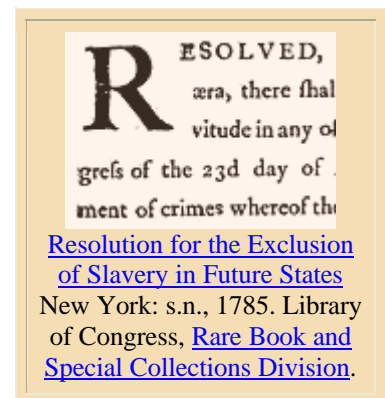
News of the French alliance with America in 1778 panicked the British, prompting them to send commissioners to America, with offers of peace. Congress replied that it would happily discuss peace, if Britain would accept American independence and recall its troops. The British commissioners, however, had no intention of granting American independence. They continued to press Congress to accept their proposals, even offering bribes to individual Congressmen, such as [Joseph Reed](#), in exchange for help in reuniting England and its colonies. Frustrated in their efforts, in October 1778, the British issued a manifesto questioning Congress's authority to make a treaty with France, and threatening dire consequences if their offer of conciliation was rejected. On October 30, 1778, Congress responded with a [manifesto](#) -- intended as a morale-boosting national statement of strength and confidence -- declaring that the American cause was just, success was assured, and if Britain carried through with its threats, "we will take such exemplary vengeance, as shall deter others from a like conduct."

### **Incorporating the Western Territories**

Under the Treaty of Paris (1783) which ended the Revolutionary War, Britain relinquished to the United States a large tract of land west of the Appalachian mountains, doubling the size of the new nation. How would this territory be incorporated into the United States? Congressional debates about the division and government of the new territories resulted in precedents which were followed throughout the settlement of the west.

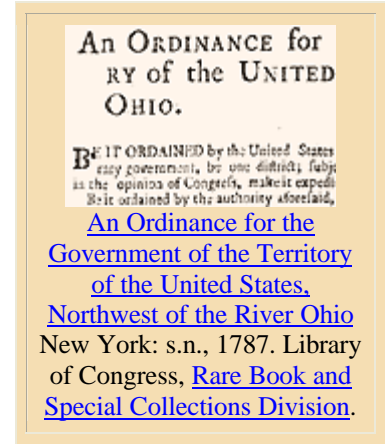
### **Congress Discusses Slavery in the Western Territories**

In 1783, Congress formed a committee to "prepare a plan for the temporary government of the western territory." [Thomas Jefferson](#), chairman of the committee, delivered a report in March 1784 proposing the division of the land into ten territories, and their eventual admission to the Union on an equal footing with the original thirteen states. In addition, Jefferson proposed the prohibition of slavery in any of the new states. Congress rejected Jefferson's ban on slavery, but in 1785 Rufus King attempted to restore it, offering the [displayed resolution](#). Congress, once again, rejected the proposal by a slight margin. Slavery was officially barred from the new western states in 1787.



## Congress Decides How to Divide the Western Territories

Congressman David Howell of Rhode Island complained that America's new western territories were "the most complicated and embarrassing Subject before Congress since peace has taken place." Deliberation over what to do with the territory continued for several years, but on May 18, 1785, a burst of activity resulted in a [proposal](#) for the orderly settlement of the western public lands. [Rufus King](#) of Massachusetts, a key figure in the debate, made many of the notations that appear in the document's margins. Congress adopted the final version of the Land Ordinance of 1785 on May 20.



## Congress Determines How New States Can Enter the Union

In 1787, Congress was approached by agents of the Ohio Company, a group of New England Revolutionary War veterans seeking to purchase vast tracts of western land. The prospect of earning real revenue for the western territories inspired Congress to resolve the long debate over the west; the Northwest Ordinance, passed on July 13, 1787, provided for a government in the western territories, created a procedure for the formation of states, established a formal method for the new states to enter the union as equals, guaranteed the inhabitants civil and religious liberties, and prohibited slavery. The president of Congress, [Arthur St. Clair](#), was named first governor of the territory. The [document above](#) shows some of the final changes made in the ordinance before its passage.



## Relations With Native Americans

Before permanently settling the western territories, the United States had to consider the presence of Native Americans already living on these lands. Great Britain may have agreed to give the United States the land, but no one had consulted with the Indian people concerning this change. Reacting to the pressure of American settlers anxious for new land, Congress sought treaties with Native Americans to insure the safety of the settlers, and to obtain clear title for the land.

### Congress Tries to Appease Southern Indian Peoples

Although treaties with the Indian people were usually negotiated in good faith, the Congress found itself politically unwilling and actually unable to halt illegal settlement of Indian lands by a growing number of American settlers. [These treaties](#) are attempts by Congress to establish friendship between Congress and the Shawnee and Cherokee nations; the Southern states, as typified by North Carolinian delegate [William Blount](#), objected so violently to the treaties's moderate land claims that the agreed-upon boundaries became impossible to enforce.

### Congress Increases the Army in the Northwest

By the early spring of 1786, Congressional commissioners had signed several treaties with a number of Indian nations. However, the Indian people were far from satisfied with America's increasing expansion into the west; many Indian tribes of the Northwest, such as the Mohawk nation, represented by Mohawk [Joseph Brant](#), were not willing to concede that all of their land was destined to be occupied and settled by Americans. By the summer of 1786, skirmishes between Native Americans and settlers were on the rise, and war was a clear possibility. Unwilling to halt the expansion, on October 20, 1786, [Congress responded](#) to the crisis by calling for additional troops and increased fortifications in the west.

### A Cash-Poor Congress Decides to Strive for Peace

Although confident that America would continue its western expansion, Congress altered its policy due to the threat of warfare with the Indian people, combined with an empty treasury. In response to a report from Secretary of War [Henry Knox](#), Congress retreated from its more aggressive attitude towards Native American lands, and on [February 20, 1787](#), admitted that "certain encroachments are made on the lands of the Creek and Cherokee nations." Congress promised to strive for "peace with the Indians, provided it can be obtained and preserved consistently with the justice and dignity of the nation."



A Sachem of the Abenakee Nation, Rescuing an English Officer from the Indians [Detail]. Artist unknown. Woodcut, in *Boston Almanack*, 1768. Library of Congress, [Prints and Photographs Division](#).  
Reproduction Number: LC-USZ62-45552.

## Identifying Defects in the Confederation

With the passage of time, weaknesses in the Articles of Confederation became apparent; Congress commanded little respect and no support from state governments anxious to maintain their power. Congress could not raise funds, regulate trade, or conduct foreign policy without the voluntary agreement of the states. Recognizing the need to improve the government, Congress tried to strengthen the Articles, but problems persisted.

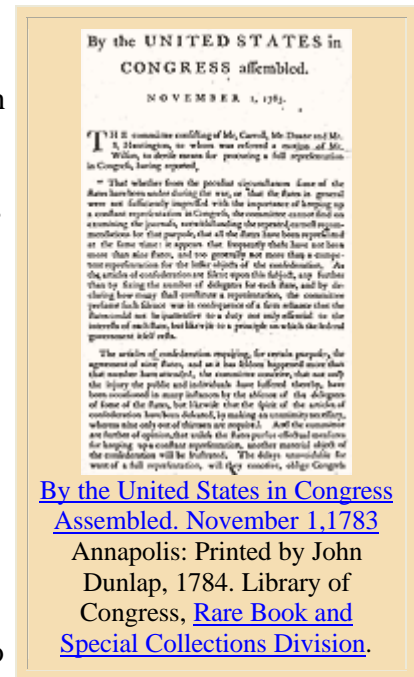
### Congress Can Not Improve Poor Attendance by Delegates

In November 1783, American diplomats sent Congress the final version of the Treaty of Paris, which formally ended America's war with Great Britain. A quorum of nine states had to be present for Congress to ratify the treaty, yet throughout December, scarcely that number was present. Weeks passed, the treaty sat, and Congress remained unable to act upon it. Some desperate congressmen went so far as to contemplate holding Congress in the sickroom of an ailing delegate, to add him to their numbers.

After years of experiencing frustrating delays due to lackadaisical attendance, delegate [James Wilson](#) of Pennsylvania expected this predicament. In anticipation of the crisis, he voiced the need to "devise means for procuring a full representation in Congress." The [displayed report](#), produced by a committee appointed to address the problem, does little more than agree with Wilson; Congress lacked the authority to do much more. Although some statesmen, like Secretary [Charles Thomson](#), took their congressional responsibilities seriously, the weakness of Congress under the Articles of Confederation encouraged many delegates to pay far more attention to politics in their home states and to their personal affairs than to the nation's legislative body.

### Congress Pleads with the States to Contribute Money to the National Treasury

By the end of the war, the new nation had a large debt. Although Congress proposed a number of ways for the states to raise revenue towards the national debt, the states almost never complied with Congress's suggestions. By June of 1786, the situation was desperate. The [Board of Treasury](#) submitted a report, warning that unless the states immediately adopted the measures recommended by Congress in 1783, "...nothing...can rescue us from Bankruptcy, or preserve the Union of the several States from Dissolution." Congress agreed with the board's findings, and prepared to address the states on the subject. William Samuel Johnson of Connecticut, whose [copy of the document](#) is included in the collection, chaired the committee in charge of drafting the address; friends warned him, however, that "Your Address to the States will (I fear) prove like Water



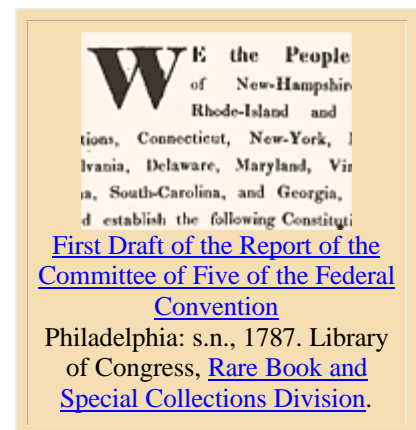
spilled upon the Ground and have no Influence to awake us from our Stupor." Eventually, after much revision and argument, Congress decided not to send any address at all.

### **Congress is Unable to Control Commerce Between America and Foreign Nations**

Under the Articles of Confederation, Congress lacked the authority to regulate commerce, making it unable to protect or standardize trade between foreign nations and the various states. In 1784, Congress requested that the states grant it limited power over commerce for a period of fifteen years, but many of the states did not comply. In 1785, twenty-seven-year-old delegate [James Monroe](#) again stressed the need for increased congressional power over commerce. Congress appointed a committee, chaired by Monroe, to investigate the problem. On February 16, 1785, the [committee recommended amending the Articles of Confederation](#) so that Congress would have power over commerce. Although Congress sent the proposed amendment to the state legislatures, along with a letter urging immediate action, few states responded. Monroe later concluded that the issue was so crucial, and potentially granted so much power to Congress, that the states were afraid to act.

### **Creating a Constitution**

The Constitutional Convention of 1787 was called to revise the ailing Articles of Confederation. However, the Convention soon abandoned the Articles, drafting a new Constitution with a much stronger national government. Nine states had to approve the Constitution before it could go into effect. After a long and often bitter debate, eleven states ratified the Constitution, which instituted a new form of government for the United States.



### **Congress Tries to Revise the Articles of Confederation**

In May 1786, [Charles Pinckney](#) of South Carolina proposed that Congress revise the Articles of Confederation. Congress responded by appointing a committee to draft amendments to the Articles. On August 7, 1786, the committee produced [these amendments](#), written chiefly by committee chairman Pinckney.

Among many changes, the amendments would have granted Congress exclusive power over commerce, and outlined punishments for poor attendance by members of Congress. Although the most ambitious effort to revise the Articles of Confederation, the amendments were never acted upon; a new convention meeting in Annapolis, Maryland, seemed likely to devise a plan for granting Congress power over trade.

### **The Constitutional Convention Drafts a New Constitution**

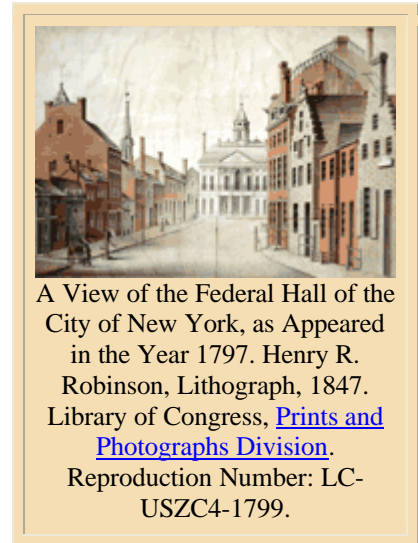
On July 26, 1787, after two months of fierce debate over the structure and powers of a new federal government, the Constitutional Convention was ready to commit its

resolutions to writing. Appointing a "committee of detail" to draft a written constitution, the Convention adjourned until August 6.

To prepare themselves, the committee first studied the Convention's resolutions, state constitutions, the Articles of Confederation, and other applicable reports and documents. Then, [Edmund Randolph](#) of Virginia wrote out a rough draft of a constitution, which the committee then discussed. James Wilson revised Randolph's draft, the committee reviewed it, and a clean copy was sent to prominent Philadelphia printers [John Dunlap](#) and David Claypoole. The Convention told them to print just enough copies for use by the delegates; the draft was to be kept secret to avoid controversy.

### **The Constitutional Convention Completes a New Constitution**

After five weeks of debate over the committee of detail's [draft Constitution](#), the Constitutional Convention appointed a committee of style to prepare a final version; [Gouverneur Morris](#), later known as the "penman of the Constitution," did most of the work. On September 17, 1787, after several days of further revision, the Constitutional Convention voted in favor of the Constitution. The states were left to accept or reject this new plan of government. Delegate [James Madison](#), one of the Constitution's most fervent advocates, felt that the success or failure of the American Constitution "would decide forever the fate of republican government."



### **The Continental Congress Institutes a New Government**

As the states considered the proposed Constitution, Congress assembled, but with a new government in the making, the old government had little to do. As one delegate wrote: "To your demand to know what we are doing in Congress? I answer -- Nothing. To your enquiry what we have done? I answer -- almost nothing... The States have been in such a flutter about the New, that they have hardly paid attention to the old Government." On July 2, 1788, Congress received the momentous news that New Hampshire had just become the ninth state to ratify the new Constitution, making it the law of the land.

[Congress responded](#) by appointing a committee to schedule the first federal elections and fix the date when the new government would begin operation in [New York City](#). This was the last major act of the Continental Congress.

## Constitutional Convention



Britain responded to the Boston Tea Party in 1774 by passing several laws that became known in America as the Intolerable Acts. One law closed Boston Harbor until Bostonians paid for the destroyed tea. Another law restricted the activities of the Massachusetts legislature and gave added powers to the post of governor of Massachusetts. Those powers in effect made him a dictator. The American colonists were very angered by these forceful acts. In response to these actions and laws, the colonist banded together to fight back. Several committees of colonists called for a convention of delegates from the colonies to organize resistance to the Intolerable Acts. The convention was later to be called the Continental Congress.

The First Continental Congress met in Philadelphia from Sept. 5 to Oct. 26, 1774, to protest the Intolerable Acts. Representatives attended from all the colonies except Georgia. The leaders included Samuel Adams and John Adams of Massachusetts and George Washington and Patrick Henry of Virginia. The Congress voted to cut off colonial trade with Great Britain unless Parliament abolished the Intolerable Acts. It approved resolutions advising the colonies to begin training their citizens for war. They also attempted to define America's rights, place limits on Parliament's power, and agree on tactics for resisting the aggressive acts of the English Government. It also set up the Continental Association to enforce an embargo against England. By the time the first meeting of the Continental Congress ended, hostilities had begun between Britain and the colonies.

### Related Resources

[Elliot's Debates](#) (The Debates in the Several State Conventions on the Adoption of the Federal Constitution) 5 volumes

The Debates in the Several State Conventions on the Adoption of the Federal Constitution were compiled by Jonathan Elliot in the mid-nineteenth century. They stand today as the best source

for materials for the period between the closing of the Constitutional Convention in September 1787 and the opening of the first Federal Congress in March 1789.

[Farrand's Record](#) (The Records of the Federal Convention of 1787) 3 volumes

One of the great scholarly efforts of the early twentieth century was Max Farrand's gathering of the documentary records of the Constitutional Convention. Published in 1911, *The Records of the Federal Convention of 1787* contained the materials necessary for a study of the workings of the Constitutional Convention. Farrand's Records remains the single best source for discussions of the Constitutional Convention.

[Journals of the Continental Congress](#) 34 volumes

The Journals of the Continental Congress are the records of the daily proceedings of the Congress as kept by the office of its secretary, Charles Thomson. The Journals were printed contemporaneously in different editions and in several subsequent reprint editions.

[Thomas Jefferson Papers](#)

The complete Thomas Jefferson Papers at the Library of Congress consists of approximately 27,000 documents ranging in date from 1606 to 1827. Correspondence, memoranda, notes, and drafts of documents make up two-thirds of the Papers. Jefferson's two administrations as president from 1801 to 1809 are well-documented, as are his activities as a delegate to the second Continental Congress, his drafting of the Declaration of Independence in June-July 1776, his service as governor of Virginia, 1779-81, his return to Congress as a representative, 1783-84, and his appointment as minister plenipotentiary in Europe and then minister to the Court of Louis XVI, 1784-89. Correspondence, drawings, maps, and notes document the building of Washington, D.C. Some of Jefferson's legal and literary commonplace books, miscellaneous bound volumes of notes and extracts, and manuscript volumes relating to seventeenth- and eighteenth-century Virginia history were part of the personal library he sold to Congress in 1815 and are included in this collection.

[George Washington Papers](#)

The online version of the George Washington Papers at the Library of Congress offers access to the complete collection from the Library's Manuscript Division. This consists of approximately 65,000 items (176,000 pages). Correspondence, letterbooks, commonplace books, diaries and journals, reports, notes, financial account books, and military papers accumulated by George Washington from 1741 through 1799 are organized into 8 Series, which will be published successively.

# MAGNA CARTA

**June 15, 1215**

*...here is a law which is above the King and which even he must not break. This reaffirmation of a supreme law and its expression in a general charter is the great work of Magna Carta; and this alone justifies the respect in which men have held it.*

**--Winston Churchill, 1956**

The **Magna Carta** marked an agreement negotiated between King John's government and his subjects concerning the limits and responsibilities of Government and the legal rights of free citizens. It contained the pledge that no free man should have his rights removed without the due process of law and the judgement of his peers. It is taken to be the foundation of the liberties of the citizen in the English-speaking world.

It was in St Albans that the document which was to develop into **Magna Carta** was first read.



No one would mistake King John and the barons of England for democrats, but the document they signed on the field of Runnymede in 1215 is a landmark in the development of constitutional government.

The barons had become outraged at what they viewed as the king's abuse of traditional feudal law, which had given them considerable autonomy in their dealings with the monarch. When King John refused their demands, they raised an army and forced him to sign the Magna Carta (Great Charter), which contains 63 articles, most of them a list of rights that chiefly benefited the land-owning nobility and the church.

Nevertheless, a number of the provisions were later applied to all the people of England; others became the foundation for the country's legal system. The Magna Carta states, for example, that the king must seek the advice and consent of the barons in all important matters of state, including the raising of taxes. In later centuries, these provisions were used to assert that no law could be passed or tax raised without the consent of the body representing all the people, the Parliament. (In the American Revolution, colonists seeking independence turned this idea against England with the cry of "no taxation without representation.") The guarantee of due process of law and trial by jury of one's peers can also be traced to provisions in the Magna Carta.

This evolution of the Magna Carta's feudal rights into constitutional rights of ordinary people took centuries, since many later English kings successfully ignored the charter. Only in the wake of the Glorious Revolution of 1688 did England succeed in establishing a durable constitutional monarchy with Parliament as the nation's supreme law-making body. The task of reforming Parliament itself into a broadly representative, democratic institution would take more than another century.





**JOHN**, by the grace of God King of England, Lord of Ireland, Duke of Normandy and Aquitaine, and Count of Anjou, to his archbishops, bishops, abbots, earls, barons, justices, foresters, sheriffs, stewards, servants, and to all his officials and loyal subjects, Greeting.

**KNOW THAT BEFORE GOD**, for the health of our soul and those of our ancestors and heirs, to the honour of God, the exaltation of the holy Church, and the better ordering of our kingdom, at the advice of our reverend fathers Stephen, archbishop of Canterbury, primate of all England, and cardinal of the holy Roman Church, Henry archbishop of Dublin, William bishop of London, Peter bishop of Winchester, Jocelin bishop of Bath and Glastonbury, Hugh bishop of Lincoln, Walter Bishop of Worcester, William bishop of Coventry, Benedict bishop of Rochester, Master

Pandulf subdeacon and member of the papal household, Brother Aymeric master of the knighthood of the Temple in England, William Marshal earl of Pembroke, William earl of Salisbury, William earl of Warren, William earl of Arundel, Alan de Galloway constable of Scotland, Warin Fitz Gerald, Peter Fitz Herbert, Hubert de Burgh seneschal of Poitou, Hugh de Neville, Matthew Fitz Herbert, Thomas Basset, Alan Basset, Philip Daubeny, Robert de Roppeley, John Marshal, John Fitz Hugh, and other loyal subjects:

(1) **FIRST, THAT WE HAVE GRANTED TO GOD**, and by this present charter have confirmed for us and our heirs in perpetuity, that the English Church shall be free, and shall have its rights undiminished, and its liberties unimpaired. That we wish this so to be observed, appears from the fact that of our own free will, before the outbreak of the present dispute between us and our barons, we granted and confirmed by charter the freedom of the Church's elections - a right reckoned to be of the greatest necessity and importance to it - and caused this to be confirmed by Pope Innocent III. This freedom we shall observe ourselves, and desire to be observed in good faith by our heirs in perpetuity.

**TO ALL FREE MEN OF OUR KINGDOM** we have also granted, for us and our heirs for ever, all the liberties written out below, to have and to keep for them and their heirs, of us and our heirs:

(2) If any earl, baron, or other person that holds lands directly of the Crown, for military service, shall die, and at his death his heir shall be of full age and owe a `relief', the heir shall have his inheritance on payment of the ancient scale of `relief'. That is to say, the heir or heirs of an earl shall pay £100 for the entire earl's barony, the heir or heirs of a knight 100s. at most for the entire knight's `fee', and any man that owes less shall pay less, in accordance with the ancient usage of `fees'

(3) But if the heir of such a person is under age and a ward, when he comes of age he shall have his inheritance without `relief' or fine.

(4) The guardian of the land of an heir who is under age shall take from it only reasonable revenues, customary dues, and feudal services. He shall do this without destruction or damage to men or property. If we have given the guardianship of the land to a sheriff, or to any person answerable to us for the revenues, and he commits destruction or damage, we will exact compensation from him, and the land shall be entrusted to two worthy and prudent men of the same `fee', who shall be answerable to us for the revenues, or to the person to whom we have assigned them. If we have given or sold to anyone the guardianship of such land, and he causes destruction or damage, he shall lose the guardianship of it, and it shall be handed over to two worthy and prudent men of the same `fee', who shall be similarly answerable to us.

(5) For so long as a guardian has guardianship of such land, he shall maintain the houses, parks, fish preserves, ponds, mills, and everything else pertaining to it, from the revenues of the land itself. When the heir comes of age, he shall restore the whole land to him, stocked with plough teams and such implements of husbandry as the season demands and the revenues from the land can reasonably bear.

(6) Heirs may be given in marriage, but not to someone of lower social standing. Before a marriage takes place, it shall be made known to the heir's next-of-kin.

(7) At her husband's death, a widow may have her marriage portion and inheritance at once and without trouble. She shall pay nothing for her dower, marriage portion, or any inheritance that she and her husband held jointly on the day of his death. She may remain in her husband's house for forty days after his death, and within this period her dower shall be assigned to her.

(8) No widow shall be compelled to marry, so long as she wishes to remain without a husband. But she must give security that she will not marry without royal consent, if she holds her lands of the Crown, or without the consent of whatever other lord she may hold them of.

(9) Neither we nor our officials will seize any land or rent in payment of a debt, so long as the debtor has movable goods sufficient to discharge the debt. A debtor's sureties shall not be distrained upon so long as the debtor himself can discharge his debt. If, for lack of means, the debtor is unable to discharge his debt, his sureties shall be answerable for it. If they so desire, they may have the debtor's lands and rents until they have received satisfaction for the debt that they paid for him, unless the debtor can show that he has settled his obligations to them.

(10) If anyone who has borrowed a sum of money from Jews dies before the debt has been repaid, his heir shall pay no interest on the debt for so long as he remains under age, irrespective of whom he holds his lands. If such a debt falls into the hands of the Crown, it will take nothing except the principal sum specified in the bond.

(11) If a man dies owing money to Jews, his wife may have her dower and pay nothing towards the debt from it. If he leaves children that are under age, their needs may also be provided for on a scale appropriate to the size of his holding of lands. The debt is to be paid out of the residue, reserving the service due to his feudal lords. Debts owed to persons other than Jews are to be dealt with similarly.

(12) No 'scutage' or 'aid' may be levied in our kingdom without its general consent, unless it is for the ransom of our person, to make our eldest son a knight, and (once) to marry our eldest daughter. For these purposes only a reasonable 'aid' may be levied. 'Aids' from the city of London are to be treated similarly.

(13) The city of London shall enjoy all its ancient liberties and free customs, both by land and by water. We also will and grant that all other cities, boroughs, towns, and ports shall enjoy all their liberties and free customs.

(14) To obtain the general consent of the realm for the assessment of an 'aid' - except in the three cases specified above - or a 'scutage', we will cause the archbishops, bishops, abbots, earls, and greater barons to be summoned individually by letter. To those who hold lands directly of us we will cause a general summons to be issued, through the sheriffs and other officials, to come together on a fixed day (of which at least forty days notice shall be given) and at a fixed place. In all letters of summons, the

cause of the summons will be stated. When a summons has been issued, the business appointed for the day shall go forward in accordance with the resolution of those present, even if not all those who were summoned have appeared.

(15) In future we will allow no one to levy an `aid' from his free men, except to ransom his person, to make his eldest son a knight, and (once) to marry his eldest daughter. For these purposes only a reasonable `aid' may be levied.

(16) No man shall be forced to perform more service for a knight's `fee', or other free holding of land, than is due from it.

(17) Ordinary lawsuits shall not follow the royal court around, but shall be held in a fixed place.

(18) Inquests of novel disseisin, mort d'ancestor, and darrein presentment shall be taken only in their proper county court. We ourselves, or in our absence abroad our chief justice, will send two justices to each county four times a year, and these justices, with four knights of the county elected by the county itself, shall hold the assizes in the county court, on the day and in the place where the court meets.

(19) If any assizes cannot be taken on the day of the county court, as many knights and freeholders shall afterwards remain behind, of those who have attended the court, as will suffice for the administration of justice, having regard to the volume of business to be done.

(20) For a trivial offence, a free man shall be fined only in proportion to the degree of his offence, and for a serious offence correspondingly, but not so heavily as to deprive him of his livelihood. In the same way, a merchant shall be spared his merchandise, and a husbandman the implements of his husbandry, if they fall upon the mercy of a royal court. None of these fines shall be imposed except by the assessment on oath of reputable men of the neighbourhood.

(21) Earls and barons shall be fined only by their equals, and in proportion to the gravity of their offence.

(22) A fine imposed upon the lay property of a clerk in holy orders shall be assessed upon the same principles, without reference to the value of his ecclesiastical benefice.

(23) No town or person shall be forced to build bridges over rivers except those with an ancient obligation to do so.

(24) No sheriff, constable, coroners, or other royal officials are to hold lawsuits that should be held by the royal justices.

(25) Every county, hundred, wapentake, and tithing shall remain at its ancient rent, without increase, except the royal demesne manors.

(26) If at the death of a man who holds a lay `fee' of the Crown, a sheriff or royal official produces royal letters patent of summons for a debt due to the Crown, it shall be lawful for them

to seize and list movable goods found in the lay `fee' of the dead man to the value of the debt, as assessed by worthy men. Nothing shall be removed until the whole debt is paid, when the residue shall be given over to the executors to carry out the dead mans will. If no debt is due to the Crown, all the movable goods shall be regarded as the property of the dead man, except the reasonable shares of his wife and children.

(27) If a free man dies intestate, his movable goods are to be distributed by his next-of-kin and friends, under the supervision of the Church. The rights of his debtors are to be preserved.

(28) No constable or other royal official shall take corn or other movable goods from any man without immediate payment, unless the seller voluntarily offers postponement of this.

(29) No constable may compel a knight to pay money for castle-guard if the knight is willing to undertake the guard in person, or with reasonable excuse to supply some other fit man to do it. A knight taken or sent on military service shall be excused from castle-guard for the period of this service.

(30) No sheriff, royal official, or other person shall take horses or carts for transport from any free man, without his consent.

(31) Neither we nor any royal official will take wood for our castle, or for any other purpose, without the consent of the owner.

(32) We will not keep the lands of people convicted of felony in our hand for longer than a year and a day, after which they shall be returned to the lords of the `fees' concerned.

(33) All fish-weirs shall be removed from the Thames, the Medway, and throughout the whole of England, except on the sea coast.

(34) The writ called precipe shall not in future be issued to anyone in respect of any holding of land, if a free man could thereby be deprived of the right of trial in his own lord's court.

(35) There shall be standard measures of wine, ale, and corn (the London quarter), throughout the kingdom. There shall also be a standard width of dyed cloth, russett, and haberject, namely two ells within the selvedges. Weights are to be standardised similarly.

(36) In future nothing shall be paid or accepted for the issue of a writ of inquisition of life or limbs. It shall be given gratis, and not refused.

(37) If a man holds land of the Crown by `fee-farm', `socage', or `burgage', and also holds land of someone else for knight's service, we will not have guardianship of his heir, nor of the land that belongs to the other person's `fee', by virtue of the `fee-farm', `socage', or `burgage', unless the `fee-farm' owes knight's service. We will not have the guardianship of a man's heir, or of land that he holds of someone else, by reason of any small property that he may hold of the Crown for a service of knives, arrows, or the like.

(38) In future no official shall place a man on trial upon his own unsupported statement, without producing credible witnesses to the truth of it.

(39) No free man shall be seized or imprisoned, or stripped of his rights or possessions, or outlawed or exiled, or deprived of his standing in any other way, nor will we proceed with force against him, or send others to do so, except by the lawful judgement of his equals or by the law of the land.

(40) To no one will we sell, to no one deny or delay right or justice.

(41) All merchants may enter or leave England unharmed and without fear, and may stay or travel within it, by land or water, for purposes of trade, free from all illegal exactions, in accordance with ancient and lawful customs. This, however, does not apply in time of war to merchants from a country that is at war with us. Any such merchants found in our country at the outbreak of war shall be detained without injury to their persons or property, until we or our chief justice have discovered how our own merchants are being treated in the country at war with us. If our own merchants are safe they shall be safe too.

(42) In future it shall be lawful for any man to leave and return to our kingdom unharmed and without fear, by land or water, preserving his allegiance to us, except in time of war, for some short period, for the common benefit of the realm. People that have been imprisoned or outlawed in accordance with the law of the land, people from a country that is at war with us, and merchants - who shall be dealt with as stated above - are excepted from this provision.

(43) If a man holds lands of any 'escheat' such as the 'honour' of Wallingford, Nottingham, Boulogne, Lancaster, or of other 'escheats' in our hand that are baronies, at his death his heir shall give us only the 'relief' and service that he would have made to the baron, had the barony been in the baron's hand. We will hold the 'escheat' in the same manner as the baron held it.

(44) People who live outside the forest need not in future appear before the royal justices of the forest in answer to general summonses, unless they are actually involved in proceedings or are sureties for someone who has been seized for a forest offence.

(45) We will appoint as justices, constables, sheriffs, or other officials, only men that know the law of the realm and are minded to keep it well.

(46) All barons who have founded abbeys, and have charters of English kings or ancient tenure as evidence of this, may have guardianship of them when there is no abbot, as is their due.

(47) All forests that have been created in our reign shall at once be disafforested. River-banks that have been enclosed in our reign shall be treated similarly.

(48) All evil customs relating to forests and warrens, foresters, warreners, sheriffs and their servants, or river-banks and their wardens, are at once to be investigated in every county by

twelve sworn knights of the county, and within forty days of their enquiry the evil customs are to be abolished completely and irrevocably. But we, or our chief justice if we are not in England, are first to be informed.

(49) We will at once return all hostages and charters delivered up to us by Englishmen as security for peace or for loyal service.

(50) We will remove completely from their offices the kinsmen of Gerard de Athée, and in future they shall hold no offices in England. The people in question are Engelard de Cigogné', Peter, Guy, and Andrew de Chanceaux, Guy de Cigogné, Geoffrey de Martigny and his brothers, Philip Marc and his brothers, with Geoffrey his nephew, and all their followers.

(51) As soon as peace is restored, we will remove from the kingdom all the foreign knights, bowmen, their attendants, and the mercenaries that have come to it, to its harm, with horses and arms.

(52) To any man whom we have deprived or dispossessed of lands, castles, liberties, or rights, without the lawful judgement of his equals, we will at once restore these. In cases of dispute the matter shall be resolved by the judgement of the twenty-five barons referred to below in the clause for securing the peace (§ 61). In cases, however, where a man was deprived or dispossessed of something without the lawful judgement of his equals by our father King Henry or our brother King Richard, and it remains in our hands or is held by others under our warranty, we shall have respite for the period commonly allowed to Crusaders, unless a lawsuit had been begun, or an enquiry had been made at our order, before we took the Cross as a Crusader. On our return from the Crusade, or if we abandon it, we will at once render justice in full.

(53) We shall have similar respite in rendering justice in connexion with forests that are to be disafforested, or to remain forests, when these were first a-orested by our father Henry or our brother Richard; with the guardianship of lands in another person's `fee', when we have hitherto had this by virtue of a `fee' held of us for knight's service by a third party; and with abbeys founded in another person's `fee', in which the lord of the `fee' claims to own a right. On our return from the Crusade, or if we abandon it, we will at once do full justice to complaints about these matters.

(54) No one shall be arrested or imprisoned on the appeal of a woman for the death of any person except her husband.

(55) All fines that have been given to us unjustly and against the law of the land, and all fines that we have exacted unjustly, shall be entirely remitted or the matter decided by a majority judgement of the twenty-five barons referred to below in the clause for securing the peace (§ 61) together with Stephen, archbishop of Canterbury, if he can be present, and such others as he wishes to bring with him. If the archbishop cannot be present, proceedings shall continue without him, provided that if any of the twenty-five barons has been involved in a similar suit himself, his judgement shall be set aside, and someone else chosen and sworn in his place, as a substitute for the single occasion, by the

rest of the twenty-five.

(56) If we have deprived or dispossessed any Welshmen of lands, liberties, or anything else in England or in Wales, without the lawful judgement of their equals, these are at once to be returned to them. A dispute on this point shall be determined in the Marches by the judgement of equals. English law shall apply to holdings of land in England, Welsh law to those in Wales, and the law of the Marches to those in the Marches. The Welsh shall treat us and ours in the same way.

(57) In cases where a Welshman was deprived or dispossessed of anything, without the lawful judgement of his equals, by our father King Henry or our brother King Richard, and it remains in our hands or is held by others under our warranty, we shall have respite for the period commonly allowed to

Crusaders, unless a lawsuit had been begun, or an enquiry had been made at our order, before we took the Cross as a Crusader. But on our return from the Crusade, or if we abandon it, we will at once do full justice according to the laws of Wales and the said regions.

(58) We will at once return the son of Llywelyn, all Welsh hostages, and the charters delivered to us as security for the peace.

(59) With regard to the return of the sisters and hostages of Alexander, king of Scotland, his liberties and his rights, we will treat him in the same way as our other barons of England, unless it appears from the charters that we hold from his father William, formerly king of Scotland, that he should be treated otherwise. This matter shall be resolved by the judgement of his equals in our court.

(60) All these customs and liberties that we have granted shall be observed in our kingdom in so far as concerns our own relations with our subjects. Let all men of our kingdom, whether clergy or laymen, observe them similarly in their relations with their own men.

(61) SINCE WE HAVE GRANTED ALL THESE THINGS for God, for the better ordering of our kingdom, and to allay the discord that has arisen between us and our barons, and since we desire that they shall be enjoyed in their entirety, with lasting strength, for ever, we give and grant to the barons the following security:

The barons shall elect twenty-five of their number to keep, and cause to be observed with all their might, the peace and liberties granted and confirmed to them by this charter.

If we, our chief justice, our officials, or any of our servants offend in any respect against any man, or transgress any of the articles of the peace or of this security, and the offence is made known to four of the said twenty-five barons, they shall come to us - or in our absence from the kingdom to the chief justice - to declare it and claim immediate redress. If we, or in our absence abroad the chief justice, make no redress within forty days, reckoning from the day on which the offence was declared to us or to him, the four barons shall refer the matter to the rest of the twenty-five barons, who may distrain upon and assail us in every way possible, with the support



of the whole community of the land, by seizing our castles, lands, possessions, or anything else saving only our own person and those of the queen and our children, until they have secured such redress as they have determined upon. Having secured the redress, they may then resume their normal obedience to us.

Any man who so desires may take an oath to obey the commands of the twenty-five barons for the achievement of these ends, and to join with them in assailing us to the utmost of his power. We give public and free permission to take this oath to any man who so desires, and at no time will we prohibit any man from taking it. Indeed, we will compel any of our subjects who are unwilling to take it to swear it at our command.

If one of the twenty-five barons dies or leaves the country, or is prevented in any other way from discharging his duties, the rest of them shall choose another baron in his place, at their discretion, who shall be duly sworn in as they were.

In the event of disagreement among the twenty-five barons on any matter referred to them for decision, the verdict of the majority present shall have the same validity as a unanimous verdict of the whole twenty-five, whether these were all present or some of those summoned were unwilling or unable to appear.

The twenty-five barons shall swear to obey all the above articles faithfully, and shall cause them to be obeyed by others to the best of their power.

We will not seek to procure from anyone, either by our own efforts or those of a third party, anything by which any part of these concessions or liberties might be revoked or diminished. Should such a thing be procured, it shall be null and void and we will at no time make use of it, either ourselves or through a third party.

(62) We have remitted and pardoned fully to all men any ill-will, hurt, or grudges that have arisen between us and our subjects, whether clergy or laymen, since the beginning of the dispute. We have in addition remitted fully, and for our own part have also pardoned, to all clergy and laymen any offences committed as a result of the said dispute between Easter in the sixteenth year of our reign (i.e. 1215) and the restoration of peace.

In addition we have caused letters patent to be made for the barons, bearing witness to this security and to the concessions set out above, over the seals of Stephen archbishop of Canterbury, Henry archbishop of Dublin, the other bishops named above, and Master Pandulf.

(63) IT IS ACCORDINGLY OUR WISH AND COMMAND that the English Church shall be free, and that men in our kingdom shall have and keep all these liberties, rights, and concessions, well and peaceably in their fulness and entirety for them and their heirs, of us and our heirs, in all things and all places for ever.

Both we and the barons have sworn that all this shall be observed in good faith and without deceit. Witness the abovementioned people and many others.

Given by our hand in the meadow that is called Runnymede, between Windsor and Staines, on the fifteenth day of June in the seventeenth year of our reign (i.e. 1215: the new regnal year began on 28 May).



On June 21, 1215 - The **Magna Carta** is signed. The British Houses of Parliament in London were designed by Sir Charles Barry and constructed between 1840 and 1860. Britain's Parliament has served as a model for many nations, especially former members of the British Empire. However, there are many distinctions. As Parliamentary history in England was largely evolutionary, reserving many feudal features of Sovereign rule. Popular belief holds that the Parliament began with the signing of the **Magna Carta** in 1215, but the election of representatives evolved gradually thereafter. The Parliament still consists of the House of Lords and the House of Commons, though now a formality, the royal assent is necessary for every bill to become law.

Written 575 years earlier, **Magna Carta** declares

*No freeman shall be taken, imprisoned, . . . or in any other way destroyed . . . except by the lawful judgment of his peers, or by the law of the land. To no one will we sell, to none will we deny or delay, right or justice.*

In 1957 the American Bar Association acknowledged the debt American law and constitutionalism had to Magna Carta and English common law by erecting a monument at Runnymede. Yet, as close as **Magna Carta** and American concepts of liberty are, they remain distinct. **Magna Carta** is a charter of ancient liberties guaranteed by a king to his subjects; the Constitution of the United States is the establishment of a government by and for "**We the People.**"

*The Conventions of a number of the States having, at the time of adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added, and as extending the ground of public confidence in the Government will best insure the beneficent ends of its institution . . . [The Bill of Rights](#)*

On **December 15, 1791**, the new United States of America adopted the [Bill of Rights](#), the first ten amendments to the [U.S. Constitution](#), confirming the fundamental rights of its citizens. The First Amendment guarantees freedom of religion, speech, and the press, and the rights of peaceful assembly and petition. Other amendments guarantee the rights of the people to form a "well-regulated militia," to keep and bear arms, the rights to private property, fair treatment for accused criminals, protection from unreasonable search and seizure, freedom from self-incrimination, a speedy and impartial jury trial, and representation by counsel.

The Bill of Rights draws influence and inspiration from the [Magna Carta](#) (1215), the [English Bill of Rights](#) (1689), and various later efforts in England and America to expand fundamental rights. George Mason's [Virginia Declaration of Rights](#) formed the basis of the amendments which comprise the bill.

Mason (1725-1792), a native of Fairfax County, Virginia, championed individual liberties throughout his life. In 1776, he drafted Virginia's state constitution, which incorporated his declaration asserting the doctrine of inalienable rights. As a one of the five most vocal members of the [Constitutional Convention](#), Mason expressed great concern that assurances of individual liberties had not been incorporated into the Constitution, and, due to this concern and others, he elected not to sign the document.

The Bill of Rights would answer Mason's greatest concern and the concerns of many ratifying states. As a representative in the First Federal Congress, James Madison ushered seventeen amendments to the Constitution through Congress. The Senate passed twelve. By **December 15, 1791**, three-fourths of the states had ratified the ten amendments which constitute the [Bill of Rights](#).

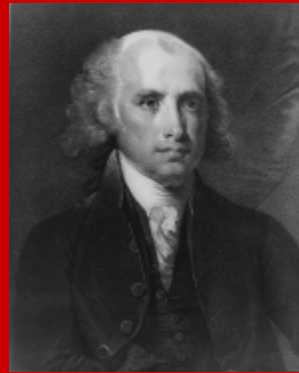
The application of the rights enumerated in the first ten amendments to the Constitution frequently fosters contention. For instance, the constitutionality of campaign contribution limits currently inspires debate. [The United States Supreme Court](#) is entrusted with the power to void acts of Congress which it finds to be in conflict with the Constitution or specifically with the Bill of Rights when the constitutionality of the acts arises in litigation. Thus, the amendments are frequently reinterpreted in fresh contexts and changing times.

Learn more about the [Constitution](#) and the [Bill of Rights](#):



George Mason Medallion  
over the door of the gallery  
of the House chamber,  
U.S. Capitol,  
Washington, D.C.,  
Theodor Horydczak, photographer,  
1950.  
[Washington as It Was, 1923-1959](#)

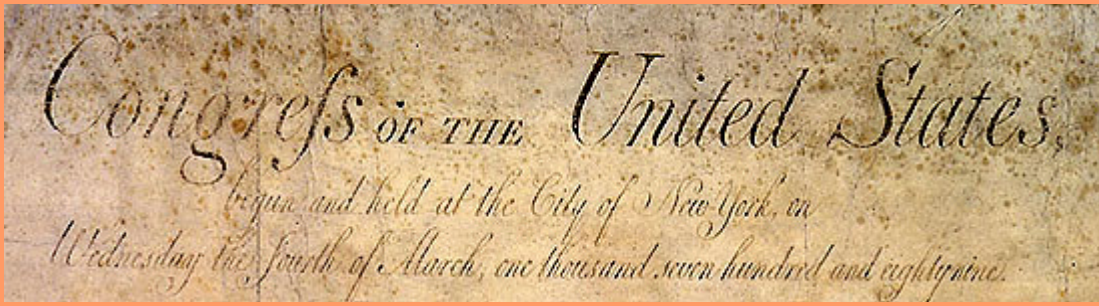
- View the Special Presentation [To Form a More Perfect Union](#) in the collection [Continental Congress and Constitutional Convention, 1774 - 1789](#) to learn about the history of the founding of America.
- Browse the *Top Treasures* section of the exhibition [American Treasures of the Library of Congress](#) to find [Jefferson's Draft of the Virginia Constitution](#) and many other significant documents.
- [Search](#) on the term *bill of rights* in [A Century of Lawmaking for a New Nation, 1774-1873](#). This collection includes records of the proceedings of the United States' national legislative bodies.
- As early as 470 B.C. the Athenian dramatist Aeschylus held that free speech was essential to democracy. Search the [Today in History Archive](#) on the terms *free speech* to learn more about this right as guaranteed by the [First Amendment](#). Search the [Archive](#) on the terms *Bill of Rights*, *Constitution*, *slavery* or *civil rights* for additional information.
- Visit the Web site of the [Supreme Court of the United States](#). The court may determine the constitutionality of legislative acts which have reached the court system and thus wields much power in determining how the amendments included in the [Bill of Rights](#) are implemented and interpreted.
- The [American Civil Liberties Union](#) works within the court system to bolster the potency of the [Bill of Rights](#). See the organization's feature [In the Courts](#) which highlights current Supreme Court cases which involve rights enumerated in the Bill of Rights.
- See the [Bill of Rights](#) in the [Historical Documents](#) or [Thomas](#): U.S. Congress on the Internet. Also see [current proposed amendments to the Constitution](#) under the headings Legislation: [Major Legislation-106th](#).
- The [Constitution](#) is an organic document that has been amended particularly as rights have been extended to groups of citizens over time. See Today in History features on the [14th amendment](#) (1868) granting citizenship to "all persons born or naturalized in the [United States](#)," and the [19th amendment](#) (1920) extending suffrage to women. Visit the [Congressional Cemetery](#).



[James Madison](#),

Fourth President of the United States,  
Pendleton's, lithographer,  
from painting by Gilbert Stuart,  
circa 1828.

[Portraits of the Presidents and First Ladies,  
1789-Present](#)



[Bill of Rights](#)  
one of [The Charters of Freedom](#)  
in the [Exhibit Hall](#) of the  
[National Archives and Records Administration](#)

### [Declaration of Independence](#)

[Presidential Proclamation Bill of Rights Day 1990](#)

[Presidential Proclamation Bill of Rights Day 1997](#)

[Presidential Proclamation Bill of Rights Day 1998](#)

[Presidential Proclamation Bill of Rights Day 1999](#)

[Presidential Proclamation Bill of Rights Day 2000](#)

[Presidential Proclamation Bill of Rights Day 2001](#)

[Presidential Proclamation Bill of Rights Day 2002](#)

[Presidential Proclamation Bill of Rights Day 2003](#)

[Presidential Proclamation Bill of Rights Day 2004](#)

[FBI Recovers one of the Original Copies of the BILL OF RIGHTS](#)

[Amendments to the United States Constitution Pictures](#)

### *Amendments 1-10 of the Constitution*

The Conventions of a number of the States having, at the time of adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added, and as extending the ground of public confidence in the Government will best insure the beneficent ends of its institution;

Resolved, by the Senate and House of Representatives of the United States of America, in Congress assembled, two-thirds of both Houses concurring, that the following articles be proposed to the Legislatures of the several States, as amendments to the Constitution of the United States; all or any of which articles, when ratified by three-fourths of the said Legislatures, to be valid to all intents and purposes as part of the said Constitution, namely:

### **Amendment I**

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

### **Amendment II**

A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.

### **Amendment III**

No soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

### **Amendment IV**

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

### **Amendment V**

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

### **Amendment VI**

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

## **Amendment VII**

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.

## **Amendment VIII**

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

## **Amendment IX**

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

## **Amendment X**

The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

# **14th Amendment to the Constitution**

## **Amendment 14** **(July 28, 1868)**

**Section 1.** All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

**Section 2.** Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

**Section 3.** No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the

United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two thirds of each House, remove such disability.

**Section 4.** The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

**Section 5.** The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

## **Abolishment of Slavery**

The word "slavery" does not appear in the U.S. Constitution, but the document gave indirect sanction to the institution. The delegates to the Continental Congress provided that three-fifths of "all other Persons" would be counted in determining the number of congressmen each state could elect to the House of Representatives. The Constitution then required the return to their owners of fugitive slaves ("persons held to Service or Labour") crossing state lines. And it set the date for ending the slave trade ("the Migration or Importation of such Persons as any of the States now existing shall think proper to admit") at 1808, 20 years after ratification.

Each of these provisions was hotly debated at the Convention, and each was finally accepted in a spirit of compromise. Even members of Northern antislavery societies, such as Alexander Hamilton, opposed pursuing the issue, arguing that such an effort would irrevocably divide the states and endanger the more urgent goal of a strong national government. Compromise was urged also by such prominent Southerners as George Washington and James Madison, who detested slavery but believed it would disappear once the Union was confirmed.

The moral issue, however, was raised passionately at the Convention on several occasions. Gouverneur Morris of Pennsylvania denounced slavery as a "nefarious institution, the curse of heaven on the states where it prevailed." He contrasted the prosperity and human dignity of free regions with "the misery and poverty" of slave states. Ironically, the most eloquent attack on slavery at the Convention was voiced by Virginian George Mason, whom Jefferson called "the wisest man of his generation." Slavery, Mason said, "produces the most pernicious effect on manners. Every master of slaves is born a petty tyrant.... Slavery discourages arts and manufactures. The poor despise labor when they see it performed by slaves.... I hold it essential ... that the general government should have the power to prevent the increase of slavery." In the coming years, the abolitionist movement would use the same arguments and bring to bear the same sense of moral outrage; but for the moment the issue of slavery was evaded, both as a word and as a moral challenge. It would ultimately take the tragic conflagration of the Civil War



(1861-1865) to end human bondage in the United States and start the country along the difficult path to full racial equality.

## Articles of Confederation

**Article I.** The Style of this confederacy shall be "**The United States of America.**"

**Article II.** Each state retains its sovereignty, freedom and independence, and every power, jurisdiction and right, which is not by this Confederation expressly delegated to the United States, in Congress assembled.

**Article III.** The said States hereby severally enter into a firm league of friendship with each other, for their common defense, the security of their liberties, and their mutual and general welfare, binding themselves to assist each other, against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretence whatever.

**Article IV.** The better to secure and perpetuate mutual friendship and intercourse among the people of the different States in this Union, the free inhabitants of each of these States, paupers, vagabonds and fugitives from justice excepted, shall be entitled to all privileges and immunities of free citizens in the several States; and the people of each state shall have free ingress and regress to and from any other State, and shall enjoy therein all the privileges of trade and commerce, subject to the same duties, impositions and restrictions as the inhabitants thereof respectively, provided that such restriction shall not extend so far as to prevent the removal of property imported into any state, to any other state of which the Owner is an inhabitant; provided also that no imposition, duties or restriction shall be laid by any state, on the property of the United States, or either of them.

If any person guilty of or charged with treason, felony, or other high misdemeanor in any state, shall flee from Justice, and be found in any of the United States, he shall upon demand of the governor or executive power of the state from which he fled, be delivered up and removed to the State having jurisdiction of his offence.

Full faith and credit shall be given in each of these States to the records, acts and judicial proceedings of the courts and magistrates of every other state.

**Article V.** For the more convenient management of the general interests of the United States, delegates shall be annually appointed in such manner as the legislature of each state shall direct, to meet in Congress on the first Monday in November, in every year, with a power reserved to each state, to recall its delegates, or any of them, at any time within the year, and to send others in their stead, for the remainder of the year.

No state shall be represented in Congress by less than two, nor by more than seven Members; and no person shall be capable of being a delegate for more than three years in any term of six

years; nor shall any person, being a delegate, be capable of holding any office under the United States, for which he, or another for his benefit receives any salary, fees or emolument of any kind.

Each state shall maintain its own delegates in a meeting of the States, and while they act as members of the committee of the States.

In determining questions in the United States, in Congress assembled, each State shall have one vote.

Freedom of speech and debate in Congress shall not be impeached or questioned in any Court, or place out of Congress, and the members of Congress shall be protected in their persons from arrests and imprisonments, during the time of their going to and from, and attendance on Congress, except for treason, felony, or breach of the peace.

**Article VI.** No state without the Consent of the United States in Congress assembled, shall send any embassy to, or receive any embassy from, or enter into any conference, agreement, or alliance or treaty with any king, prince or state; nor shall any person holding any office of profit or trust under the United States, or any of them, accept of any present, emolument, office or title of any kind whatever from any king, prince or foreign state; nor shall the United States in Congress assembled, or any of them, grant any title of nobility.

No two or more States shall enter into any treaty, confederation or alliance whatever between them, without the consent of the United States in Congress assembled, specifying accurately the purposes for which the same is to be entered into, and how long it shall continue.

No state shall lay any imposts or duties, which may interfere with any stipulations in treaties, entered into by the United States in Congress assembled, with any king, prince or state, in pursuance of any treaties already proposed by Congress, to the courts of France and Spain.

No vessels of war shall be kept up in time of peace by any State, except such number only, as shall be deemed necessary by the United States in Congress assembled, for the defense of such State or its trade; nor shall any body of forces be kept up by any State, in time of peace, except such number only, as in the judgment of the United States in Congress assembled, shall be deemed requisite to garrison the forts necessary for the defense of such State; but every State shall always keep up a well regulated and disciplined militia, sufficiently armed and accoutered, and shall provide and constantly have ready for use, in public stores, a due number of field pieces and tents, and a proper quantity of arms, ammunition and camp equipage.

No state shall engage in any war without the consent of the United States in Congress assembled, unless such state be actually invaded by enemies, or shall have received certain advice of a resolution being formed by some nation of Indians to invade such State, and the danger is so imminent as not to admit of a delay, till the United States in Congress assembled can be consulted: nor shall any state grant commissions to any ships or vessels of war, nor letters of marque or reprisal, except it be after a declaration of war by the United States in Congress assembled, and then only against the kingdom or State and the subjects thereof, against which

war has been so declared, and under such regulations as shall be established by the United States in Congress assembled, unless such state be infested by pirates, in which case vessels of war may be fitted out for that occasion, and kept so long as the danger shall continue, or until the United States in Congress assembled shall determine otherwise.

**Article VII.** When land forces are raised by any state for the common defense, all officers of or under the rank of colonel, shall be appointed by the legislature of each state respectively by whom such forces shall be raised, or in such manner as such state shall direct, and all vacancies shall be filled up by the state which first made the appointment.

**Article VIII.** All charges of war, and all other expenses that shall be incurred for the common defense or general welfare, and allowed by the United States in Congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several States, in proportion to the value of all land within each state, granted to or surveyed for any person, as such land and the buildings and improvements thereon shall be estimated according to such mode as the United States in Congress assembled, shall from time to time direct and appoint. The taxes for paying that proportion shall be laid and levied by the authority and direction of the legislatures of the several States within the time agreed upon by the United States in Congress assembled.

**Article IX.** The United States in Congress assembled, shall have the sole and exclusive right and power of determining on peace and war, except in the cases mentioned in the sixth article- of sending and receiving ambassadors- entering into treaties and alliances, provided that no treaty of commerce shall be made whereby the legislative power of the respective States shall be restrained from imposing such imposts and duties on foreigners, as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities whatsoever- of establishing rules for deciding in all cases, what captures on land or water shall be legal, and in what manner prizes taken by land or naval forces in the service of the United States shall be divided or appropriated- of granting letters of marque and reprisal in times of peace- appointing courts for the trial of piracies and felonies committed on the high seas and establishing courts for receiving and determining finally appeals in all cases of captures, provided that no member of Congress shall be appointed a judge of any of the said courts.

The United States in Congress assembled shall also be the last resort on appeal in all disputes and differences now subsisting or that hereafter may arise between two or more States concerning boundary, jurisdiction or any other cause whatever; which authority shall always be exercised in the manner following:- Whenever the legislative or executive authority or lawful agent State in controversy with another shall present a petition to Congress, stating the matter in question and praying for a hearing, notice thereof shall be given by order of Congress to the legislative or executive authority of the other State in controversy, and a day assigned for the appearance of the parties by their lawful agents, who shall then be directed to appoint by joint consent, commissioners or judges to constitute a court for hearing and determining the matter in question; but if they cannot agree, Congress shall name three persons out of each of the United States, and from the list of such persons each party shall alternately strike out one, the petitioners beginning, until the number shall be reduced to thirteen; and from that number not less than seven, nor more than nine names as Congress shall direct, shall in the presence of Congress be drawn out by lot, and the persons whose names shall be so drawn or any five of them, shall be

commissioners or judges, to hear and finally determine the controversy, so always as a major part of the judges who shall hear the cause shall agree in the determination: and if either party shall neglect to attend at the day appointed, without showing reasons, which Congress shall judge sufficient, or being present shall refuse to strike, the Congress shall proceed to nominate three persons out of each State, and the Secretary of Congress shall strike in behalf of such party absent or refusing; and the judgment and sentence of the court to be appointed, in the manner before prescribed, shall be final and conclusive; and if any of the parties shall refuse to submit to the authority of such court, or to appear to defend their claim or cause, the court shall nevertheless proceed to pronounce sentence, or judgment, which shall in like manner be final and decisive the judgment or sentence and other proceedings being in either case transmitted to Congress, and lodged among the acts of Congress for the security of the parties concerned: provided that every commissioner, before he sits in judgment, shall take an oath to be administered by one of the judges of the supreme or superior court of the state, where the cause shall be tried, "well and truly to hear and determine the matter in question, according to the best of his judgment, without favor, affection or hope of reward;" provided also that no State shall be deprived of territory for the benefit of the United States.

All controversies concerning the private right of soil claimed under different grants of two or more States, whose jurisdictions as they may respect such lands, and the States which passed such grants are adjusted, the said grants or either of them being at the same time claimed to have originated antecedent to such settlement of jurisdiction, shall on the petition of either party to the Congress of the United States, be finally determined as near as may be in the same manner as is before prescribed for deciding disputes respecting territorial jurisdiction between different States.

The United States in Congress assembled shall also have the sole and exclusive right and power of regulating the alloy and value of coin struck by their own authority, or by that of the respective States- fixing the standard of weights and measures throughout the United States.- regulating the trade and managing all affairs with the Indians, not members of any of the States, provided that the legislative right of any state within its own limits be not infringed or violated- establishing and regulating post offices from one State to another, throughout all the United States, and exacting such postage on the papers passing through the same as may be requisite to defray the expenses of the said office- appointing all officers of the land forces, in the service of the United States, excepting regimental officers- appointing all the officers of the naval forces, and commissioning all officers whatever in the service of the United States -making rules for the government and regulation of the said land and naval forces, and directing their operations.

The United States in Congress assembled shall have authority to appoint a committee, to sit in the recess of Congress, to be denominated "A Committee of the States," and to consist of one delegate from each state; and to appoint such other committees and civil officers as may be necessary for managing the general affairs of the United States under their direction- to appoint one of their number to preside, provided that no person be allowed to serve in the office of president more than one year in any term of three years; to ascertain the necessary sums of Money to be raised for the service of the United States, and to appropriate and apply the same for defraying the public expenses- to borrow money, or emit bills on the credit of the United States, transmitting every half year to the respective States an account of the sums of money so borrowed or emitted,- to build and equip a navy- to agree upon the number of land forces, and to

make requisitions from each state for its quota, in proportion to the number of white inhabitants in such state; which requisition shall be binding, and thereupon the legislature of each State shall appoint the regimental officers, raise the men and clothe, arm and equip them in a soldier like manner, at the expense of the United States, and the officers and men so clothed, armed and equipped shall march to the place appointed, and within the time agreed on by the United States in Congress assembled. But if the United States in Congress assembled shall, on consideration of circumstances judge proper that any State should not raise men, or should raise a smaller number than its quota, and that any other state should raise a greater number of men than the quota thereof, such extra number shall be raised, officered, clothed, armed and equipped in the same manner as the quota of such State, unless the legislature of such state shall judge that such extra number cannot be safely spared out of the same, in which case they shall raise officer, clothe, arm and equip as many of such extra number as they judge can be safely spared. And the officers and men so clothed, armed and equipped, shall march to the place appointed, and within the time agreed on by the United States in Congress assembled.

The United States in Congress assembled shall never engage in a war, nor grant letters of marque and reprisal in time of peace, nor enter into any treaties or alliances, nor coin money, nor regulate the value thereof, nor ascertain the sums and expenses necessary for the defense and welfare of the United States, or any of them, nor emit bills, nor borrow money on the credit of the United States, nor appropriate money, nor agree upon the number of vessels of war, to be built or purchased, or the number of land or sea forces to be raised, nor appoint a commander-in-chief of the army or navy, unless nine States assent to the same: nor shall a question on any other point, except for adjourning from day to day be determined, unless by the votes of a majority of the United States in Congress assembled.

The Congress of the United States shall have power to adjourn to any time within the year, and to any place within the United States, so that no period of adjournment be for a longer duration than the space of six months, and shall publish the journal of their proceedings monthly, except such parts thereof relating to treaties, alliances or military operations as in their judgment require secrecy; and the yeas and nays of the delegates of each state on any question shall be entered on the journal, when it is desired by any delegate; and the delegates of a State, or any of them, at his or their request shall be furnished with a transcript of the said journal, except such parts as are above excepted, to lay before the legislatures of the several States.

**Article X.** The Committee of the States, or any nine of them, shall be authorized to execute, in the recess of Congress, such of the powers of Congress as the United States in Congress assembled, by the consent of nine States, shall from time to time think expedient to vest them with; provided that no power be delegated to the said Committee, for the exercise of which, by the Articles of Confederation, the voice of nine States in the Congress of the United States assembled is requisite.

**Article XI.** Canada acceding to this Confederation, and joining in the measures of the United States, shall be admitted into, and entitled to all the advantages of this Union: but no other colony shall be admitted into the same, unless such admission be agreed to by nine States.

**Article XII.** All bills of credit emitted, monies borrowed and debts contracted by, or under the authority of Congress, before the assembling of the United States, in pursuance of the present Confederation, shall be deemed and considered as a charge against the United States, for payment and satisfaction whereof the said United States, and the public faith are hereby solemnly pledged.

**Article XIII.** Every State shall abide by the determinations of the United States in Congress assembled, on all questions which by this Confederation are submitted to them. And the Articles of this Confederation shall be inviolably observed by every state, and the union shall be perpetual; nor shall any alteration at any time hereafter be made in any of them; unless such alteration be agreed to in a Congress of the United States, and be afterwards confirmed by the legislatures of every State.

And whereas it hath pleased the Great Governor of the World to incline the hearts of the legislatures we respectively represent in Congress, to approve of, and to authorize us to ratify the said Articles of Confederation and perpetual Union, KNOW YE that we the undersigned delegates, by virtue of the power and authority to us given for that purpose, do by these presents, in the name and in behalf of our respective constituents, fully and entirely ratify and confirm each and every of the said Articles of Confederation and perpetual Union, and all and singular the matters and things therein contained: And we do further solemnly plight and engage the faith of our respective constituents, that they shall abide by the determinations of the United States in Congress assembled, on all questions, which by the said Confederation are submitted to them. And that the Articles thereof shall be inviolably observed by the States we respectively represent, and that the Union shall be perpetual.

In Witness whereof we have hereunto set our hands in Congress. Done at Philadelphia in the state of Pennsylvania the ninth Day of July in the Year of our Lord One Thousand Seven Hundred and Seventy-eight, and in the third year of the Independence of America.

**On the part and behalf of the State of New Hampshire:**

Josiah Bartlett  
John Wentworth Junr.  
August 8th 1778

**On the part and behalf of The State of Massachusetts Bay:**

**John Hancock**

Francis Dana  
Samuel Adams  
James Lovell  
Elbridge Gerry  
Samuel Holten

**On the part and behalf of the State of Rhode Island and Providence Plantations:**

William Ellery

John Collins  
Henry Marchant

**On the part and behalf of the State of Connecticut:**

Roger Sherman  
Titus Hosmer  
Samuel Huntington  
Andrew Adams  
Oliver Wolcott

**On the Part and Behalf of the State of New York:**

James Duane  
Wm Duer  
Francis Lewis  
Gouv Morris

**On the Part and in Behalf of the State of New Jersey, November 26, 1778.**

Jno Witherspoon  
Nathaniel Scudder

**On the part and behalf of the State of Pennsylvania:**

Robt Morris  
William Clingan  
Daniel Roberdeau  
Joseph Reed  
John Bayard Smith  
22nd July 1778

**On the part and behalf of the State of Delaware:**

Tho Mckean February 12, 1779  
John Dickinson May 5th 1779  
Nicholas Van Dyke

**On the part and behalf of the State of Maryland:**

John Hanson March 1 1781  
Daniel Carroll Do

**On the Part and Behalf of the State of Virginia:**

Richard Henry Lee  
Jno Harvie  
John Banister  
Francis Lightfoot Lee  
Thomas Adams

**On the part and Behalf of the State of No Carolina:**

John Penn July 21st 1778

Corns Harnett  
Jno Williams

**On the part and behalf of the State of South Carolina:**

Henry Laurens  
Richd Hutson  
William Henry Drayton  
Thos Heyward Junr  
Jno Mathews

**On the part and behalf of the State of Georgia:**

Jno Walton 24th July 1778  
Edwd Telfair  
Edwd Langworthy

## **The Constitution: An Enduring Document**

### **Drafting the Constitution**



### **Drafting the Constitution**

The period between the adoption of the [Articles of Confederation](#) in 1781 and the drafting of the new Constitution in 1787 was one of weakness, dissension and turmoil. Under the Articles of Confederation, no provisions were made for an executive branch to enforce the laws nor for a national court system to interpret them. A legislative Congress was the sole organ of the national government, but it had no power to force the states to do anything against their will. It could -- theoretically -- declare war and raise an army, but it could not force any state to meet its assigned quota for troops or for the arms and equipment needed to support them. It looked to the states for the income needed to finance its activities, but it could not punish a state for not contributing its



share of the federal budget. Control of taxation and tariffs was left to the states, and each state could issue its own currency. In disputes between states -- and there were many unsettled quarrels over state boundaries -- Congress played the role of mediator and judge, but could not require the state to accept its decisions.

The result was virtual chaos. Without the power to collect taxes, the federal government plunged into debt. Seven of the 13 states printed large quantities of paper money -- high in face value but low in real purchasing power -- in order to pay veteran soldiers and a variety of creditors, and to settle debts between small farmers and large plantation owners.

By contrast, the Massachusetts legislature imposed a tightly limited currency and high taxes, triggering formation of a small army of farmers led by Daniel Shays, a former Revolutionary War army captain. In a bid to take over the Massachusetts statehouse, Shays and others demanded that foreclosures and unfair mortgages be dropped. Troops were called out to suppress the rebellion, but the federal government took notice.

Absence of a uniform, stable currency also disrupted trade among the states and with other countries. Not only did the value of paper currency vary from state to state, but some states (like New York and Virginia) levied duties on products entering their ports from other states, thereby provoking retaliatory actions. The states could say, as had the federal superintendent of finance, that "our public credit is gone." To compound their problems, the newly independent states, having separated violently from England, no longer received favored treatment at British ports. When Ambassador [John Adams](#) tried to negotiate a commercial treaty in 1785, the British refused on the grounds that the individual states would not be bound by it. The British were also angered by the failure of Americans to pay for property confiscated during the Revolution.

A weak central government, without the power to back its policies with military strength, was inevitably handicapped in foreign affairs as well. The British refused to withdraw their troops from the forts and trading posts in the new nation's Northwest Territory, as they had agreed to do in the peace treaty of 1783. To make matters worse, British officers on the northern boundaries and Spanish officers to the south supplied arms to various Indian tribes and encouraged them to attack American settlers. The Spanish, who controlled Florida and Louisiana, as well as all territory west of the Mississippi River, also refused to allow Western farmers to use the port of New Orleans to ship their produce.

Although there were signs of returning prosperity in some areas of the fledgling nation, domestic and foreign problems continued to grow. It became increasingly clear that the Confederation's central government was not strong enough to establish a sound financial system, to regulate trade, to enforce treaties or to exert military force against foreign antagonists when needed. Internal divisions between farmers and merchants, debtors and creditors, and among the states themselves were growing more severe. With Shay's Rebellion of desperate farmers in 1786 vividly in mind and only recently crushed, [George Washington](#) warned: "There are combustibles in every state which a spark might set fire to."

This sense of potential disaster and the need for drastic change pervaded the Constitutional Convention that began its deliberations on May 25, 1787. All of the delegates were convinced

that an effective central government with a wide range of enforceable powers must replace the impotent Congress established by the Articles of Confederation. Early in the proceedings the delegates agreed that the new government would be composed of three separate branches -- legislative, judicial and executive -- each with distinct powers to balance those of the other two branches. It was also agreed that the legislative branch -- like the British Parliament -- should consist of two houses.

Beyond this point, however, there were sharp differences of opinion that threatened at times to disrupt the Convention and cut short its proceedings before a constitution was drafted. The larger states argued in favor of proportional representation in the legislature -- each state should have voting power according to its population. The smaller states, fearing domination by the larger ones, insisted on equal representation for all states. The issue was settled by the "Great Compromise," giving every state equal representation in one house of Congress, and proportional representation in the other. In the Senate, every state would have two seats. In the House of Representatives, the number of seats would depend on population. Because it was considered more responsive to majority sentiment, the House of Representatives was given the power to originate all legislation dealing with the federal budget and revenues.

The Great Compromise ended the rift between the large and small states, but throughout the long summer numerous other compromises were made. Some delegates, fearful of giving too much power to the people, argued for indirect election of all federal officials; others wanted as broad an electoral base as possible. Some wanted to exclude the western territories from eventual statehood; others saw the future strength of the nation in the virgin lands beyond the Appalachians. There were sectional interests to be balanced; differing views to be reconciled on the term, powers and method of selection of the president; and conflicting ideas on the role of the federal judiciary.

The way to compromise was eased by the high quality of the delegates to the Convention. Only a few of the great leaders of the American Revolution were absent: [Thomas Jefferson](#) and John Adams -- both future presidents -- were serving as America's envoys to France and England; John Jay was busy as secretary of foreign affairs of the Confederation. A handful of others, including Samuel Adams and Patrick Henry, chose not to participate, believing that the existing governmental structure was sound. Of those in attendance, the best known by far was George Washington, hero of the Revolution, who presided over the Convention. Benjamin Franklin, the wise old scientist, scholar and diplomat, was also there. So, too, were such outstanding men as James Madison of Virginia, Gouverneur Morris of Pennsylvania and Alexander Hamilton, the brilliant young lawyer from New York.

Even the youngest delegates, still in their 20s and 30s, had already displayed political and intellectual gifts. Thomas Jefferson in Paris wrote to John Adams in London: "It really is an assembly of demi-gods."

Some of the ideas embodied in the Constitution were new, but many were drawn from British governmental tradition and from the practical experience in self-government of the 13 states. The Declaration of Independence was an important guide, keeping the minds of the delegates fixed

on the ideas of self-government and preservation of fundamental human rights. The writings of such European political philosophers as [Locke and Montesquieu](#) were also influential.

In late July, a committee was appointed to draft a document based on the agreements that had been reached. After another month of discussion and refinement, a second committee, headed by Gouverneur Morris, produced the final version which was submitted for signing on September 17. Not all the delegates were pleased with the results; some left before the ceremony, and three of those remaining refused to sign: Edmund Randolph and George Mason of Virginia, and Elbridge Gerry of Massachusetts. Of the 39 who did sign, probably no one was completely satisfied, and their views were ably summed up by Benjamin Franklin, who said, "There are several parts of this Constitution which I do not at present approve, but I am not sure I shall never approve them." He would accept the Constitution, however, "because I expect no better and because I am not sure that it is not the best."

## **The Constitution: An Enduring Document**

*"... To Establish Justice"*

"... To Establish Justice"

The essence of American democracy is contained in the Declaration of Independence, with its ringing phrase, "All men are created equal," and the follow-up statements "that they are endowed by the Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness."

The Constitution makes no distinction as to the wealth or status of persons; all are equal before the law, and all are equally subject to judgment and punishment when they violate the law. The same holds true for civil disputes, involving property, legal agreements and business arrangements. Open access to the courts is one of the vital guarantees written into the Bill of Rights.

*"... To Insure Domestic Tranquility"*

The stormy birth of the United States and the unsettled conditions along the American western frontier convinced Americans of the need for internal stability to permit the new nation to grow and prosper. The federal government created by the Constitution had to be strong enough to protect the states against invasion from the outside, and from strife and violence at home. No part of the continental United States has been invaded by a foreign nation since 1815. The state governments have generally been strong enough to maintain order within their own borders. But behind them stands the awesome power of the federal government, which is constitutionally empowered to take the necessary steps to preserve the peace.

## "... To Provide For The Common Defense"

Even with its independence secured, the new nation faced very real dangers on many sides. On the western frontier, there was the constant threat from hostile Indian tribes. To the north, the British still owned Canada, whose eastern provinces were jammed with vengeful American Tories. The French owned the vast Louisiana Territory in the continental midwest. To the south, the Spanish held Florida, Texas and Mexico. All three European powers had colonies in the Caribbean Sea, within striking distance of the American coast. Moreover, the nations of Europe were embroiled in a series of wars that spilled over into the New World.

In the early years, the constitutional objective of providing a "common defense" focused on opening up the territory immediately beyond the Appalachian Mountains and negotiating a peace with the Indians who inhabited the area. Within a short time, however, the importance of military strength was underscored by the outbreak of war with England in 1812, skirmishes with the Spanish in Florida and war with Mexico in 1846.

As America's economic and political power increased, its defensive strength grew. The Constitution divides the defense responsibility between the legislative and executive branches: Congress alone has the power to declare war and to appropriate funds for defense, while the president is commander-in-chief of the armed forces and bears primary responsibility for the defense of the country.

## "... To Promote The General Welfare"

At the end of the Revolution, the United States was in a difficult economic position. Its resources were drained, its credit shaky and its paper money was all but worthless. Commerce and industry had come to a virtual halt, and the states and the government of the Confederation were deeply in debt. While the people were not in eminent danger of starving, the prospects for economic development were slim indeed.

One of the first tasks facing the new national government was to put the economy on a sound footing. The first article of the Constitution provided that:

***The Congress shall have power to lay and collect taxes ... to pay the debts and provide for the ... general welfare of the United States ...***

The tax power enabled the government to finance its war debts and to put the currency on a firmer basis. A secretary of the treasury was appointed to look after the fiscal affairs of the nation, and a secretary of state to handle relations with other nations. Also appointed were a secretary of war and an attorney general. Later, as the country expanded and the economy became more complex, the well-being of the people necessitated the creation of additional executive departments.

## "... To Secure The Blessings Of Liberty To Ourselves And Our Posterity"

The emphasis on personal liberty was one of the salient features of the new American republic. Coming, as many of them had, from a background of political or religious suppression, Americans were determined to preserve freedom in the New World. The framers of the Constitution, in giving authority to the federal government, were careful to protect the rights of all persons by limiting the powers of both the national and state governments. As a result, Americans are free to move from place to place, make their own decisions about jobs, religion and political beliefs, and go to the courts for justice and protection when they feel these rights are being infringed upon.

### **The Constitution: An Enduring Document**

#### *Provisions For Amendment*

The authors of the Constitution were keenly aware that changes would be needed from time to time if the Constitution were to endure and keep pace with the growth of the nation. They were also conscious that the process of change should not be facile, permitting ill-conceived and hastily passed amendments. By the same token, they wanted to ensure that a minority could not block action desired by most of the people. Their solution was to devise a dual process by which the Constitution could be revised.

The Congress, by a two-thirds vote in each house, may initiate an amendment. Alternatively, the legislatures of two-thirds of the states may ask Congress to call a national convention to discuss and draft amendments. In either case, amendments must have the approval of three-fourths of the states before they enter into force.

Aside from the direct process of changing the Constitution itself, the effect of its provisions may be changed by judicial interpretation. Early in the history of the republic, in the 1803 landmark case of *Marbury v. Madison*, the Supreme Court established the doctrine of judicial review, which is the power of the Court to interpret acts of Congress and decide their constitutionality. The doctrine also embraces the power of the Court to explain the meaning of various sections of the Constitution as they apply to changing legal, political, economic and social conditions. Over the years, a series of Court decisions, on issues ranging from governmental regulation of radio and television to the rights of the accused in criminal cases, has had the effect of altering the thrust of constitutional law, with no substantive change in the Constitution itself.

Congressional legislation, passed to implement provisions of the basic law or to adapt it to changing conditions, also broadens and, in subtle ways, changes the meaning of the Constitution. Up to a point, the rules and regulations of the many agencies of the federal government may have a similar effect. The acid test in both cases is whether, in the opinion of the courts, such legislation and rules conform with the intent of the Constitution itself.

# The Constitution: An Enduring Document

## *Ratification: A new beginning*

The way was now set for the arduous process of ratification, that is, acceptance by at least nine states. Delaware was the first to act, followed swiftly by New Jersey and Georgia. Approval was given by comfortable majorities in Pennsylvania and Connecticut. A bitter debate was carried on in Massachusetts. That state finally conditioned its ratification on the addition of 10 amendments guaranteeing certain fundamental rights, including freedom of religion, speech, press and assembly; a militia instead of a standing army; the right to trial by jury; and the prohibition of unreasonable searches or arrests. (A number of other states added similar provisos, and the 10 amendments -- now known as the [Bill of Rights](#) -- were incorporated into the Constitution in 1791.)

By late June 1788, Maryland, South Carolina and New Hampshire had given their assent, satisfying the requirement for ratification by nine states. Legally, the Constitution was in force. But two powerful and pivotal states -- New York and Virginia -- remained undecided, as did the two smaller states of North Carolina and Rhode Island. It was clear that without at least New York and Virginia's consent, the Constitution would stand on shaky ground.

Virginia was sharply divided, but the influence of George Washington, arguing for ratification, carried the state legislature by a narrow margin on June 26, 1788. In New York, Alexander Hamilton, James Madison and John Jay combined to produce a remarkable series of written arguments for the Constitution -- *The Federalist Papers* -- and won a narrow vote for approval on July 26. In November, North Carolina added its approval. Rhode Island held out until 1790, when its position as a small and weak state hedged in by a large and powerful republic became untenable.

The process of organizing the government began soon after ratification by Virginia and New York. On September 13, 1788, Congress fixed the city of New York as the seat of the new government. It set the first Wednesday in January 1789 as the day for choosing presidential electors, the first Wednesday of February for the meeting of the electors to select a president, and the first Wednesday of March for the opening session of the new Congress.

Under the Constitution, each state legislature had the power to decide how presidential electors, as well as representatives and senators, would be chosen. Some states opted for direct elections by the people, others for election by the legislature, and a few for a combination of the two. Rivalries were intense; delays in setting up the first elections under the new Constitution were inevitable. New Jersey, for example, chose direct elections, but neglected to set a time for closing the polls, which stayed open for three weeks.

The full and final implementation of the Constitution was set for March 4, 1789. But, by that time, only 13 of the 59 representatives and eight of the 22 senators had arrived in New York City. (Seats allotted to North Carolina and Rhode Island were not filled until those states ratified

the Constitution.) A quorum was finally attained in the House on April 1 and in the Senate on April 6. The two houses then met jointly to count the electoral vote.

To no one's surprise [George Washington](#) was unanimously elected the first president, and [John Adams](#) of Massachusetts, the vice president. Adams arrived in New York on April 21, and Washington on April 23. They were sworn into office on April 30, 1789. The business of setting up the new government was completed. The job of maintaining the world's first republic had just begun.

## **The Constitution: An Enduring Document**

### *The Bill Of Rights*

The Constitution has been amended 26 times since 1789, and it is likely to be further revised in the future. The most sweeping changes were made within two years of its adoption. In that period, the first 10 amendments, known collectively as the [Bill of Rights](#), were added. They were approved as a block by the Congress in September 1789, and ratified by 11 states by the end of 1791.

Much of the initial resistance to the Constitution came not from those opposed to strengthening the federal union, but from statesmen who felt that the rights of individuals must be specifically spelled out. One of these was George Mason, author of the [Declaration of Rights of Virginia](#), which was a forerunner of the Bill of Rights. As a delegate to the Constitutional Convention, Mason refused to sign the document because he felt individual rights were not sufficiently protected. Indeed, Mason's opposition nearly blocked ratification by Virginia. As noted earlier, Massachusetts, because of similar feelings, conditioned its ratification on the addition of specific guarantees of individual rights. By the time the First Congress convened, sentiment for adoption of such amendments was nearly unanimous, and the Congress lost little time in drafting them.

These amendments remain intact today, as they were written two centuries ago. The first guarantees freedom of worship, speech and press, the right of peaceful assembly, and the right to petition the government to correct wrongs. The second guarantees the right of citizens to bear arms. The third provides that troops may not be quartered in private homes without the owner's consent. The fourth guards against unreasonable searches, arrests and seizures of property.

The next four amendments deal with the system of justice: The fifth forbids trial for a major crime except after indictment by a grand jury. It prohibits repeated trials for the same offense; forbids punishment without due process of law and provides that an accused person may not be compelled to testify against himself. The sixth guarantees a speedy public trial for criminal offenses. It requires trial by an unbiased jury, guarantees the right to legal counsel for the accused, and provides that witnesses shall be compelled to attend the trial and testify in the presence of the accused. The seventh assures trial by jury in civil cases involving anything valued at more than 20 U.S. dollars. The eighth forbids excessive bail or fines, and cruel or unusual punishment.

The last two of the 10 amendments contain very broad statements of constitutional authority: The ninth declares that the listing of individual rights is not meant to be comprehensive; that the people have other rights not specifically mentioned in the Constitution. The 10th provides that powers not delegated by the Constitution to the federal government nor prohibited by it to the states are reserved to the states or the people.

## **The Constitution: An Enduring Document**

### *The Constitution as Supreme Law*

The U.S. Constitution calls itself the "**supreme law of the land.**" This clause is taken to mean that when state constitutions or laws passed by state legislatures or the national Congress are found to conflict with the federal Constitution, they have no force. Decisions handed down by the Supreme Court over the course of two centuries have confirmed and strengthened this doctrine of constitutional supremacy.

Final authority is vested in the American people, who can change the fundamental law, if they wish, by amending the Constitution or -- in theory, at least -- drafting a new one. The people do not exercise their authority directly, however. They delegate the day-to-day business of government to public officials, both elected and appointed.

The power of public officials is limited. Their public actions must conform to the Constitution and to the laws made in accord with the Constitution. Elected officials must stand for re-election at periodic intervals, when their records are subject to intensive public scrutiny. Appointed officials serve at the pleasure of the person or authority who appointed them, and may be removed when their performance is unsatisfactory. The exception to this practice is the lifetime appointment by the president of justices of the Supreme Court and other federal judges, so that they may be free of political obligations or influence.

Most commonly, the American people express their will through the ballot box. The Constitution, however, does make provision for the removal of a public official from office, in cases of extreme misconduct or malfeasance, by the process of impeachment. Article II, Section 4 reads:

**The President, Vice President, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.**

Impeachment is a charge of misconduct brought against a government official by a legislative body; it does not, as is commonly thought, refer to conviction on such charges. As set forth in the Constitution, the House of Representatives must bring charges of misconduct by voting a bill of impeachment. The accused official is then tried in the Senate, with the chief justice of the Supreme Court presiding at the trial.



Impeachment is considered a drastic measure, one that has been used on only rare occasions in the United States. The House of Representatives has voted articles of impeachment just 17 times in the history of the country. Thirteen of the 17 persons who have been impeached were federal judges, as were all seven individuals convicted by the Senate.

In 1868, President Andrew Johnson was impeached over issues relating to the proper treatment of the defeated Confederate states following the Civil War. The Senate, however, fell one vote short of the two-thirds majority necessary for conviction, and Johnson completed his full term in office. In 1974, as a result of the Watergate affair, President Richard Nixon resigned from office after the Judiciary Committee of the House recommended impeachment, but before the full House of Representatives could vote on a bill of impeachment.

State officials are similarly subject to impeachment by the legislatures of their respective states. In 1988, for example, the Arizona state legislature impeached its governor and removed him from office.

## **The Constitution: An Enduring Document**

### *The Federal System*

The framers of the Constitution had several clear-cut objectives in mind. They set these down with remarkable clarity in a 52-word, six-point preamble to the principal document.

#### **"... To Form A More Perfect Union"**

The problem of building a "more perfect Union" was the obvious issue facing the 13 states in 1787. It was quite clear that almost any union would be more nearly perfect than that which existed under the Articles of Confederation. But devising another structure to replace it involved critical choices.

All the states were covetous of the sovereign power they had exercised since the break with England 11 years earlier. Balancing "states' rights" with the needs of a central government was no easy task. The makers of the Constitution accomplished this by letting the states keep all the powers necessary to regulate the daily lives of their citizens, provided that these powers did not conflict with the needs and welfare of the nation as a whole. This division of authority, which is termed federalism, is essentially the same today. The power of each state over local affairs -- in matters such as education, public health, business organization, work conditions, marriage and divorce, local taxation and ordinary police powers -- is so fully recognized and accepted that two neighboring states frequently have widely differing laws on the same subject.

Ingenious though the constitutional arrangement was, the controversy over states' rights continued to fester until, three-quarters of a century later, in 1861, a four-year war broke out between the states of the North and those of the South. The war was known as the Civil War, or the War Between the States, and the underlying issue was the right of the federal government to regulate slavery in the newer states of the Union. Northerners insisted that the federal

government had such a right, while Southerners held that slavery was a matter for each state to decide on its own. When a group of Southern states attempted to secede from the Union, war broke out and was fought on the principle of the preservation of the republic. With the defeat of the Southern states and their reentry into the Union, federal supremacy was reaffirmed and slavery abolished.

## **The Constitution: An Enduring Document**

### *The Principles Of Government*



Although the Constitution has changed in many aspects since it was first adopted, its basic principles remain the same now as in 1789:

- The three main branches of government are separate and distinct from one another. The powers given to each are delicately balanced by the powers of the other two. Each branch serves as a check on potential excesses of the others.

- The Constitution, together with laws passed according to its provisions, and treaties entered into by the president and approved by the Senate, stands above all other laws, executive acts and regulations.
- All persons are equal before the law and are equally entitled to its protection. All states are equal, and none can receive special treatment from the federal government. Within the limits of the Constitution, each state must recognize and respect the laws of the others. State governments, like the federal government, must be democratic in form, with final authority resting with the people.
- The people have the right to change their form of national government by legal means defined in the Constitution itself.

## **The Constitution: An Enduring Document**

### *Vital Protection For Individual Liberties*

The genius of the Constitution in organizing the federal government has given the United States extraordinary stability over the course of two centuries. The [Bill of Rights](#) and subsequent constitutional amendments guarantee the American people the fullest possible opportunity to enjoy fundamental human rights.

In moments of national crisis, it is tempting for governments to attempt to suspend these rights in the interest of national security. In the United States, such steps have always been taken reluctantly and under the most scrupulous safeguards. During wartime, for example, it has been necessary to censor mail between the United States and foreign countries, and especially from the battlefronts to families back home. But not even in wartime has the constitutional right to a fair trial been abrogated. Persons accused of crimes -- and these include enemy nationals accused of spying, subversion and other dangerous activities -- are given the right to defend themselves and, under the American system, are presumed innocent until proven guilty.

Amendments to the Constitution subsequent to the Bill of Rights cover a wide range of subjects. One of the most far reaching is the 14th, ratified in 1868, by which a clear and simple definition of citizenship was established and a broadened guarantee of equal treatment under the law was confirmed. In essence, the 14th Amendment applied the protections of the Bill of Rights to the states. By other amendments, the judicial power of the national government was limited; the method of electing the president was changed; slavery was forbidden; the right to vote was protected against denial because of race, color, sex or previous condition of servitude; the congressional power to levy taxes was extended to incomes; and the election of U.S. senators by popular vote was instituted.

The most recent amendments include the 22nd, limiting the president to two terms in office; the 23rd, granting citizens of the District of Columbia the right to vote; the 24th giving citizens the right to vote regardless of failure to pay a poll tax; the 25th, providing for filling the office of vice president when it becomes vacant in midterm; and the 26th, lowering the voting age to 18.

It is of significance that a majority of the 26 amendments stem from continued efforts to expand individual civil or political liberties, while only a few are concerned with amplifying the basic governmental structure drafted in Philadelphia in 1787.

## The Basis of the American Republic

**"... A CONSTITUTION INTENDED TO ENDURE FOR AGES TO COME, AND CONSEQUENTLY, TO BE ADAPTED TO THE VARIOUS CRISES OF HUMAN AFFAIRS."**

JOHN MARSHALL, Chief Justice of the Supreme Court, *McCulloch v. Maryland*, 1819

The Constitution of the United States is the central instrument of American government and the supreme law of the land. For 200 years, it has guided the evolution of governmental institutions and has provided the basis for political stability, individual freedom, economic growth and social progress.

The American Constitution is the world's oldest written constitution in force, one that has served as the model for a number of other constitutions around the world. The Constitution owes its staying power to its simplicity and flexibility. Originally designed to provide a framework for governing four million people in 13 very different colonies along the Atlantic coast, its basic provisions were so soundly conceived that, with only 26 amendments, it now serves the needs of more than 240 million people in 50 even more diverse states that stretch from the Atlantic to the Pacific Ocean.

The path to the Constitution was neither straight nor easy. A draft document emerged in 1787, but only after intense debate and six years of experience with an earlier federal union. The 13 British colonies, strung out along the eastern seaboard of what is now the United States, declared their independence from England in 1776. A year before, war had broken out between the colonies and Great Britain, a war for independence that lasted for six bitter years. While still at war, the colonies -- now calling themselves the United States of America -- drafted a compact which bound them together as a nation. The compact, designated the "[Articles of Confederation and Perpetual Union](#)," was adopted by a Congress of the states in 1777, and formally signed in July 1778. The Articles became binding when they were ratified by the 13th state, Maryland, in March 1781.

The Articles of Confederation devised a loose association among the states, and set up a federal government with very limited powers. In such critical matters as defense, public finance and trade, the federal government was at the mercy of the state legislatures. It was not an arrangement conducive to stability or strength. Within a short time -- less than six years -- the weakness of the Confederation was apparent to all. Politically and economically, the new nation

was close to chaos. In the words of [George Washington](#), the 13 states were united only "by a rope of sand."

It was under these inauspicious circumstances that the Constitution of the United States was drawn up. In February 1787, the Continental Congress, the legislative body of the republic, issued a call for the states to send delegates to Philadelphia to revise the Articles. The Constitutional, or Federal, Convention convened on May 25, 1787, in Independence Hall, where the [Declaration of Independence](#) had been adopted 11 years earlier on July 4, 1776. Although the delegates had been authorized only to amend the Articles of Confederation, they pushed the Articles aside and proceeded to construct a charter for a wholly new, more centralized form of government. The new document, the Constitution, was completed September 17, 1787, and was officially adopted March 4, 1789.

The 55 delegates who drafted the Constitution included most of the outstanding leaders, or Founding Fathers, of the new nation. They represented a wide range of interests, backgrounds and stations in life. All agreed, however, on the central objectives expressed in the preamble to the Constitution:

***We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.***

The primary aim of the Constitution was to create a strong elected government, directly responsive to the will of the people. The concept of self-government did not originate with the Americans; indeed, a measure of self-government existed in England at the time. But the degree to which the Constitution committed the United States to rule by the people was unique, and even revolutionary, in comparison with other governments around the world.

The Constitution departed sharply from the Articles of Confederation in that it established a strong central, or federal, government with broad powers to regulate relations between the states, and with sole responsibility in such areas as foreign affairs and defense.

Centralization proved difficult for many people to accept. America had been settled in large part by Europeans who had left their homelands to escape religious or political oppression, as well as the rigid economic patterns of the Old World, which locked individuals into a particular station in life regardless of their skill or energy. Personal freedom was highly prized by these settlers and they were wary of any power -- especially that of government -- which might curtail individual liberties. The fear of a strong central authority ran so deep that Rhode Island refused to send delegates to Philadelphia in the belief that a strong national government might be a threat to the ability of its citizens to govern their own lives.

The great diversity of the new nation was also a formidable obstacle to unity. The people who were empowered by the Constitution to elect and control their central government were of widely differing origins, beliefs and interests. Most had come from England, but Sweden, Norway, France, Holland, Prussia, Poland and many other countries also sent immigrants to the

New World. Their religious beliefs were varied and in most cases strongly held. There were Anglicans, Roman Catholics, Calvinists, Huguenots, Lutherans, Quakers, Jews, agnostics and atheists. Economically and socially, the Americans ranged from the landed aristocracy to slaves from Africa and indentured servants working off debts. But the backbone of the country was the middle class -- farmers, tradesmen, mechanics, sailors, shipwrights, weavers, carpenters and a host of others.

Americans then, as now, had widely differing opinions on virtually all issues, up to and including the wisdom of breaking free of the British Crown. During the Revolution, a large number of British loyalists -- known as Tories -- fled the country, settling mostly in eastern Canada. Those who stayed behind formed a substantial opposition bloc, although they differed among themselves on the reasons for opposing the Revolution and on what accommodation should be made with the new American republic.

In the past two centuries, the diversity of the American people has increased, and yet the essential unity of the nation has grown stronger. From the original 13 states along the Atlantic seaboard, America spread westward across the entire continent. Today it encompasses 50 states, the most recent additions being Alaska and Hawaii in 1959. Throughout the 19th century and on into the 20th, an endless stream of immigrants contributed their skills and their cultural heritages to the growing nation. Pioneers crossed the Appalachian Mountains in the east, settled the Mississippi Valley and the Great Plains in the center of the continent, then crossed the Rocky Mountains and reached the shores of the Pacific Ocean -- 4,500 kilometers west of the Atlantic coastal areas settled by the first colonists. And as the nation expanded, its vast storehouse of natural resources became apparent to all: great stands of virgin timber, huge deposits of coal, copper, iron and oil, abundant water power and fertile soil.

The wealth of the new nation generated its own kind of diversity. Special regional and commercial interest groups sprang up. East coast shipowners advocated free trade. Midwest manufacturers argued for import duties to protect their positions in the growing U.S. market. Farmers wanted low freight rates and high commodity prices; millers and bakers sought low grain prices; railroad operators wanted the highest freight rates they could get. New York bankers, southern cotton growers, Texas cattle ranchers and Oregon lumbermen all had different views on the economy and the government's role in regulating it.

It was the continuing job of the Constitution and the government it had created to draw all these disparate interests together, to create a common ground and, at the same time, to protect the fundamental rights of all the people. The Founding Fathers had little precedent to guide them when they drafted the Constitution. The Articles of Confederation had also set up a federal government, but its powers were so limited that the states were united in name only. Although the people's experience with federalism was limited, their expertise in the art of self-government was considerable. Long before independence was declared, the colonies were functioning governmental units, controlled by the people. And after the revolution had begun -- between January 1, 1776, and April 20, 1777 -- 10 of the 13 states had adopted their own constitutions. Most states had a governor elected by the state legislature. The legislature itself was elected by popular vote.

Compared with the complexities of contemporary government, the problems of governing four million people in much less developed economic conditions seem small indeed. But the authors of the Constitution were building for the future as well as the present. They were keenly aware of the need for a structure of government that would work not only in their lifetime, but for generations to come. Hence, they included in the Constitution a provision for amending the document when social, economic or political conditions demanded it. Twenty-six amendments have been passed since ratification, and the flexibility of the Constitution has proven to be one of its greatest strengths. Without such flexibility, it is inconceivable that a document drafted more than 200 years ago could effectively serve the needs of 240 million people, and thousands upon thousands of governmental units at all levels in the United States today. Nor could it have applied with equal force and precision to the problems of small towns and great cities.

The Constitution and the federal government thus stand at the peak of a governmental pyramid which includes local and state jurisdictions. In the U.S. system, each level of government has a large degree of autonomy with certain powers reserved particularly to itself. Disputes between different jurisdictions are resolved by the courts. However, there are questions involving the national interest which require the cooperation of all levels of government simultaneously, and the Constitution makes provision for this as well. American public schools are largely administered by local jurisdictions, adhering to statewide standards. But the federal government also aids the schools, since literacy and educational attainment is a matter of vital national interest, and it enforces uniform standards designed to further equal educational opportunity. In other areas, such as housing, health and welfare, there is a similar partnership between the various levels of government.

No product of human society is perfect. Despite its many amendments, the Constitution of the United States probably still contains flaws which will become evident in future periods of stress. But two centuries of growth and unrivaled prosperity have proven the foresight of the 55 men who worked through the summer of 1787 to lay the foundation of American government.

**T**he U.S. Constitution is the central instrument of government and the "supreme law of the land". It is the oldest written Constitution in the world that is in force. It was written in 1787 in Philadelphia by the Continental Congress of the new American republic and was officially adopted in 1789. The objective of the writers was to outline the structure of a new, strong central government after the years of weakness and chaos resulting from the preexisting "Articles of Confederation and Perpetual Union" which loosely bound the colonies together since 1778.

The U S Constitution outlines the structure and powers of the 3 branches of government (executive, legislative, judicial) and the 3 levels of government (federal, state, local). The basic principles of the Constitution are the same today as when it was written:

**1**--the 3 branches of government (executive, legislative, judicial) are separate and each is checked and balanced off by the power of the other two,

**2**--the U S Constitution is supreme,

3-all persons are equal before the law, as are all states and each state must be democratic and respect the law of others,

4--the people can change the U S Constitution by the methods outlined within it.

Amendment of the U S Constitution may be initiated by a 2/3 vote in each chamber of congress, or 2/3 of the states calling for a national convention. In either case a vote of 3/4 of the states is required to actually make an amendment. The interpretation of the Constitution has changed over time without amendment by various pieces of legislation and judicial decisions.

The U S Constitution has had 27 amendments. The Bill of Rights, the first 10 amendments to the Constitution, were adopted in 1791 in order to meet demands for the signature of Massachusetts and other states to the Constitution:



### **BILL OF RIGHTS (THE FIRST 10 AMENDMENTS TO THE U.S. CONSTITUTION)**



1-freedom of worship, speech, press, right of peaceful assembly, right to petition the government

2-right of citizens to bear arms

3-troops may not be quartered in private homes without owner's consent

4-guards against unreasonable searches, arrests, seizures of property



**5**-requires indictment by a grand jury for major crimes before trial, prohibits repeated trials for the same offense, forbids punishment without process & that you don't have to testify against yourself

**6**-guarantees a speedy public trial for criminal offenses, trial by an unbiased jury, legal counsel for the accused, and that witnesses must attend the trial in the presence of the accused

**7**-guarantees trial by jury in civil cases in anything valued at more than 20 US dollars

**8**-forbids excessive bail or fines and cruel or unusual punishment

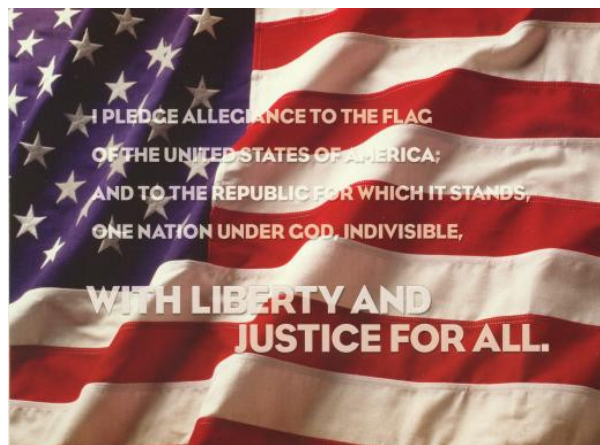
**9**-people have other rights than those mentioned in the Constitution

**10**-powers not delegated to the federal government belong to the states or the people

## **The U S Constitution: An Enduring Document**

### **U S Constitution Timeline**

**1764-1775** | **1776-1789**



### **President Harry S. Truman's Remarks at the original opening of the Capital Rotunda - December, 1952**

". . . . Perhaps it takes a lifetime of experience to understand how much the Constitution means to our national life. You can read about the Constitution and you can study it in books, but the Constitution is not merely a matter of words. The Constitution is a living force. It is a growing thing.



The Constitution belongs to no one group of people and to no single branch of the government. We acknowledge our judges as the interpreters of the Constitution, but our Executive branch and our Legislative branch alike, operate within its framework and must apply it and its principles in all they do.

The Constitution and the [Declaration of Independence](#) can live only as long as they are enshrined in our hearts and minds. If they are not so enshrined, they would be no better than mummies in their glass cases and they could, in time, become idols whose worship would be a grim mockery of the true faith. Only as [these documents](#) are reflected in the thoughts and acts of Americans, can they remain symbols of power that can move the world. That power, is our faith in human liberty. . ."



George W. Bush: 2004 Presidential Election Victory Speech - Nov. 3, 2004



### [Tribute To A Hero](#)

Lt. John F. Kennedy receives the U.S. Navy and Marine Corps medal for heroic conduct from Capt. Frederic L. Conklin June 12, 1944. JFK used his father's connections to get assigned to active duty. Says Dallek, "He was determined to get into combat. It was part of the culture at the time, patriotism. But he was heroic in doing that."

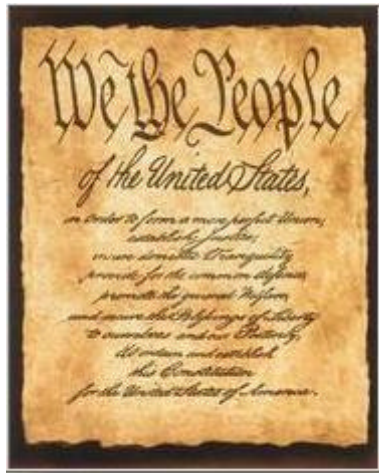
## Questions and Answers Pertaining to the U.S. Constitution

### 20 Things You Didn't Know About U.S. Presidents

Read the text of hundreds of important historical documents and speeches from the Magna Carta in 1215 through the Declaration of Independence, U.S. Constitution and Bill of Rights in the 1700's up to and including the Declaration of War after Pearl Harbor and every Inaugural Address by the Presidents from George Washington until our current Chief Executive George W. Bush. These documents represent what brought about the laws of the United States as we have them today especially the U.S. Constitution on which this website is founded.

### What It Truly Means To Be A Citizen

#### First Amendment and Freedom of the Press



## Time Line, America During the Age of Revolution, 1776-1789

### 1764-1775 | 1776-1789

This time line is drawn largely from the work of Richard B. Morris, in particular his *Encyclopedia of American History*.

#### **1776**

**"Common Sense."** Thomas Paine moved many to the cause of independence with his pamphlet titled "Common Sense." In a direct, simple style, he cried out against King George III and the monarchical form of government.

**The British Evacuate Boston.** American General Henry Knox arrived in Boston with cannons he had moved with great difficulty from Fort Ticonderoga, New York. Americans began to entrench themselves around Boston, planning to attack the British. British General William Howe planned an attack, but eventually retreated from Boston.

**Congress Authorizes the Colonies to Write Constitutions.** In May, the Second Continental Congress adopted a resolution authorizing the colonies to adopt new constitutions; the former colonial governments had dissolved with the outbreak of war.

**Congress Declares Independence.** When North Carolina and Virginia empowered their delegates to vote for American independence, Virginian Richard Henry Lee offered a resolution stating that the colonies "are, and of right ought to be, free and independent States." A committee was appointed to draft a declaration of independence, and Thomas Jefferson was chosen to write it. On July 2, Congress voted in favor of independence, and on July 4, the Declaration of Independence was approved. Copies were sent throughout the colonies to be read publicly.

**Battle of Long Island.** After leaving Boston, British General Howe planned to use New York as a base. The British captured Staten Island and began a military build-up on Long Island in preparation for an advance on Brooklyn. Washington succeeded in saving his army by secretly retreating onto Manhattan Island. Washington eventually retreated from Manhattan, fearing the prospect of being trapped on the island, and the British occupied New York City.

**Congress Names Commissioners to Treat with Foreign Nations.** Congress sent a delegation of three men to Europe -- Silas Deane, Benjamin Franklin, and Arthur Lee -- to prepare treaties of commerce and friendship, and to attempt to secure loans from foreign nations.

**The Battle of White Plains.** British and American forces met at White Plains, New York, where the British captured an important fortification. Washington once again retreated, still attempting to save his army from the full force of the British army.

**Retreat through New Jersey.** Washington and his army retreated across New Jersey, crossing the Delaware River into Pennsylvania. Congress, fearing a British attack on Philadelphia, fled to Baltimore.

**Battle of Trenton.** On December 26, Washington launched a surprise attack against a British fortification at Trenton, New Jersey, that was staffed by Hessian soldiers. After one hour of confused fighting, the Hessians surrendered. Only five American soldiers were killed.

**1777**

**Battle of Princeton.** British General Howe reacted to the Battle of Trenton by sending a large force of men to New Jersey. At Princeton, Washington once again launched a surprise attack, and succeeded in defeating the British. His efforts cleared most of New Jersey of enemy forces, and greatly boosted American morale.

**America Has a Flag.** On June 14, Congress declared that the flag of the United States would consist of thirteen alternating red and white stripes, and a blue field with thirteen white stars.

**The British Attack Philadelphia.** British and Americans met at Brandywine Creek, Pennsylvania. The Americans retreated, and the British soon occupied Philadelphia, forcing Congress once again to flee the city. After retreating further during the Battle of Germantown, Washington settled his army for the winter in Valley Forge -- a winter of extreme cold and great hunger.

**Saratoga.** On October 7, British and American troops engaged in New York. Fatigued from battle and short of supplies, British General John Burgoyne's troops were repulsed by American forces under General Horatio Gates. On October 8, Burgoyne retreated to Saratoga; by October 13th, he asked for terms of surrender. The "Convention of Saratoga" called for Burgoyne's army to be sent back to England, and for each soldier to pledge not to serve again in the war against the colonies.

**The "Conway Cabal."** Many in Congress were unhappy with Washington's leadership; some murmured the name of General Horatio Gates as a possible replacement. Thomas Conway, the army's inspector general, wrote a critical letter to Gates about Washington, leading many to believe there was an organized effort to replace Washington. Conway resigned from the army, and eventually apologized to Washington.

**Articles of Confederation.** When Richard Henry Lee made a motion for independence (1776), he also proposed a formal plan of union among the states. After a discussion lasting more than a year, the Articles of Confederation were adopted by Congress, although the states did not ratify the Articles until 1781.

## 1778

**France and America Become Allies.** France and America formed an alliance, negotiated by Benjamin Franklin, stating that each would consider the other a "most favored nation" for trade and friendship; France would be obligated to fight for American independence; and America would be obligated to stand by France if war should occur between France and Great Britain. Within four months, France and Great Britain were at war.

**The British Attempt to Make Peace.** Threatened by the alliance between France and America, Parliament proposed the repeal of the Tea Act (1773) and Coercive Acts (1774), pledged not to tax the colonies, and sent peace commissioners to America. However, most Americans were interested only in British recognition of American independence. When a British commissioner tried to bribe congressmen Joseph Reed, Robert Morris, and Francis Dana, Americans became even less interested in reconciliation. Competing for support from the American people, both Congress and the desperate commissioners appealed directly to them with broadsides, but the British commissioners soon returned to Great Britain, their mission a failure.

**John Paul Jones Wins Victories.** Although Esek Hopkins was never very successful with the American navy, Captain John Paul Jones won several victories against the British with his ship, the "Ranger."

**The Battle of Monmouth.** When the British headed for New York, Washington left Valley Forge to follow. At the Battle of Monmouth, American General Charles Lee gave several confused orders, and then ordered a sudden retreat. Washington's arrival on the scene saved the battle, although the British escaped to New York during the night. Lee was later court-martialed.

## 1779

**The British Attack in North and South.** Fighting continued in both the northern and southern states. In the frontier settlements of Pennsylvania, Loyalists and Indians led by Mohawk Joseph Brant attacked American settlers. The Loyalists soon were defeated, and Americans went on to destroy many Native American villages whose residents were fighting on the side of the British.

**Spain Joins the War.** Spain asked Britain for Gibraltar as a reward for joining the war on the British side. When Britain refused, Spain joined with France in its war against Britain, although refusing to recognize American independence.

## 1780

**The British Take Charleston, South Carolina.** After a brief fight, the British took Charleston, capturing 5,400 men and four American ships in the harbor. It was the worst American defeat of the war.

**A Mutiny in the Continental Army.** When the value of Continental currency sank to a new low, Congress had problems supplying the American army. Great shortages of food led to a short-lived mutiny among some Connecticut soldiers at Washington's camp in New Jersey.

**The Treason of Benedict Arnold.** American General Benedict Arnold, frustrated and ambitious, began dealing with British General Sir Henry Clinton. After he was promised the command at West Point by General Washington, Arnold told Clinton that he would give the strategic American fortification to the British. But when British Major John André, acting as messenger, was captured, Arnold fled to a British ship, revealing his involvement in the treasonous plan. André was executed as a spy, and Arnold was made a brigadier general in the British army.

## 1781

**Congress Creates a Department of Finance.** American finances were in such dire straits that Congress saw the need for a separate department of finance. Robert Morris was appointed superintendent of finance.

**The Articles of Confederation Are Ratified.** With the ratification of the Articles of Confederation, under discussion since 1777, Congress assumed a new title, "The United States in Congress Assembled."

**The Battle of Yorktown.** French and American forces joined at Yorktown, on land and at sea, and attacked British fortifications. Key British points were soon held by the Americans and French, and British General Cornwallis soon surrendered, giving up almost 8,000 men. With this defeat, Britain lost hope of winning the war in America.

## 1782

**Peace Negotiations Begin in Paris.** British, French, and American commissioners met in Paris to discuss peace. The United States sent Benjamin Franklin, John Adams, and John Jay. By November, the commissioners had drafted a peace treaty. Its terms called for Great Britain to recognize American independence and provide for the evacuation of all British troops. Great Britain also gave up its territory between the Mississippi River and the Allegheny Mountains, doubling the size of the new nation.

## 1783

**The Army Complains.** When a delegation of army officers complained to Congress about their unpaid salaries and pensions, Congress had no quick solution. An anonymous letter urged officers to unite and attempt one last appeal to Congress. If its attempt was ignored, the army was prepared to revolt against Congress. Washington, addressing the army in person at its headquarters in Newburgh, New York, convinced them to be patient, and not to dishonor themselves after their glorious victory. Visibly moved, the officers adopted resolutions to present to Congress, and pledged not to threaten violence or rebellion.

**Congress Ratifies the Preliminary Articles of Peace.** After Spain, France, and Britain successfully came to terms, the treaty between France, Britain, and America was put into effect, and warfare formally ceased. Congress ratified the Articles of Peace on April 15.

**The Loyalists and British Evacuate New York.** New York City was the last Loyalist refuge in America. Starting in April, nearly 30,000 Loyalists, knowing that the British soon would leave New York, packed their belongings and sailed to Canada and England, followed shortly by the British army. In November, when the British sailed away, Washington entered the city and formally bade farewell to his officers. Soon after, he resigned his commission.

**The American Army Disbands.** In June, most of Washington's army disbanded and headed for home just before the British evacuated New York. A small force remained until all the British had departed.

**Congress Is Threatened.** A group of soldiers from Pennsylvania marched on Congress, demanding their pay. Armed and angry, they surrounded Independence Hall. The members of Congress eventually were allowed to leave the building; they fled to Princeton, New Jersey.

## 1784

**The Western Territories.** Thomas Jefferson headed a committee that proposed a plan for dividing the western territories, providing a temporary government for the West, and devising a

method for new western states to enter the Union on an equal basis with the original states. The plan was adopted, but not put into effect.

**Congress Creates a Board of Finance.** When Robert Morris resigned as superintendent of finance, he was replaced by a Board of Finance consisting of three commissioners.

**New York the Temporary Capital.** Congress decided to make New York City the temporary capital of the United States, until the location of a permanent federal city was decided upon.

## 1785

**Congress Lacks Power over Commerce.** When American commissioners attempted to make trade arrangements with Britain, the British Ambassador refused, because any state could decline to abide by Congress's trade regulations. The inability of Congress to regulate commerce on a national scale led to the formation of a committee dedicated to appealing to the states to grant Congress enlarged powers over commerce. Despite these attempts, no effective action was taken.

**Conference at Mount Vernon.** Several commissioners from Virginia and Maryland met at Mount Vernon, the home of George Washington, to discuss regulation of trade between the two states. At the meeting's conclusion, the commissioners suggested that all the states meet at a convention in Annapolis to discuss common commercial problems.

**Basic Land Ordinance.** Congress arranged for surveys to divide the western territories into townships, with one lot in each town set aside as a site for a public school.

## 1786

**The Virginia Statute for Religious Freedom.** The Virginia House of Burgesses passed a statute, written by Thomas Jefferson in 1779 and sponsored by James Madison, declaring that no person should be discriminated against because of religious belief, or compelled to join or support any church. This statute helped shape the First Amendment of the United States Constitution.

**Attempts to Revise the Articles of Confederation.** In Congress, Charles Pinckney proposed a revision of the Articles of Confederation. A committee debated the question, and recommended several changes, including granting Congress power over foreign and domestic commerce, and enabling Congress to collect money owed by the states. Under the Articles, unanimous approval from all thirteen states would be necessary to pass the suggested changes. Doubting that all the states would ever agree, Congress never acted.

**Annapolis Convention.** Nine states agreed to send delegates to Annapolis to discuss commerce, but only five state delegations arrived on time. Because of the poor attendance, the delegates decided to invite the states to another convention. Alexander Hamilton drafted an address to the states, inviting them to a convention to be held in Philadelphia in 1787, to discuss not only commerce, but all matters necessary to improve the federal government. After debate, on February 21, 1787, Congress endorsed the plan to revise the Articles of Confederation.



**1787**

**The Constitutional Convention.** Every state but Rhode Island sent delegates to the Constitutional Convention in Philadelphia. The gathering included some of the most respected and talented men in America. George Washington was named president.

Edmund Randolph proposed the "Virginia Plan," drafted by James Madison -- a plan that recommended an entirely new form of government, including an executive, a judiciary, and a legislature composed of two houses and including a number of representatives from each state based on their population.

Opposition came from the small states, which feared domination by the more populous states in the legislature. William Paterson proposed the "New Jersey Plan," which essentially revised the Articles of Confederation, preserving equal representation of the states. After much debate, the Convention rejected the New Jersey Plan, deciding instead to work toward an entirely new form of government.

The issue of representation in the two houses of the new national legislature became a major sticking point for the Convention. Roger Sherman was helpful in framing the "Connecticut Compromise," a plan that suggested representation in the lower house (the House of Representatives) based on population, and equal representation in the upper house (the Senate). With this compromise, the Convention succeeded in completing a rough draft of a constitution.

A Committee of Style was appointed to create a final draft; Gouverneur Morris was chosen to write it. After carefully reviewing the draft, the Convention approved the Constitution on September 17. After signing it and sending it to Congress, the Convention adjourned.

**Northwest Ordinance.** While the Constitutional Convention debated a new government, Congress decided upon a plan for governing all western territories north of the Ohio River. The Northwest Ordinance provided for a plan of government, the creation of states, the acceptance of each new state as an equal of the original states, freedom of religion, right to a trial by jury, public support of education, and the prohibition of slavery. Arthur St. Clair was named first governor of the territory.

**Congress Receives the Constitution.** Although some congressmen were displeased at the Convention for doing far more than revising the Articles of Confederation, on September 28 Congress agreed to pass the Constitution on to the states, so each could debate it in separate ratifying conventions. Nine states had to agree to the new Constitution for it to go into effect.

**"The Federalist."** Supporters of the Constitution -- Federalists -- and opponents of the Constitution -- Antifederalists -- fought fiercely in the press. Seventy-seven essays, written anonymously by "Publius," appeared in New York newspapers, explaining and defending the new Constitution. These essays, published in book form with eight additional essays, were titled *The Federalist*. Written by Alexander Hamilton, James Madison, and John Jay, *The Federalist* was the most organized, coherent effort to defend the Constitution.

**1788**

**The Constitution Is Ratified by Nine States.** On June 21, New Hampshire became the ninth state to ratify the new Constitution, making its adoption official. Preceding New Hampshire were Delaware, Pennsylvania, New Jersey, Georgia, Connecticut, Massachusetts, Maryland, and South Carolina. Virginia and New York ratified shortly after New Hampshire, followed by North Carolina in November 1789. Rhode Island was last to ratify, not joining the Union until May 1790.

**Congress Steps Aside for a New Government.** On July 2, Congress announced that the Constitution had been adopted. By September, a committee had prepared for the change in government, naming New York City as the temporary official capital, and setting dates for elections and for the meeting of the first Congress under the new Constitution. Congress completed its business on October 10. Its last action was the granting of ten square miles of land to Congress for a federal town.

## **Amendments to the Constitution**

Articles in addition to, and Amendment of, the Constitution of the United States of America, proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth Article of the Original Constitution.

### **THE TEN ORIGINAL AMENDMENTS**

The first ten amendments to the Constitution were proposed by Congress Sept. 25, 1789, and became effective Dec. 15, 1791. Together they are known as the **Bill of Rights**, though only the first eight amendments guarantee individuals specific rights and liberties.

#### **Amendment 1**

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

#### **Amendment 2**

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

#### **Amendment 3**

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

#### **Amendment 4**

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

#### **Amendment 5**

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

#### **Amendment 6**

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

#### **Amendment 7**

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

#### **Amendment 8**

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

#### **Amendment 9**

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

#### **Amendment 10**

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

### **LATER AMENDMENTS**

An amendment to the Constitution becomes effective when three fourths of the states have ratified it. The dates given for the following amendments are the days on which the certificates of adoption (formerly called proclamations) were published.

**Amendment 11**  
**(Jan. 8, 1798)**

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

**Amendment 12**  
**(Sept. 25, 1804)**

The Electors shall meet in their respective states, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which list they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;--The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;--The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.--The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

**Amendment 13**  
**(Dec. 18, 1865)**

Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2. Congress shall have power to enforce this article by appropriate legislation.

**Amendment 14**  
**(July 28, 1868)**

Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Section 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two thirds of each House, remove such disability.

Section 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

Section 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

**Amendment 15**  
**(March 30, 1870)**

Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude--

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

**Amendment 16**  
**(Feb. 25, 1913)**

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

**Amendment 17**  
**(May 31, 1913)**

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

**Amendment 18**  
**(Jan. 29, 1919; repealed Dec. 5, 1933)**

Section 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

Section 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

**Amendment 19**  
**(Aug. 26, 1920)**

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Congress shall have power to enforce this article by appropriate legislation.

**Amendment 20**  
**(Feb. 6, 1933)**

Section 1. The terms of the President and Vice-President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the third day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

Section 2. The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the third day of January, unless they shall by law appoint a different day.

Section 3. If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice-President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice-President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice-President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice-President shall have qualified.

Section 4. The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice-President whenever the right of choice shall have devolved upon them.

Section 5. Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

Section 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three fourths of the several States within seven years from the date of its submission.

**Amendment 21**  
**(Dec. 5, 1933)**

Section 1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

Section 2. The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

**Amendment 22**  
**(March 1, 1951)**

Section 1. No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term.

Section 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three fourths of the several States within seven years from the date of its submission to the States by the Congress.

**Amendment 23**  
**(April 3, 1961)**

Section 1. The District constituting the seat of Government of the United States shall appoint in such manner as the Congress may direct:

A number of electors of President and Vice-President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice-President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

**Amendment 24**  
**(Feb. 4, 1964)**

Section 1. The right of citizens of the United States to vote in any primary or other election for President or Vice-President, for electors for President or Vice-President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

**Amendment 25**  
**(Feb. 10, 1967)**

Section 1. In case of the removal of the President from office or his death or resignation, the Vice-President shall become President.



Section 2. Whenever there is a vacancy in the office of the Vice-President, the President shall nominate a Vice-President who shall take the office upon confirmation by a majority vote of both houses of Congress.

Section 3. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice-President as Acting President.

Section 4. Whenever the Vice-President and a majority of either the principal officers of the executive departments, or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice-President shall immediately assume the powers and duties of the office as Acting President.

Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice-President and a majority of either the principal officers of the executive department, or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within 48 hours for that purpose if not in session. If the Congress, within 21 days after receipt of the latter written declaration, or, if Congress is not in session, within 21 days after Congress is required to assemble, determines by two-thirds vote of both houses that the President is unable to discharge the powers and duties of his office, the Vice-President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.

**Amendment 26  
(June 30, 1971)**

Section 1. The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or any state on account of age.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

**Amendment 27  
(May 7, 1992)**

No law, varying the compensation for the services of Senators and Representatives, shall take effect until an election of Representatives shall have intervened.

## DECLARING INDEPENDENCE: DRAFTING THE DOCUMENTS

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### Chronology Of Events: June 7, 1776 to January 18, 1777

#### 1776

**June 7** -- Congress, meeting in Philadelphia, receives Richard Henry Lee's resolution urging Congress to declare independence.

**June 11** -- Thomas Jefferson, John Adams, Benjamin Franklin, Roger Sherman, and Robert R. Livingston appointed to a committee to draft a declaration of independence. American army retreats to Lake Champlain from Canada.

**June 12 - 27** -- Jefferson, at the request of the committee, drafts a declaration, of which only a fragment exists. Jefferson's clean, or "fair" copy, the "original Rough draught," is reviewed by the committee. Both documents are in the manuscript collections of the Library of Congress.

**June 28** -- A fair copy of the committee draft of the Declaration of Independence is read in Congress.

**July 1 - 4** -- Congress debates and revises the Declaration of Independence.

**July 2** -- Congress declares independence as the British fleet and army arrive at New York.

**July 4** -- Congress adopts the Declaration of Independence in the morning of a bright, sunny, but cool Philadelphia day. John Dunlap prints the Declaration of Independence. These prints are now called "Dunlap Broadside." Twenty-four copies are known to exist, two of which are in the Library of Congress. One of these was Washington's personal copy.

**July 5** -- John Hancock, president of the Continental Congress, dispatches the first of Dunlap's broadsides of the Declaration of Independence to the legislatures of New Jersey and Delaware.

**July 6** -- *Pennsylvania Evening Post* of July 6 prints the first newspaper rendition of the Declaration of Independence.

**July 8** -- The first public reading of the Declaration is in Philadelphia.

**July 9** -- Washington orders that the Declaration of Independence be read before the American army in New York -- from his personal copy of the "Dunlap Broadside."

**July 19** -- Congress orders the Declaration of Independence engrossed (officially inscribed) and signed by members.

**August 2** -- Delegates begin to sign engrossed copy of the Declaration of Independence. A large British reinforcement arrives at New York after being repelled at Charleston, S.C.

#### 1777

**January 18** -- Congress, now sitting in Baltimore, Maryland, orders that signed copies of the Declaration of Independence printed by Mary Katherine Goddard of Baltimore be sent to the states.

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## Drafting the Documents:

Thomas Jefferson drafted the Declaration of Independence in Philadelphia behind a veil of Congressionally imposed secrecy in June 1776 for a country wracked by military and political uncertainties. In anticipation of a vote for independence, the Continental Congress on June 11 appointed Thomas Jefferson, John Adams, Benjamin Franklin, Roger Sherman, and Robert R. Livingston as a committee to draft a declaration of independence. The committee then delegated Thomas Jefferson to undertake the task. Jefferson worked diligently in private for days to compose a document. Proof of the arduous nature of the work can be seen in the fragment of the first known composition draft of the declaration, which is on public display here for the first time.

Jefferson then made a clean or "fair" copy of the composition declaration, which became the foundation of the document, labeled by Jefferson as the "original Rough draught." Revised first by Adams, then by Franklin, and then by the full committee, a total of forty-seven alterations including the insertion of three complete paragraphs was made on the text before it was presented to Congress on June 28. After voting for independence on July 2, the Congress then continued to refine the document, making thirty-nine additional revisions to the committee draft before its final adoption on the morning of July 4. The "original Rough draught" embodies the multiplicity of corrections, additions and deletions that were made at each step. Although most of the alterations are in Jefferson's handwriting (Jefferson later indicated the changes he believed to have been made by Adams and Franklin), quite naturally he opposed many of the changes made to his document.

Congress then ordered the Declaration of Independence printed and late on July 4, John Dunlap, a Philadelphia printer, produced the first printed text of the Declaration of Independence, now known as the "Dunlap Broadside." The next day John Hancock, the president of the Continental Congress, began dispatching copies of the Declaration to America's political and military leaders. On July 9, George Washington ordered that his personal copy of the "Dunlap Broadside," sent to him by John Hancock on July 6, be read to the assembled American army at New York. In 1783 at the war's end, General Washington brought his copy of the broadside home to Mount Vernon. This remarkable document, which has come down to us only partially intact, is accompanied in this exhibit by a complete "Dunlap Broadside" -- one of only twenty-four known to exist.

**On July 19**, Congress ordered the production of an engrossed (officially inscribed) copy of the Declaration of Independence, which attending members of the Continental Congress, including some who had not voted for its adoption, began to sign on August 2, 1776. This document is on permanent display at the National Archives.

**On July 4, 1995**, more than two centuries after its composition, the Declaration of Independence, just as Jefferson predicted on its fiftieth anniversary in his letter to Roger C. Weightman, towers aloft as "the signal of arousing men to burst the chains...to assume the blessings and security of self-government" and to restore "the free right to the unbounded exercise of reason and freedom of opinion."

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### **Letter of June 24, 1826, from Thomas Jefferson to Roger C. Weightman, declining to attend the celebration of the fiftieth anniversary of the Declaration of Independence in the District of Columbia**

Jefferson's letter to Weightman is considered one of the sublime exaltations of individual and national liberty -- Jefferson's vision of the Declaration of Independence and the American nation as signals to the world of the blessings of self-government. This was the last letter written by Jefferson, who died ten days

later, on July 4, 1826. Coincidentally, John Adams, another great defender of liberty, died on the same day.

## **Declaration of Independence**

### **Chronology of Events of the Declaration of Independence** **June 7th 1776 to January 18th 1777**



### **History of the Declaration of Independence**

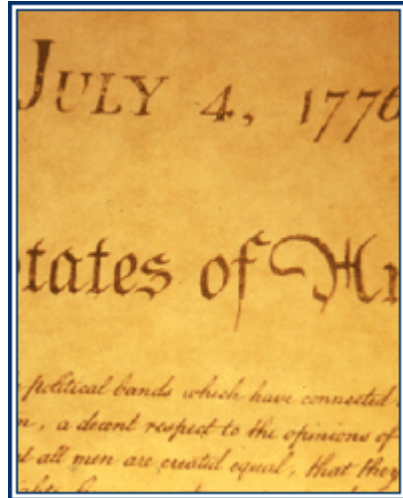
**In Congress, July 4, 1776**



**Reading The Declaration of Independence**



Signing the Declaration



July 4th 1776 - Independence Day



Signing the Declaration of Independence

## The unanimous Declaration of the thirteen united States of America

When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just Powers from the consent of the governed, -- That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty,

to throw off such Government, and to provide new guards for their future security -- Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. -- The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let facts be submitted to a candid world.

He has refused his Assent to Laws, the most wholesome and necessary for the public good.

He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their Public Records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative Powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.

He has endeavoured to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary Powers.

He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of New Offices, and sent hither swarms of Officers to harrass our People, and eat out their substance.

He has kept among us, in times of peace, Standing Armies without the Consent of our legislatures.

He has affected to render the Military independent of and superior to the Civil Power.

**He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation:**

**For Quartering large bodies of armed troops among us:**

**For protecting them, by a mock Trial, from Punishment for any Murders which they should commit on the Inhabitants of these States:**

**For cutting off our Trade with all parts of the world:**

**For imposing Taxes on us without our Consent:**

**For depriving us in many cases, of the benefits of Trial by Jury:**

**For transporting us beyond seas to be tried for pretended offences:**

**For abolishing the free system of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies:**

**For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the forms of our Governments:**

**For suspending our own Legislature, and declaring themselves invested with power to legislate for us in all cases whatsoever.**

**He has abdicated Government here, by declaring us out of his Protection and waging War against us.**

**He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people.**

**He is at this time transporting large Armies of foreign Mercenaries to compleat the works of death, desolation and tyranny, already begun with circumstances of Cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation.**

**He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.**

**He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.**

In every stage of these Oppressions we have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince, whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people.

Nor have we been wanting in attention to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which, would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.

We, therefore, the Representatives of the united States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be Free and Independent States; that they are absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do.

And for the support of this Declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

Signors

**John Hancock**

Button Gwinnett  
Lyman Hall  
Geo. Walton

Wm. Hooper  
Joseph Hewes  
John Penn  
Edward Rutledge  
Thos. Heyward, Junr.  
Thomas Lynch, Junr.

Arthur Middleton

Robt. Morris  
Benjamin Rush  
Benja. Franklin  
John Morton  
Geo. Clymer  
Jas. Smith  
Geo. Taylor  
James Wilson  
Geo. Ross  
Caesar Rodney  
Geo. Read

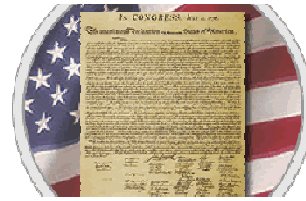
Josiah Bartlett  
Wm. Whipple  
Saml. Adams  
John Adams  
Robt. Treat Paine  
Elbridge Gerry  
Step. Hopkins  
William Ellery  
Roger Sherman  
Samuel Huntington  
Wm. Williams  
Oliver Wolcott

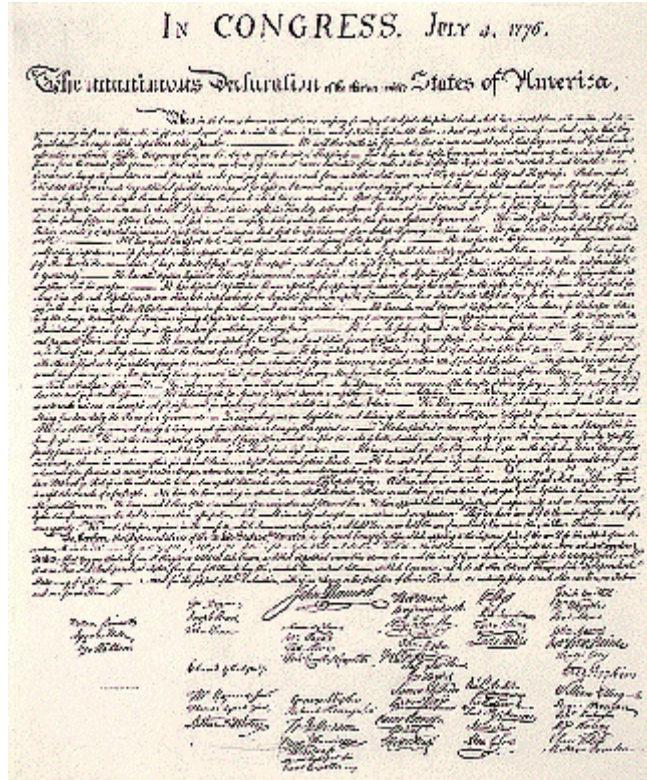


**Samuel Chase  
Wm. Paca  
Thos. Stone  
Charles Carroll of  
Carrollton  
George Wythe  
Richard Henry Lee  
Th. Jefferson  
Benja. Harrison  
Thos. Nelson, Jr.  
Francis Lightfoot Lee  
Carter Braxton**

**Tho. Mckean  
Wm. Floyd  
Phil. Livingston  
Frans. Lewis  
Lewis Morris  
Richd. Stockton  
Jno. Witherspoon  
Fras. Hopkinson  
John Hart  
Abra. Clark**

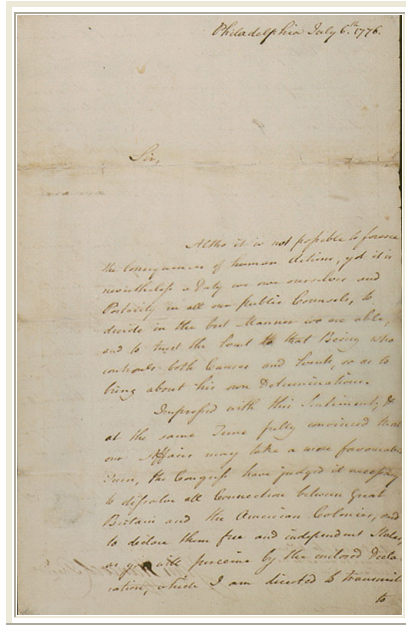
**Matthew Thornton**



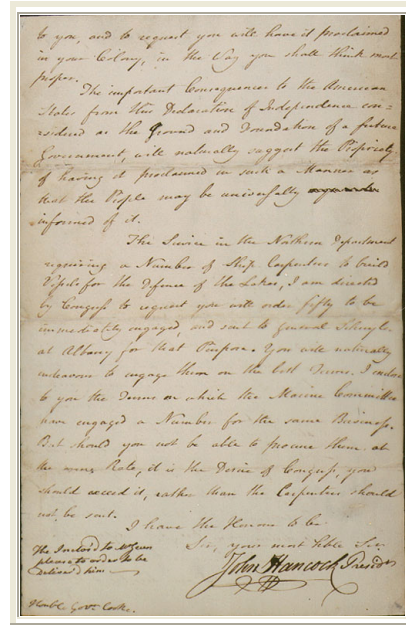


**John Hancock. Letter, Signed, to Governor Nicholas Cooke of Rhode Island. Philadelphia, July 6, 1776**

Once written, agreed upon and printed, the Declaration of Independence needed to be disseminated throughout the American Colonies. In this letter, **John Hancock**, President of the Continental Congress, advises Governor Cooke of the decision to "dissolve all Connection between Great Britain and the American Colonies" and requests that the Governor make public within the colony of Rhode Island the enclosed "Declaration." **Hancock** also asks Cooke to engage ship carpenters for the construction of vessels required for the defense of the new American States.



[click for larger image](#)



**Philadelphia**

**July 6th 1776**

Sir,

Altho it is not possible to foresee the Consequences of human Actions, yet it is nonetheless a Duty we owe ourselves and Posterity in all our public Counsels, to decide in the best Manner we are able, and to trust the load to that Being who controls both Causes and Events, so as to bring about his own Determination.

Impressed with this Sentiment, & at the same Time fully convinced that our Affairs may take a more favourable Turn, the Congress have judged it necessary to dissolve all Connection between Great Britain and the American Colonies, and to declare them free and independent States; as you will perceive by the enclosed Declaration, which I am directed to transmit to you, and to request you will have it proclaimed in your Colony, in the Way you shall think most proper.

The important Consequences to the American States from this Declaration of Independence considered as the Ground and Foundation of a future Government, will naturally suggest the Propriety of having it proclaimed in such a Manner as that the People may be universally informed of it.

The Services in the Northern Department requiring a Number of Ship Carpenters to build Vessels for the Defense of the Lakes, I am directed by Congress to request you will order fifty to be immediately engaged, and sail to General Schuyler at Albany for that Purpose. You will naturally endeavour to engage them on the best Terms. I enclose to you the Terms on which the Marine Committee have engaged a Number for the same Business. But should you not be able to

procure them at the same Rate, it is the Desire of Congress, you should exceed it, rather than the Carpenters should not be sent.

I have the Honour to be, Sir, your most h[um]ble Ser[vant]

**John Hancock**, President

The enclosed to be given  
please to order to be Deliver'd him.

Hon[oura]ble Govr. Cooke.

## **George Washington - 1st President of the United States** **April 30, 1789 to March 4, 1797**

**Born: February 22, 1732, Wakefield, Virginia**

**Died: December 14, 1799, Mount Vernon, Virginia (Laryngitis - 67)**

**Interred: Mount Vernon, Virginia**

**57 years old, Episcopalian, Surveyor, Soldier, Farmer, Federalist**

**Parents: Augustine and Mary (Ball) Washington**

**Married: January 6, 1759, to Martha (Dandridge) Curtis of Virginia**

**Children: None**

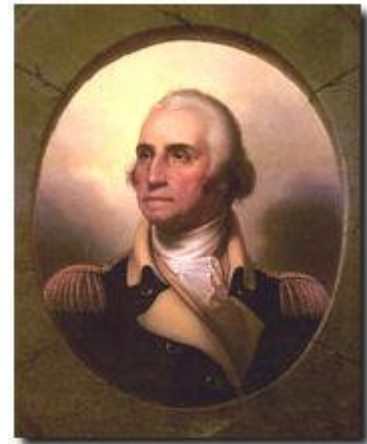
**Also served:**

**Virginia House of Burgesses (1758 - 17??)  
President of Constitutional Convention**

**Vice President: John Adams of Massachusetts**

**Facts:**

**Only President to be elected Unanimously  
Only President to never live in Washington, D.C.  
Only President to die during the 1700's  
Owned estates in Virginia, Kentucky & Ohio  
Nicknamed the "Father of his country"**



View the [Papers of George Washington at the University of Virginia](#)

Visit [Mount Vernon](#), George Washington's home

[General George Washington's participation in the American Revolution](#)

[1st Inaugural Address of President George Washington](#)

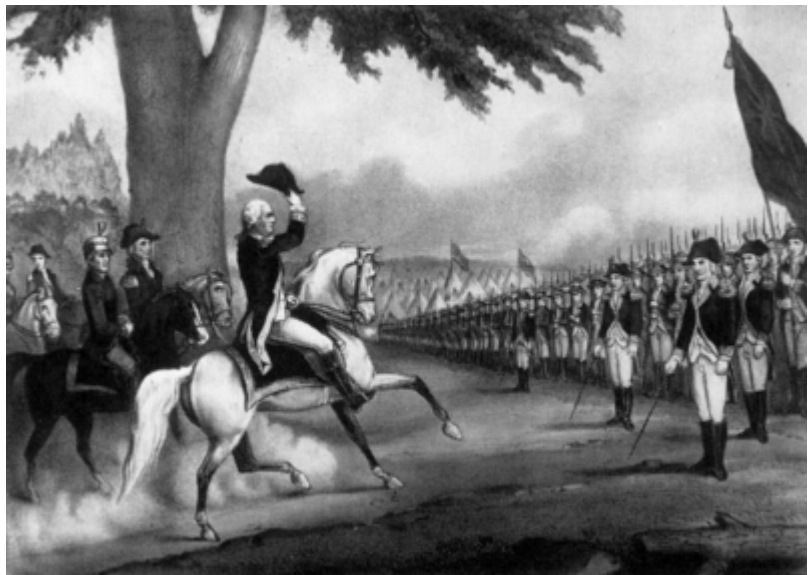
[2nd Inaugural Address of President George Washington](#)

[Read Washington's Farewell Address](#)

### **Washington Taking Control of the American Army**

*Description:* "Washington Taking Control of the American Army, at Cambridge, Mass. July 1775." Copy of lithograph by Currier & Ives, 1876.

*Keywords:* Revolutionary War  
*Credit:* National Archives and Records Administration



[20 Things You Didn't Know About U.S. Presidents](#)

## **GEORGE WASHINGTON**

### **Biography**

On April 30, 1789, George Washington, standing on the balcony of Federal Hall on Wall Street in New York, took his oath of office as the first President of the United States. "As the first of every thing, in our situation will serve to establish a Precedent," he wrote James Madison, "it is devoutly wished on my part, that these precedents may be fixed on true principles."

Born in 1732 into a Virginia planter family, he learned the morals, manners, and body of knowledge requisite for an 18th century Virginia gentleman.

He pursued two intertwined interests: military arts and western expansion. At 16 he helped survey Shenandoah lands for Thomas, Lord Fairfax. Commissioned a lieutenant colonel in 1754, he fought the first skirmishes of what grew into the French and Indian War. The next year, as an

aide to Gen. Edward Braddock, he escaped injury although four bullets ripped his coat and two horses were shot from under him.

From 1759 to the outbreak of the American Revolution, Washington managed his lands around Mount Vernon and served in the Virginia House of Burgesses. Married to a widow, Martha Dandridge Custis, he devoted himself to a busy and happy life. But like his fellow planters, Washington felt himself exploited by British merchants and hampered by British regulations. As the quarrel with the mother country grew acute, he moderately but firmly voiced his resistance to the restrictions.

When the Second Continental Congress assembled in Philadelphia in May 1775, Washington, one of the Virginia delegates, was elected Commander in Chief of the Continental Army. On July 3, 1775, at Cambridge, Massachusetts, he took command of his ill-trained troops and embarked upon a war that was to last six grueling years.

He realized early that the best strategy was to harass the British. He reported to Congress, "we should on all Occasions avoid a general Action, or put anything to the Risque, unless compelled by a necessity, into which we ought never to be drawn." Ensuing battles saw him fall back slowly, then strike unexpectedly. Finally in 1781 with the aid of French allies--he forced the surrender of Cornwallis at Yorktown.

Washington longed to retire to his fields at Mount Vernon. But he soon realized that the Nation under its Articles of Confederation was not functioning well, so he became a prime mover in the steps leading to the Constitutional Convention at Philadelphia in 1787. When the new Constitution was ratified, the Electoral College unanimously elected Washington President

He did not infringe upon the policy making powers that he felt the Constitution gave Congress. But the determination of foreign policy became preponderantly a Presidential concern. When the French Revolution led to a major war between France and England, Washington refused to accept entirely the recommendations of either his Secretary of State Thomas Jefferson, who was pro-French, or his Secretary of the Treasury Alexander Hamilton, who was pro-British. Rather, he insisted upon a neutral course until the United States could grow stronger.

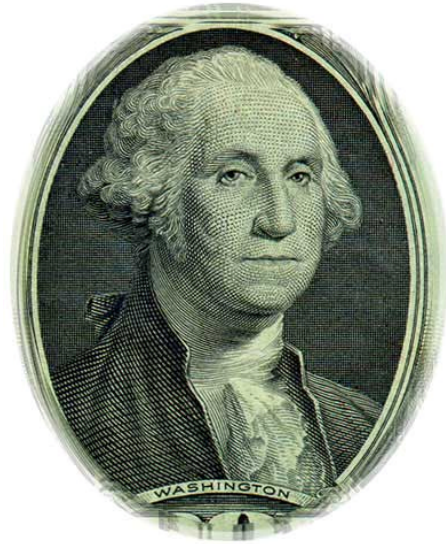
To his disappointment, two parties were developing by the end of his first term. Wearied of politics, feeling old, he retired at the end of his second. In his Farewell Address, he urged his countrymen to forswear excessive party spirit and geographical distinctions. In foreign affairs, he warned against long-term alliances.

Washington enjoyed less than three years of retirement at Mount Vernon, for he died of a throat infection December 14, 1799. For months the Nation mourned him.



**George Washington, Founding Father - Commander in Chief George Washington**





## History Of The Declaration of Independence

The full and formal declaration adopted July 4, 1776, by representatives of the Thirteen Colonies in North America announcing the separation of those colonies from Great Britain and making them into the United States.

### The Road to Its Adoption

Official acts that colonists considered infringements upon their rights had previously led to the Stamp Act Congress (1765) and to the First Continental Congress (1774), but these were predominantly conservative assemblies that sought redress from the crown and reconciliation, not independence. The overtures of the First Continental Congress in 1774 came to nothing, discontent grew, and as the armed skirmishes at Lexington and Concord (April 19, 1775) developed into the American Revolution, many members of the Second Continental Congress of Philadelphia followed the leadership of John Hancock, John Adams, and Samuel Adams in demanding independence.

The delegates from Virginia and North Carolina were in fact specifically instructed on independence and on June 7, 1776, Richard Henry Lee called for a resolution of independence. On June 11, John Adams, Benjamin Franklin, Thomas Jefferson, Robert R. Livingston, and Roger Sherman were instructed to draft such a declaration; the actual writing was entrusted to Jefferson. The first draft was revised by Franklin, Adams, and Jefferson before it was sent to Congress, where it was again changed. That final draft was adopted July 4, 1776, and Independence Day has been the chief American patriotic holiday ever since. It is interesting to note, however, that the July 4 document is merely a fuller statement justifying the resolution of independence adopted by Congress July 2, 1776.



## The Declaration and Its Importance

The Declaration of Independence is the most important of all American historical documents. It is essentially a partisan document, a justification of the American Revolution presented to the world; but its unique combination of general principles and an abstract theory of government with a detailed enumeration of specific grievances and injustices has given it enduring power as one of the great political documents of the West. After stating its purpose, the opening paragraphs (given here in the form used in the engrossed copy) assert the fundamental American ideal of government, based on the theory of natural rights, which had been held by, among others, John Locke, Emerich de Vattel, and Jean Jacques Rousseau.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.—That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed,—That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security.

Then follows an indictment of George III for willfully infringing those rights in order to establish an absolute Tyranny over the colonies. The document states that colonial patience had achieved nothing and therefore the colonists found themselves forced to declare their independence. The stirring closing paragraph is the formal pronouncement of independence and is borrowed from the resolution of July 2.

We, therefore, the Representatives of the united States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the state of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do.—And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our fortunes and our sacred Honor.



## Signers of the Declaration

Not all the men who helped draw up or voted for the Declaration signed it (Robert R. Livingston, for example, did not) nor were all the signers present at its adoption. All the signatures except six (Wythe, R. H. Lee, Wolcott, Gerry, McKean, and Thornton) were affixed on Aug. 2, 1776. The first is that of **John Hancock**, president of the Continental Congress. The remaining 55 (see individual articles on each) are those of Josiah Bartlett, William Whipple, Matthew Thornton, Samuel Adams, John Adams, Robert Treat Paine, Elbridge Gerry, Stephen Hopkins, William Ellery, Roger Sherman, Samuel Huntington, William Williams, Oliver Wolcott, William Floyd, Philip Livingston, Francis Lewis, Lewis Morris, Richard Stockton, John Witherspoon, Francis Hopkinson, John Hart, Abraham Clark, Robert Morris, Benjamin Rush, Benjamin Franklin, John Morton, George Clymer, James Smith, George Taylor, James Wilson, George Ross, Caesar Rodney, George Read, Thomas McKean, Samuel Chase, William Paca, Thomas Stone, Charles Carroll of Carrollton, George Wythe, Richard Henry Lee, Thomas Jefferson, Benjamin Harrison, Thomas Nelson, Jr., Francis Lightfoot Lee, Carter Braxton, William Hooper, Joseph Hewes, John Penn, Edward Rutledge, Thomas Heyward, Jr., Thomas Lynch, Jr., Arthur Middleton, Button Gwinnett, Lyman Hall, and George Walton.

## Bibliography

See studies by J. H. Hazelton (1906, repr. 1970), C. L. Becker (1922, repr. 1962), and F. R. Donovan (1968); Dumas Malone, *The Story of the Declaration of Independence* (1954); David Hawke, *A Transaction of Free Men* (1964); Robert Ginsberg, ed., *A Casebook on the Declaration of Independence* (1967); Garry Wills, *Inventing America: Jefferson's Declaration of Independence* (1979); D. F. Hawke, *A Transaction of Free Men: The Birth and Course of the Declaration of Independence* (1989).

## Text of the United States Constitution\*

**\*Text taken from the literal print issued by the Department of State.**

### Preamble

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

## **Article. I.**

Section. 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section. 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

Section. 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Senate shall chuse their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

Section. 4. The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.

The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by Law appoint a different Day.

Section. 5. Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

Section. 6. The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been encreased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

Section. 7. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

Section. 8. The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow Money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;--And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

Section. 9. The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

No Bill of Attainder or ex post facto Law shall be passed.

No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken.

No Tax or Duty shall be laid on Articles exported from any State.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another: nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

Section. 10. No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing it's inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.

No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

## **Article. II.**

Section. 1. The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this Purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice President.

The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.

In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be increased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:--  
"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

Section. 2. The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive



Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

Section. 3. He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

Section. 4. The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

### **Article. III.**

Section. 1. The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation which shall not be diminished during their Continuance in Office.

Section. 2. The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;--to all Cases affecting Ambassadors, other public Ministers and Consuls;--to all Cases of admiralty and maritime Jurisdiction;--to Controversies to which the United States shall be a Party;--to Controversies between two or more States;--between a State and Citizens of another State;--between Citizens of different States,--between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases

before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

Section. 3. Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

#### **Article. IV.**

Section. 1. Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

Section. 2. The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.

Section. 3. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

Section. 4. The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

#### **Article. V.**

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

#### **Article. VI.**

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

#### **Article. VII.**

The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

Done in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty seven and of the Independence of the United States of America the Twelfth IN WITNESS whereof We have hereunto subscribed our Names,

## **AMENDMENTS**

The Ten Original Amendments: [The Bill of Rights](#). Passed by Congress September 25, 1789. Ratified December 15, 1791.

### **AMENDMENT I**

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

### **AMENDMENT II**

A well-regulated militia, being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed.

### **AMENDMENT III**

No soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

### **AMENDMENT IV**

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

### **AMENDMENT V**

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

### **AMENDMENT VI**

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

## **AMENDMENT VII**

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.

## **AMENDMENT VIII**

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

## **AMENDMENT IX**

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

## **AMENDMENT X**

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

## **AMENDMENT XI**

Passed by Congress March 4, 1794. Ratified February 7, 1795. The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign state.

## **AMENDMENT XII**

Passed by Congress December 9, 1803. Ratified July 27, 1804. The Electors shall meet in their respective States and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the Government of the United States, directed to the President of the Senate; the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted; - The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, [before the

fourth day of March next following,] < > then the Vice-President shall act as President, as in case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice- President, shall be the Vice-President, if such numbers be a majority of the whole number of electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice- President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

### **AMENDMENT XIII**

Passed by Congress January 31, 1865. Ratified December 6, 1865. Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction. Section 2. Congress shall have power to enforce this article by appropriate legislation.

### **AMENDMENT XIV**

Passed by Congress June 13, 1866. Ratified July 9, 1868 Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor to deny to any person within its jurisdiction the equal protection of the laws. Section 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of Electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State. Section 3. No person shall be a Senator or Representative in Congress, or Elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability. Section 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void. Section 5. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

## **AMENDMENT XV**

Passed by Congress February 26, 1869. Ratified February 3, 1870. Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude. Section 2. The Congress shall have the power to enforce this article by appropriate legislation.

## **AMENDMENT XVI**

Passed by Congress July 2, 1909. Ratified February 3, 1913. The Congress shall have power to lay and collect taxes on incomes, from whatever sources derived, without apportionment among the several States, and without regard to any census or enumeration.

## **AMENDMENT XVII**

Passed by Congress May 13, 1912. Ratified April 8, 1913. The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislatures. When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the Legislature of any State may empower the Executive thereof to make temporary appointments until the people fill the vacancies by election as the Legislature may direct. This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

## **AMENDMENT XVIII**

Passed by Congress December 18, 1917. Ratified January 16, 1919.< > After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the Legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

## **AMENDMENT XIX**

Passed by Congress June 4, 1919. Ratified August 18, 1920. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex. Congress shall have power to enforce this article by appropriate legislation.

## **AMENDMENT XX**

Section 1. The terms of the President and the Vice-President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3rd day of January, of the

years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin. Section 2. The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3rd day of January, unless they shall by law appoint a different day. Section 3. If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice-President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice-President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice-President shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice-President shall have qualified. Section 4. The Congress may by law provide for the case of the death of any of the persons from whom the House of representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice-President whenever the right of choice shall have devolved upon them. Section 5. Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article (October 1933). Section 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the Legislatures of three-fourths of the several States within seven years from the date of its submission.

#### **AMENDMENT XXI**

Passed by Congress February 20, 1933. Ratified December 5, 1933. Section 1. The Eighteenth article of amendment to the Constitution of the United States is hereby repealed. Section 2. The transportation or importation into any State, Territory, or Possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited. Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

#### **AMENDMENT XXII**

Passed by Congress March 21, 1947. Ratified February 27, 1951. No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more that two years of a term to which some other person was elected President shall be elected to the office of President more that once. But this Article shall not apply to any person holding the office of President when this Article was proposed by Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the Legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress.



### **AMENDMENT XXIII**

Passed by Congress June 16, 1960. Ratified March 29, 1961. Section 1. The District constituting the seat of Government of the United States shall appoint in such manner as Congress may direct: A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment. Section 1. The Congress shall have power to enforce this article by appropriate legislation.

### **AMENDMENT XXIV**

Passed by Congress August 27, 1962. Ratified January 23, 1964. Section 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay poll tax or any other tax. Section 2. Congress shall have power to enforce this article by appropriate legislation.

### **AMENDMENT XXV**

Passed by Congress July 6, 1965. Ratified February 10, 1967. Section 1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President. Section 2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take the office upon confirmation by a majority vote of both houses of Congress. Section 3. Whenever the President transmits to the President Pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President. Section 4. Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmits to the President Pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President. Thereafter, when the President transmits to the President Pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmits within four days to the President Pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both houses that the President is unable to discharge

the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.

### **AMENDMENT XXVI**

Passed by Congress March 23, 1971. Ratified June 30, 1971. Section 1. The right of citizens of the United States, who are 18 years of age or older, to vote shall not be denied or abridged by the United States or any state on account of age. Section 2. The Congress shall have power to enforce this article by appropriate legislation.

### **AMENDMENT XXVII**

No law varying the compensation for the services of the Senators and Representatives shall take effect until an election of Representatives shall have intervened.

### **NOTES**

Note 1: This text of the Constitution follows the engrossed copy signed by Gen. Washington and the deputies from 12 States. The small superior figures preceding the paragraphs designate Clauses, and were not in the original and have no reference to footnotes.

The Constitution was adopted by a convention of the States on September 17, 1787, and was subsequently ratified by the several States, on the following dates: Delaware, December 7, 1787; Pennsylvania, December 12, 1787; New Jersey, December 18, 1787; Georgia, January 2, 1788; Connecticut, January 9, 1788; Massachusetts, February 6, 1788; Maryland, April 28, 1788; South Carolina, May 23, 1788; New Hampshire, June 21, 1788.

Ratification was completed on June 21, 1788.

The Constitution was subsequently ratified by Virginia, June 25, 1788; New York, July 26, 1788; North Carolina, November 21, 1789; Rhode Island, May 29, 1790; and Vermont, January 10, 1791.

In May 1785, a committee of Congress made a report recommending an alteration in the Articles of Confederation, but no action was taken on it, and it was left to the State Legislatures to proceed in the matter. In January 1786, the Legislature of Virginia passed a resolution providing for the appointment of five commissioners, who, or any three of them, should meet such commissioners as might be appointed in the other States of the Union, at a time and place to be agreed upon, to take into consideration the trade of the United States; to consider how far a uniform system in their commercial regulations may be necessary to their common interest and their permanent harmony; and to report to the several States such an act, relative to this great object, as, when ratified by them, will enable the United States in Congress effectually to provide for the same. The Virginia commissioners, after some correspondence, fixed the first Monday in September as the time, and the city of Annapolis as the place for the meeting, but only four other States were represented, viz: Delaware, New York, New Jersey, and Pennsylvania; the commissioners appointed by Massachusetts, New Hampshire, North Carolina, and Rhode Island

failed to attend. Under the circumstances of so partial a representation, the commissioners present agreed upon a report, (drawn by Mr. Hamilton, of New York,) expressing their unanimous conviction that it might essentially tend to advance the interests of the Union if the States by which they were respectively delegated would concur, and use their endeavors to procure the concurrence of the other States, in the appointment of commissioners to meet at Philadelphia on the Second Monday of May following, to take into consideration the situation of the United States; to devise such further provisions as should appear to them necessary to render the Constitution of the Federal Government adequate to the exigencies of the Union; and to report such an act for that purpose to the United States in Congress assembled as, when agreed to by them and afterwards confirmed by the Legislatures of every State, would effectually provide for the same.

Congress, on the 21st of February, 1787, adopted a resolution in favor of a convention, and the Legislatures of those States which had not already done so (with the exception of Rhode Island) promptly appointed delegates. On the 25th of May, seven States having convened, George Washington, of Virginia, was unanimously elected President, and the consideration of the proposed constitution was commenced. On the 17th of September, 1787, the Constitution as engrossed and agreed upon was signed by all the members present, except Mr. Gerry of Massachusetts, and Messrs. Mason and Randolph, of Virginia. The president of the convention transmitted it to Congress, with a resolution stating how the proposed Federal Government should be put in operation, and an explanatory letter. Congress, on the 28th of September, 1787, directed the Constitution so framed, with the resolutions and letter concerning the same, to "be transmitted to the several Legislatures in order to be submitted to a convention of delegates chosen in each State by the people thereof, in conformity to the resolves of the convention."

On the 4th of March, 1789, the day which had been fixed for commencing the operations of Government under the new Constitution, it had been ratified by the conventions chosen in each State to consider it, as follows: Delaware, December 7, 1787; Pennsylvania, December 12, 1787; New Jersey, December 18, 1787; Georgia, January 2, 1788; Connecticut, January 9, 1788; Massachusetts, February 6, 1788; Maryland, April 28, 1788; South Carolina, May 23, 1788; New Hampshire, June 21, 1788; Virginia, June 25, 1788; and New York, July 26, 1788.

The President informed Congress, on the 28th of January, 1790, that North Carolina had ratified the Constitution November 21, 1789; and he informed Congress on the 1st of June, 1790, that Rhode Island had ratified the Constitution May 29, 1790. Vermont, in convention, ratified the Constitution January 10, 1791, and was, by an act of Congress approved February 18, 1791, "received and admitted into this Union as a new and entire member of the United States."

Note 2: The part of this Clause relating to the mode of apportionment of representatives among the several States has been affected by Section 2 of amendment XIV, and as to taxes on incomes without apportionment by amendment XVI.

Note 3: This Clause has been affected by Clause 1 of amendment XVII.

Note 4: This Clause has been affected by Clause 2 of amendment XVIII.

Note 5: This Clause has been affected by amendment XX.

Note 6: This Clause has been affected by amendment XXVII.

Note 7: This Clause has been affected by amendment XVI.

Note 8: This Clause has been superseded by amendment XII.

Note 9: This Clause has been affected by amendment XXV.

Note 10: This Clause has been affected by amendment XI.

Note 11: This Clause has been affected by amendment XIII.

Note 12: The first ten amendments to the Constitution of the United States (and two others, one of which failed of ratification and the other which later became the 27th amendment) were proposed to the legislatures of the several States by the First Congress on September 25, 1789. The first ten amendments were ratified by the following States, and the notifications of ratification by the Governors thereof were successively communicated by the President to Congress: New Jersey, November 20, 1789; Maryland, December 19, 1789; North Carolina, December 22, 1789; South Carolina, January 19, 1790; New Hampshire, January 25, 1790; Delaware, January 28, 1790; New York, February 24, 1790; Pennsylvania, March 10, 1790; Rhode Island, June 7, 1790; Vermont, November 3, 1791; and Virginia, December 15, 1791.

Ratification was completed on December 15, 1791.

The amendments were subsequently ratified by the legislatures of Massachusetts, March 2, 1939; Georgia, March 18, 1939; and Connecticut, April 19, 1939.

Note 13: Only the 13th, 14th, 15th, and 16th articles of amendment had numbers assigned to them at the time of ratification.

Note 14: This sentence has been superseded by section 3 of amendment XX.

Note 15: See amendment XIX and section 1 of amendment XXVI.

Note 16: Repealed by section 1 of amendment XXI.

This information has been compiled from the U.S. Code. The U.S. Code is published by the Law Revision Counsel of the U.S. House of Representatives.

Updated October 20, 2004

# Time Line, America During the Age of Revolution, 1764-1775

1764-1775 | [1776-1789](#)

This time line is drawn largely from the work of Richard B. Morris, in particular his *Encyclopedia of American History*.

## 1764

**Sugar Act.** Parliament, desiring revenue from its North American colonies, passed the first law specifically aimed at raising colonial money for the Crown. The act increased duties on non-British goods shipped to the colonies.

**Currency Act.** This act prohibited American colonies from issuing their own currency, angering many American colonists.

**Beginnings of Colonial Opposition.** American colonists responded to the Sugar Act and the Currency Act with protest. In Massachusetts, participants in a town meeting cried out against taxation without proper representation in Parliament, and suggested some form of united protest throughout the colonies. By the end of the year, many colonies were practicing nonimportation, a refusal to use imported English goods.

## 1765

**Quartering Act.** The British further angered American colonists with the Quartering Act, which required the colonies to provide barracks and supplies to British troops.

**Stamp Act.** Parliament's first direct tax on the American colonies, this act, like those passed in 1764, was enacted to raise money for Britain. It taxed newspapers, almanacs, pamphlets, broadsides, legal documents, dice, and playing cards. Issued by Britain, the stamps were affixed to documents or packages to show that the tax had been paid.

**Organized Colonial Protest.** American colonists responded to Parliament's acts with organized protest. Throughout the colonies, a network of secret organizations known as the Sons of Liberty was created, aimed at intimidating the stamp agents who collected Parliament's taxes. Before the Stamp Act could even take effect, all the appointed stamp agents in the colonies had resigned. The Massachusetts Assembly suggested a meeting of all the colonies to work for the repeal of the Stamp Act. All but four colonies were represented. The Stamp Act Congress passed a "Declaration of Rights and Grievances," which claimed that American colonists were equal to all other British citizens, protested taxation without representation, and stated that, without colonial representation in Parliament, Parliament could not tax colonists. In addition, the colonists increased their nonimportation efforts.

## 1766

**Repeal of the Stamp Act.** Although some in Parliament thought the army should be used to enforce the Stamp Act (1765), others commended the colonists for resisting a tax passed by a legislative body in which they were not represented. The act was repealed, and the colonies abandoned their ban on imported British goods.

**Declaratory Act.** The repeal of the Stamp Act did not mean that Great Britain was surrendering any control over its colonies. The Declaratory Act, passed by Parliament on the same day the Stamp Act was repealed, stated that Parliament could make laws binding the American colonies "in all cases whatsoever."

**Resistance to the Quartering Act in New York.** New York served as headquarters for British troops in America, so the Quartering Act (1765) had a great impact on New York City. When the New York Assembly refused to assist in quartering troops, a skirmish occurred in which one colonist was wounded. Parliament suspended the Assembly's powers but never carried out the suspension, since the Assembly soon agreed to contribute money toward the quartering of troops.

## 1767

**Townshend Acts.** To help pay the expenses involved in governing the American colonies, Parliament passed the Townshend Acts, which initiated taxes on glass, lead, paint, paper, and tea.

**Nonimportation.** In response to new taxes, the colonies again decided to discourage the purchase of British imports.

### "Letters from a Farmer in Pennsylvania to the Inhabitants of the British Colonies."

Originally published in a newspaper, this widely reproduced pamphlet by John Dickinson declared that Parliament could not tax the colonies, called the Townshend Acts unconstitutional, and denounced the suspension of the New York Assembly as a threat to colonial liberties.

## 1768

**Massachusetts Circular Letter.** Samuel Adams wrote a statement, approved by the Massachusetts House of Representatives, which attacked Parliament's persistence in taxing the colonies without proper representation, and which called for unified resistance by all the colonies. Many colonies issued similar statements. In response, the British governor of Massachusetts dissolved the state's legislature. **British Troops Arrive in Boston.** Although the Sons of Liberty threatened armed resistance to arriving British troops, none was offered when the troops stationed themselves in Boston.

## 1769

**Virginia's Resolutions.** The Virginia House of Burgesses passed resolutions condemning Britain's actions against Massachusetts, and stating that only Virginia's governor and legislature

could tax its citizens. The members also drafted a formal letter to the King, completing it just before the legislature was dissolved by Virginia's royal governor.

## 1770

**Townshend Acts Cut Back.** Because of the reduced profits resulting from the colonial boycott of imported British goods, Parliament withdrew all of the Townshend Act (1767) taxes except for the tax on tea.

**An End to Nonimportation.** In response to Parliament's relaxation of its taxation laws, the colonies relaxed their boycott of British imported goods (1767).

**Conflict between Citizens and British Troops in New York.** After a leading New York Son of Liberty issued a broadside attacking the New York Assembly for complying with the Quartering Act (1765), a riot erupted between citizens and soldiers, resulting in serious wounds but no fatalities.

**Boston Massacre.** The arrival of troops in Boston provoked conflict between citizens and soldiers. On March 5, a group of soldiers surrounded by an unfriendly crowd opened fire, killing three Americans and fatally wounding two more. A violent uprising was avoided only with the withdrawal of the troops to islands in the harbor. The soldiers were tried for murder, but convicted only of lesser crimes; noted patriot John Adams was their principal lawyer.

## 1772

**Attack on the "Gaspee."** After several boatloads of men attacked a grounded British customs schooner near Providence, Rhode Island, the royal governor offered a reward for the discovery of the men, planning to send them to England for trial. The removal of the "Gaspee" trial to England outraged American colonists.

**Committees of Correspondence.** Samuel Adams called for a Boston town meeting to create committees of correspondence to communicate Boston's position to the other colonies. Similar committees were soon created throughout the colonies.

## 1773

**Tea Act.** By reducing the tax on imported British tea, this act gave British merchants an unfair advantage in selling their tea in America. American colonists condemned the act, and many planned to boycott tea.

**Boston Tea Party.** When British tea ships arrived in Boston harbor, many citizens wanted the tea sent back to England without the payment of any taxes. The royal governor insisted on payment of all taxes. On December 16, a group of men disguised as Indians boarded the ships and dumped all the tea in the harbor.

## 1774

**Coercive Acts.** In response to the Boston Tea Party, Parliament passed several acts to punish Massachusetts. The Boston Port Bill banned the loading or unloading of any ships in Boston harbor. The Administration of Justice Act offered protection to royal officials in Massachusetts, allowing them to transfer to England all court cases against them involving riot suppression or revenue collection. The Massachusetts Government Act put the election of most government officials under the control of the Crown, essentially eliminating the Massachusetts charter of government.

**Quartering Act.** Parliament broadened its previous Quartering Act (1765). British troops could now be quartered in any occupied dwelling.

**The Colonies Organize Protest.** To protest Britain's actions, Massachusetts suggested a return to nonimportation, but several states preferred a congress of all the colonies to discuss united resistance. The colonies soon named delegates to a congress -- the First Continental Congress -- to meet in Philadelphia on September 5.

**The First Continental Congress.** Twelve of the thirteen colonies sent a total of fifty-six delegates to the First Continental Congress. Only Georgia was not represented. One accomplishment of the Congress was the Association of 1774, which urged all colonists to avoid using British goods, and to form committees to enforce this ban.

**New England Prepares for War.** British troops began to fortify Boston, and seized ammunition belonging to the colony of Massachusetts. Thousands of American militiamen were ready to resist, but no fighting occurred. Massachusetts created a Provincial Congress, and a special Committee of Safety to decide when the militia should be called into action. Special groups of militia, known as Minute Men, were organized to be ready for instant action.

## 1775

**New England Restraining Act.** Parliament passed an act banning trade between the New England colonies and any other country besides Great Britain.

**New England Resists.** British troops continued to attempt to seize colonial ammunition, but were turned back in Massachusetts, without any violence. Royal authorities decided that force should be used to enforce recent acts of Parliament; war seemed unavoidable.

**Lexington and Concord.** British troops planned to destroy American ammunition at Concord. When the Boston Committee of Safety learned of this plan, it sent Paul Revere and William Dawes to alert the countryside and gather the Minute Men. On April 19, Minute Men and British troops met at Lexington, where a shot from a stray British gun led to more British firing. The Americans only fired a few shots; several Americans were killed. The British marched on to Concord and destroyed some ammunition, but soon found the countryside swarming with militia. At the end of the day, many were dead on both sides.



**The Second Continental Congress.** The Second Continental Congress convened in Philadelphia on May 10. John Hancock was elected president of Congress.

**George Washington is named commander-in-chief.** On June 10, John Adams proposed that Congress consider the forces in Boston a Continental army, and suggested the need for a general. He recommended George Washington for the position. Congress began to raise men from other colonies to join the army in New England, and named a committee to draft military rules. On June 15, Washington was nominated to lead the army; he accepted the next day. To pay for the army, Congress issued bills of credit, and the twelve colonies represented in the Congress promised to share in repaying the bills.

**Bunker Hill.** On June 12, British General Gage put martial law in effect, and stated that any person helping the Americans would be considered a traitor and rebel. When Americans began to fortify a hill against British forces, British ships in the harbor discovered the activity and opened fire. British troops -- 2,400 in number -- arrived shortly after. Although the Americans -- 1,000 in number -- resisted several attacks, eventually they lost the fortification.

**Olive Branch Petition.** Congress issued a petition declaring its loyalty to the king, George III, and stating its hope that he would help arrange a reconciliation and prevent further hostilities against the colonies. Four months later, King George III rejected the petition and declared the colonies in rebellion.

**Congress Treats with the Indians.** Acting as an independent government, Congress appointed commissioners to create peace treaties with the Indians.

**Congress Creates a Navy.** Congress began to plan for aggressive action against British ships stocked with ammunition. It authorized the building of four armed ships, and began to formulate rules for a navy. On December 22, Congress named Esek Hopkins commodore of the fledgling American navy. Soon after, Congress authorized privateering, and issued rules for dealing with enemy vessels and plunder.

**Congress Searches for Foreign Aid.** When a congressional committee began to investigate the possibility of foreign aid in the war against Great Britain, France expressed interest.

## **Questions and Answers Pertaining to the U.S. Constitution**

**Q. In what language was Magna Carta written, and to whom was it addressed?**

A. It was written in Latin and was addressed "To the archbishops, bishops, abbots, earls, barons, justices, foresters, sheriffs, reeves, ministers, and to all bailiffs, and faithful subjects."

**Q. What part of the world was first called America?**

A. The name "America" was first applied to Central Brazil, in honor of Amerigo Vespucci, who claimed its discovery. It was first applied to the whole known western world by Mercator, the geographer, in 1538.

**Q. When did the phrase, "The United States of America," originate?**

A. The first known use of the formal term "United States of America" was in the Declaration of Independence. Thomas Paine, in February, 1776, had written of "Free and independent States of America." The terms "United Colonies," "United Colonies of America," "United Colonies of North America," and also "States," were used in 1775 and 1776.

**Q. How were deputies to the Constitutional Convention chosen?**

A. They were appointed by the legislatures of the different States.

**Q. Were there any restrictions as to the number of deputies a State might send?**

A. No.

**Q. Which State did not send deputies to the Constitutional Convention?**

A. Rhode Island and Providence Plantations.

**Q. Were the other twelve States represented throughout the Constitutional Convention?**

A. No. Two of the deputies from New York left on July 10, 1787, and after that Hamilton, the third deputy, when he was in attendance did not attempt to cast the vote of his State. The New Hampshire deputies did not arrive until July 23, 1787; so that there never was a vote of more than eleven States.

**Q. Where and when did the deputies to the Constitutional Convention assemble?**

A. In Philadelphia, in the State House where the Declaration of Independence was signed. The meeting was called for May 14, 1787, but a quorum was not present until May 25.

**Q. About how large was the population of Philadelphia?**

A. The census of 1790 gave it 28,000; including its suburbs, about 42,000.

**Q. What was the average age of the deputies to the Constitutional Convention?**

A. About 44.

**Q. Who were the oldest and youngest members of the Constitutional Convention?**

A. Benjamin Franklin, of Pennsylvania, then 81; and Jonathan Dayton, of New Jersey, 26.

**Q. How many lawyers were members of the Constitutional Convention?**

A. There were probably 34, out of 55, who had at least made a study of the law.

**Q. From what classes of society were the members of the Constitutional Convention drawn?**

A. In addition to the lawyers, there were soldiers, planters, educators, ministers, physicians, financiers, and merchants.

**Q. How many members of the Constitutional Convention had been members of the Continental Congress?**

A. Forty, and two others were later members.

**Q. Were there any members of the Constitutional Convention who never attended any of its meetings?**

A. There were nineteen who were never present. Some of these declined, others merely neglected the duty.

**Q. Were the members of the Constitutional Convention called "delegates" or "deputies," and is there any distinction between the terms?**

A. Some of the States called their representatives; some, "deputies"; and some, "commissioners," the terms being often mixed. In the Convention itself they were always referred to as "deputies." Washington, for example, signed his name as "deputy from Virginia." The point is simply that whatever they called themselves, they were representatives of their States. The general practice of historians is to describe them as "delegates."

**Q. Who was called the "Sage of the Constitutional Convention"?**

A. Benjamin Franklin, of Pennsylvania.

**Q. Who was called the "Father of the Constitution"?**

A. James Madison, of Virginia, because in point of erudition and actual contributions to the formation of the Constitution he was preeminent.

**Q. Was Thomas Jefferson a member of the Constitutional Convention**

A. No. Jefferson was American Minister to France at the time of the Constitutional Convention.

**Q. What did Thomas Jefferson have to do with framing the Constitution?**

A. Although absent from the Constitutional Convention and during the period of ratification, Jefferson rendered no inconsiderable service to the cause of Constitutional Government, for it was partly through his insistence that the Bill of Rights, consisting of the first ten amendments, was adopted.

**Q. Who presided over the Constitutional Convention?**

A. George Washington, chosen unanimously.

**Q. How long did it take to frame the Constitution?**

A. It was drafted in fewer than one hundred working days.

**Q. How much was paid for the journal kept by Madison during the Constitutional Convention?**

A. President Jackson secured from Congress in 1837 an appropriation of \$30,000 with which to buy Madison's journal and other papers left by him.

**Q. Was there harmony in the Convention?**

A. Serious conflicts arose at the outset, especially between those representing the small and large States.

**Q. Who presented the Virginia Plan?**

A. Edmund Randolph.

**Q. What was the Connecticut Compromise?**

A. This was the first great compromise of the Constitutional Convention, whereby it was agreed that in the Senate each State should have two members, and that in the House the number of Representatives was to be based upon population. Thus the rights of the small States were safeguarded, and the majority of the population was to be fairly represented.

**Q. Who actually wrote the Constitution?**

A. In none of the relatively meager records of the Constitutional Convention is the literary authorship of any part of the Constitution definitely established. The deputies debated proposed plans until, on July 24, 1787, substantial agreement having been reached, a Committee of Detail was appointed, consisting of John Rutledge, of South Carolina; Edmund Randolph, of Virginia; Nathaniel Gorham, of Massachusetts; Oliver Ellsworth, of Connecticut; and James Wilson, of Pennsylvania, who on August 6 reported a draft which included a Preamble and twenty-three articles, embodying fifty-seven sections. Debate continued until September 8, when a new

Committee of Style was named to revise the draft. This committee included William Samuel Johnson, of Connecticut; Alexander Hamilton, of New York; Gouverneur Morris, of Pennsylvania; James Madison, of Virginia; and Rufus King, of Massachusetts, and they reported the draft in approximately its final shape on September 12. The actual literary form is believed to be largely that of Morris, and the chief testimony for this is in the letters and papers of Madison, and Morris's claim. However, the document in reality was built slowly and laboriously, with not a piece of material included until it has been shaped and approved. The preamble was written by the Committee of Style.

**Q. Who was the penman who, after the text of the Constitution had been agreed on, engrossed it prior to the signing?**

A. [Jacob Shallus](#) who, at the time, was assistant clerk of the Pennsylvania State Assembly, and whose office was in the same building in which the Convention was held.

**Q. Does his name appear on the document or in any of the papers pertaining to its preparation?**

A. No. In the financial memoranda there is an entry of \$30 for "clerks employed to transcribe & engross."

**Q. When and how was the identity of the engrosser determined?**

A. In 1937, on the occasion of the 150th anniversary of the Constitution. His identity was determined after a long and careful search of collateral public documents, and is here disclosed for the first time.

**Q. Where did Shallus do the engrossing?**

A. There is no record of this, but probably in Independence Hall.

**Q. Did he realize the importance of the work he had done?**

A. Probably not; when he died, in 1796, the Constitution had not yet come to be the firmly established set of governmental principles it since has become.

**Q. Did some of the deputies to the Constitutional Convention refuse to sign the Constitution?**

A. Only thirty-nine signed. Fourteen deputies had departed for their homes, and three--Randolph and Mason, of Virginia, and Gerry, of Massachusetts--refused to sign. One of the signatures is that of an absent deputy, John Dickinson, of Delaware, added at his request by George Read, who also was from Delaware.

**Q. How can it be said that the signing of the Constitution was unanimous, when the deputies of only twelve States signed and some delegates refused to sign?**

A. The signatures attest the "Unanimous Consent of the States present." The voting was by States, and the vote of each State that of a majority of its deputies. Hamilton signed this attestation for New York, though as he was the only deputy of the State present he had not been able to cast the vote of his State for the consent, only eleven States voting on the final question. There is an even greater discrepancy about the Signers of the Declaration of Independence. Some seven or eight members present on July 4 never signed; seven Signers, including Richard Henry Lee, of Virginia, who proposed the resolution of independence, were not present on the day; and eight other Signers were not members of Congress until after July 4.

**Q. Did George Washington sign the Declaration of Independence?**

A. No. He had been appointed Commander-in-Chief of the Continental Army more than a year before and was at the time with the army in New York City.

**Q. What are the exact measurements of the originals of the Declaration of Independence and of the Constitution of the United States?**

A. The Declaration of Independence: 29 7/8 in. by 24 7/16 in.; The Constitution: four sheets, approximately 28 3/4 in. by 23 5/8 in. each.

**Q. How many words are there in the texts in the present volume, and how long does it take to read them?**

A. The Constitution has 4,543 words, including the signatures but not the certificate on the interlineations; and takes about half an hour to read. The Declaration of Independence has 1,458 words, with the signatures, but is slower reading, as it takes about ten minutes. The Farewell Address has 7,641 words and requires forty-five minutes to read.

**Q. What party names were given to those who favored ratification and to those who opposed it?**

A. Those who favored ratification were called Federalists; those who opposed, Antifederalists.

**Q. In ratifying the Constitution, did the people vote directly?**

A. No. Ratification was by special State conventions (Art. VII).

**Q. The vote of how many States was necessary to ratify the Constitution?**

A. Nine (Art. VII).

**Q. In what order did the States ratify the Constitution?**

A. In the following order: Delaware, Pennsylvania, New Jersey, Georgia, Connecticut, Massachusetts, Maryland, South Carolina, New Hampshire, Virginia, and New York. After Washington had been inaugurated, North Carolina and Rhode Island ratified.

**Q. After the Constitution was submitted for ratification, where did the greatest contests occur?**

A. In Massachusetts, Virginia, and New York.

**Q. In each instance what was the vote?**

A. New York ratified the Constitution by a majority of three votes 30 to 27; Massachusetts by 187 to 168; and Virginia by 89 to 79.

**Q. In the course of ratification, how many amendments were offered by the State conventions?**

A. Seventy-eight; exclusive of Rhode Island's twenty-one, and those demanded by the first convention in North Carolina. There were many others offered which were considered necessary as items of a Bill of Rights. Professor Ames gives 124 as the whole number, inclusive of those of Rhode Island and North Carolina and the Bills of Rights. Various of these covered the same topics.

**Q. When did the United States government go into operation under the Constitution?**

A. The Constitution became binding upon nine States by the ratification of the ninth State, New Hampshire, June 21, 1788. Notice of this ratification was received by Congress on July 2, 1788. On September 13, 1788, Congress adopted a resolution declaring that electors should be appointed in the ratifying States on the first Wednesday in January, 1789; that the electors vote for President on the first Wednesday in February, 1789; and that "the first Wednesday in March next [March 4, 1789] be the time and the present seat of Congress the place for commencing proceedings under the said constitution." The Convention had also suggested "that after such Publication the Electors should be appointed, and the Senators and Representatives elected." The Constitution left with the States the control over the election of congressmen, and Congress said nothing about this in its resolution; but the States proceeded to provide for it as well as for the appointment of electors. On March 3, 1789, the old Confederation went out of existence and on March 4 the new government of the United States began legally to function, according to a decision of the Supreme Court of the United States (*wings v. Speed*, 5 Wheat. 420); however, it had no practical existence until April 6, when first the presence of quorums in both Houses permitted organization of Congress. On April 30, 1789, George Washington was inaugurated as President of the United States, so on that date the executive branch of the government under the Constitution became operative. But it was not until February 2, 1790, that the Supreme Court, as head of the third branch of the government, organized and, held its first session; so that is the date when our government under the Constitution became fully operative.

**Q. Did Washington receive the unanimous vote of the electors in his first election as President?**

A. Yes, of all who voted. Four, two in Virginia and two in Maryland, did not vote; and the eight votes to which New York was entitled were not cast because the legislature could come to no agreement upon how the electors should be appointed. There should have been 81 votes; he received 69.

**Q. How did the first inauguration proceed?**

A. The Senate Journal narrates it as follows: "The House of Representatives, preceded by their Speaker, came into the Senate Chamber, and took the seats assigned them; and the joint Committee, preceded by their Chairman, agreeably to order, introduced the President of the United States to the Senate Chamber, where he was received by the Vice President, who conducted him to the Chair; when the Vice President informed him, that 'The Senate and House of Representatives were ready to attend him to take the oath required by the Constitution, and that it would be administered by the Chancellor of the State of New-York'--To which the President replied, he was ready to proceed:--and being attended to the gallery in front of the Senate Chamber, by the Vice President and Senators, the Speaker and Representatives, and the other public characters present, the oath was administered.--After which the Chancellor proclaimed, 'Long live George Washington, President of the United States.' The President having returned to his seat, after a short pause, arose and addressed the Senate and House of Representatives . . . The President, the Vice President, the Senate and House of Representatives, &c. then proceeded to St. Paul's Chapel, where divine service was performed by the Chaplain of Congress, after which the President was conducted to his house, by the Committee appointed for that purpose."

**Q. Was Adams sworn in as Vice President before Washington took the oath of office as President?**

A. No. Neither the Vice President nor any Senators took the oath of office until June 3. The first act of Congress, June 1, provided for the oath. In the House the Speaker and members present on April 8 had taken an oath provided for by a resolve on April 6 of that House, and the act of June 1 recognized that oath as sufficient for those who had taken it.

**Q. What cities have been capitals of the United States government?**

A. The Continental Congress sat at Philadelphia, 1774-76, 1777, 1778-83; Baltimore, 1776-77; Lancaster, 1777; York, 1777-78; Princeton, 1783; Annapolis, 1783-84; Trenton, 1784; and New York, 1785-89. The first capital under the Constitution of the United States was in New York, but in 1790 it was moved to Philadelphia. Here it was continued until 1800, when the permanent capital, Washington, in the new District of Columbia, was occupied.



**Q. How was the manner of address of the President of the United States decided?**

A. Both Houses of Congress appointed committees to consider the proper title to give the President, but they could not agree. The Senate wished it to be "His Highness the President of the United States of America and Protector of their Liberties." The House considered this as too monarchical, and on May 5 addressed its reply to the inaugural speech merely to "The President of the United States." The Senate on May 14 agreed to this simple form.

**Q. What is meant by the term "constitution"?**

A. A constitution embodies the fundamental principles of a government. Our constitution, adopted by the sovereign power, is amendable by that power only. To the constitution all laws, executive actions, and, judicial decisions must conform, as it is the creator of the powers exercised by the departments of government.

**Q. Why has our Constitution been classed as "rigid"?**

A. The term "rigid" is used in opposition to "flexible" because the provisions are in a written document which cannot be legally changed with the same ease and in the same manner as ordinary laws. The British Constitution, which is unwritten, can, on the other hand, be changed overnight by act of Parliament.

**Q. What was W. E. Gladstone's famous remark about the Constitution?**

A. It was as follows: "As the British Constitution is the most subtle organism which has proceeded from the womb and long gestation of progressive history, so the American Constitution is, so far as I can see, the most wonderful work ever struck off at a given time by the brain and purpose of man."

**Q. What is the source of the philosophy found in the Constitution?**

A. The book which had the greatest influence upon the members of the Constitutional Convention was Montesquieu's *Spirit of Laws*, which first appeared in 1748. The great French philosopher had, however, in turn borrowed much of his doctrine from the Englishman John Locke, with whose writings various members of the Convention were also familiar.

**Q. Are there original ideas of government in the Constitution?**

A. Yes; but its main origins lie in centuries of experience in government, the lessons of which were brought over from England and further developed through the practices of over a century and a half in the colonies and early State governments, and in the struggles of the Continental Congress. Its roots are deep in the past; and its endurance and the obedience and respect it has won are mainly the result of the slow growth of its principles from before the days of Magna Charta.

**Q. What state papers should be considered in connecting the Constitution of the United States with Magna Charta?**

A. The Great Charter was confirmed several times by later medieval monarchs, and there were various statutes, such as those of Westminster, which also helped to develop the germs of popular government. The Petition of Right, 1628, against the abuse of the royal prerogative, the Habeas Corpus Act, 1679, and the Bill of Rights, 1689, to establish the claims of the Petition, are the great English documents of more modern times on popular freedom. Meanwhile, the colonial charters became the foundation of the Americans' claim to the "rights of Englishmen," and were the predecessors of the State Constitutions, which owed their origin to the American Revolution. The Declaration of Independence established the principles which the Constitution made practical. Plans for colonial union were proposed from time to time, the most important of them being the Albany Plan of 1754, of which Benjamin Franklin was the author. The united efforts to establish independence gave birth to the Articles of Confederation, which though inadequate, were a real step toward the "more perfect Union" of the Constitution.

**Q. In what respect had the Confederation failed?**

A. It had three great weaknesses. It had no means of revenue independent of that received through its requisitions on the States, which were nothing more than requests, which the States could and did disregard; and it had no control over foreign or interstate commerce. Behind these lacks was its inability to compel the States to honor the national obligations. It could make treaties but had no means to compel obedience to them; or to provide for the payment of the foreign debt. It had responsibility but no power as a national government; no means of coercing the States to obedience even to the very inadequate grant given to the "League of Friendship" by the Articles of Confederation. But its greatest weakness was that it had no direct origin in, or action on, the people themselves; but, unlike both the Declaration of Independence and the later Constitution, knew only the States and was known only to them, calling them sovereign.

**Q. How extensively has the Constitution been copied?**

A. All later Constitutions show its influence; it has been copied extensively throughout the world.

**Q. The United States government is frequently described as one of limited powers. Is this true?**

A. Yes. The United States government possesses only such powers as are specifically granted to it by the Constitution.

**Q. Then how does it happen that the government constantly exercises powers not mentioned by the Constitution?**

A. Those powers simply flow from general provisions. To take a simple example, the Constitution gives to the United States the right to coin money. It would certainly follow,

therefore, that the government had the right to make the design for the coinage. This is what the Supreme Court calls "reasonable construction" of the Constitution (Art. I, sec. 8, cl. 18).

**Q. Where, in the Constitution, is there mention of education?**

A. There is none; education is a matter reserved for the States.

**Q. Who was called the "Expounder of the Constitution"?**

A. Daniel Webster, of Massachusetts, because of his forceful and eloquent orations interpreting the document.

**Q. Must a member of the House of Representatives be a resident of the district which he represents?**

A. The Constitution provides only that no person shall be a representative "who shall not, when elected, be an Inhabitant of that State in which he shall be chosen"; but makes no requirement as to residence within the district (Art. I, sec. 2, cl. 2).

**Q. Is it possible to impeach a justice of the Supreme Court?**

A. It is possible to impeach a Justice of the Supreme Court or any other official. The Constitution makes provision for impeachment by the House and trial of the accused by the Senate sitting as a court of "all civil Officers," which includes the Justices (Art. I, sec. 2, cl. 5; sec. 3, cl. 6, 7; Art. II, sec. 4).

**Q. Are Senators, Representatives, and justices of the Supreme Court civil officials of the United States?**

A. Justices are, but the others are probably not. The Constitution in several places seems to make a clear distinction between legislators and officials, though this has been contested. Members of Congress are not subject to impeachment, but are liable to expulsion by the vote of the House of which they are members (Art. I, sec. 5, cl. 2).

**Q. What would be the proceeding in case of the impeachment of a Cabinet officer?**

A. An impeachment proceeding may be set in motion in the House of Representatives by charges made on the floor on the responsibility of a member or territorial delegate; by charges preferred by a memorial, which is usually referred to a committee for examination; by charges transmitted by the legislature of a State or from a grand jury; or the facts developed and reported by an investigating committee of the House. After the impeachment has been voted by the House, the case is heard by the Senate sitting as a court. When the President of the United States is impeached and tried, the proceedings are the same except that the Senate is then presided over by the Chief Justice of the United States (Art. I, sec. 2, cl. 5; sec. 3, cl. 6, 7; Art. II, sec. 4).

**Q. What is meant when it is said that Senators are paired?**

A. Sometimes a Senator belonging to one party agrees with a Senator belonging to the other party that neither will vote if the other is absent, the theory being that they would always vote on opposite sides of the question. This is called a pair. Sometimes pairs are secured on a particular vote only. For example, if a Senator is in favor of a certain piece of legislation and is ill or unavoidably detained, his friends arrange for some one on the opposite side not to vote. This insures for each a record as to his views. While many are opposed to general pairs, as the first is called, all are glad to arrange a pair for a specific measure if a Senator is unavoidably prevented from being present (Art. I, sec. 5, cl. 2).

**Q. What is the mace of the House of Representatives and what purpose does it serve?**

A. The mace consists of thirteen ebony rods, about three feet long, representing the thirteen original States. It is bound together with silver in imitation of the thongs which bound the fasces of ancient Rome. The shaft is surmounted by a globe of solid silver about five inches in diameter upon which rests a massive silver eagle. The mace is the symbol of the paramount authority of the House within its own sphere. In times of riot or disorder upon the floor the Speaker may direct the Sergeant-at-Arms, the executive officer of the House, to bear the mace up and down the aisles as a reminder that the dignity and decorum of the House must not be overthrown. Defiance to such warning is the ultimate disrespect to the House and may lead to expulsion. When the House is sitting as a body the mace rests upright on a pedestal at the right of the Speaker's dais; when the House is sitting in committee of the whole, the mace stands upon the floor at the foot of its pedestal. Thus, when the House wishes to "rise" from committee of the whole and resume business as a legislative body, lifting the mace to its pedestal automatically effects the transition. The origin of the idea of the mace is based upon a similar emblem in the British House of Commons (Art. I, sec. 5, cl. 2).

**Q. Who administers the oath of office to the Speaker of the House of Representatives?**

A. It is usually administered by the oldest member in point of service (Art. I, sec. 5, cl. 2).

**Q. What is meant by the "Father" of the House of Representatives?**

A. It is a colloquial title informally bestowed upon the oldest member in point of service (Art. I, sec. 5, cl. 2). It was borrowed originally from the House of Commons.

**Q. Why is a member of the House of Representatives referred to on the floor as "the gentleman from New York," for example, instead of by name?**

A. It is a custom in all large deliberative bodies to avoid the use of the personal name in debate or procedure. The original purpose of this was to avoid any possible breach of decorum and to separate the political from the personal character of each member (Art. I, sec. 6, cl. 1).

**Q. Do members of Congress get extra compensation for their work on committees?**

A. No. (Art. I, sec. 6, cl. 1).

**Q. Could members of the President's Cabinet be permitted to sit in Congress without amending the Constitution?**

A. No. A national officeholder cannot at the same time be a member of either House of Congress (Art. 1, sec. 6, cl. 2).

**Q. Must all revenue and appropriation bills originate in the House of Representatives?**

A. The Constitution provides that all bills for raising revenue shall originate in the House of Representatives. It is customary for appropriation bills to originate there also (Art. I, sec. 7, cl. 1).

**Q. What is meant by the word *veto*, in the President's powers?**

A. The word is from the Latin and means "I forbid." The President is authorized by the Constitution to refuse his assent to a bill presented by Congress if for any reason he disapproves of it. Congress may, however, pass the act over his veto but it must be by a two-thirds majority in both houses. If Congress adjourns before the end of the 10 days, the President can prevent the enactment of the bill by merely not signing it. This is called a pocket veto. (Art. I, sec. 7, cl. 2).

**Q. If, after a bill has passed both houses of Congress and gone to the President, Congress desires to recall it, can this be done?**

A. A bill which has reached the President may be recalled only by concurrent resolution. The form used is as follows: Resolved, by the House of Representatives (the Senate concurring), That the President be requested to return to the House of Representatives the bill . . . (title). After the concurrent resolution passes both houses it is formally transmitted to the President. The latter might, however, have already signed it, in which case it would have become a law and would have to be repealed in regular fashion (Art. I, sec. 7, cl. 2).

**Q. What is the difference between a joint and a concurrent resolution of Congress?**

A. A joint resolution has the same force as an act, and must be signed by the President or passed over his veto. A concurrent resolution is not a law, but only a measure on which the two Houses unite for a purpose concerned with their organization and procedure, or expressions of facts, principles, opinions, and purposes, "matters peculiarly within the province of Congress alone," and not embracing "legislative provisions proper" (Art. 1, sec. 7, cl. 3).

**Q. Which is the longest term of office in the government, aside from judges?**

A. The Comptroller General of the United States and the Assistant Comptroller General have the longest tenure. They hold office for fifteen years (Art. I, sec. 8), cl. 18; sec. 9, cl. 7; Art. II, sec. 2, cl. 2).

**Q. What is the term of office of Treasurer of the United States?**

A. The Treasurer is appointed by the President of the United States, and no length of term of office is specified (Art. I, sec. 8, cl. 18; sec. 9, cl. 7; Art. II, sec. 2, cl. 2).

**Q. Does the Constitution provide for the formation of a Cabinet?**

A. No. The Constitution vests the executive power in the President. Executive departments were created by successive acts of Congress under authority conferred by the Constitution in Art. I, sec. 8, cl. 18. The Departments of State, Treasury, and War were created by the first session of the First Congress. The Secretaries of these, together with the Attorney General, formed the first President's Cabinet. The Cabinet, it should be distinctly understood, is merely an advisory body whose members hold office only during the pleasure of the President. It has no constitutional function as a Cabinet, and the word does not appear in an act of Congress until February 26, 1907 (Art. I, sec. 8, cl. 18; Art. II, sec. 1, cl. 1, sec. 2, cl. 1).

**Q. How many methods of electing the President of the United States were considered by the Constitutional Convention?**

A. Five. These were by the Congress; by the people; by State legislatures; by State executives; and by electors. Various methods of appointing the electors were proposed: by popular vote, by lottery from members of Congress, by State legislatures, and by State executives; and the matter was finally compromised by leaving the method to each State legislature. The meeting of the electors in one body was also proposed; and at first the final choice, in case election by electors failed, was given to the Senate, but later, after choice by Congress had been defeated, it was transferred to the House, voting by States.

**Q. Who appoints the Chief Justice of the United States and for how long a term?**

A. The Chief Justice of the United States and the Associate Justices are appointed for life (during good behavior) by the President of the United States, "by and with the Advice and Consent of the Senate," (Art. II, sec. 2, cl. 2; Art. III, sec. 1).

**Q. By what authority may the President of the United States call an extra session of Congress?**

A. The Constitution provides for this. Art. II, sec. 3, says: ". . . he may, on extraordinary Occasions, convene both Houses, or either of them, . . ."

**Q. Can the Secretary of State take action with respect to recognizing a government without the consent of Congress?**

A. The Secretary of State, on behalf of the President, may accord recognition without recourse to Congress (Art. II, sec. 3).

**Q. Under the new government how was the national judiciary organized?**

A. The First Congress passed many notable acts which endured many years as laws. One of the most worthy of these was that organizing the national judiciary, September 24, 1789. The bill was drawn up with extraordinary ability by Senator Oliver Ellsworth, of Connecticut, who had been a deputy to the Constitutional Convention, and who was to become Chief Justice of the United States. The Constitution prescribes a Supreme Court, but left its make-up and provision for other courts to Congress. The Supreme Court was organized with a Chief Justice and five Associates; a district court was provided for each State; and the Supreme Court Justices sat with the district judges in circuit courts. The jurisdiction of the three grades of the judiciary was fixed, and officers--clerks, marshals, and district attorneys--authorized. The Attorney General, also provided for in the act, was for many years little more than the President's legal adviser. Under this law President Washington appointed John Jay, of New York, Chief Justice, and the judiciary was organized on February 2, 1790.

**Q. What are the correct style and titles of the Supreme Court of the United States and its members?**

A. The correct title for the Supreme Court is "The Supreme Court of the United States"; for the members, one speaks of a Justice, or Associate Justice, of the Supreme Court of the United States, but always of the head of the court as "The Chief Justice of the United States" (Art. III, sec. I).

**Q. What has been the number of Justices of the Supreme Court of the United States?**

A. The Chief Justice is mentioned in the Constitution but the number of Justices is not specified. The act of September 24, 1789, provided for a Chief Justice and five Associates; that of February 24, 1807, made the Associates six; that of March 3, 1837, eight; and that of March 3, 1863, nine. But on July 23, 1866, a law directed that no appointments be made of Associate Justices until the number of them should be only six. This was to prevent President Johnson from making appointments; but the act of April 10, 1869, restored the number to eight. There were only six at the time that President Grant made the first restorative appointments.

**Q. It is frequently asserted that the Supreme Court nullifies an act of Congress. Is this correct?**

A. No. The Court has repeatedly declared that it claims no such power. All it does--all it can do--is to examine a law when a suit is brought before it. If the law in question is in accordance with the Constitution, in the opinion of the Supreme Court, the law stands. If the law goes beyond

powers granted by the Constitution, then it is no law, and the Supreme Court merely states that fact (Art. III, sec. 2, cl. 1; Art. VI, cl. 2).

**Q. In which decision did the Supreme Court first formally assert its authority contrary to an act of Congress?**

A. In the famous case of *Marbury v. Madison* (1803). This was not the first case in which the authority of an act of Congress was questioned in a case before the court. In *Hylton v. United States*, 1796, the court upheld the constitutionality of a national tax on carriages as an excise that did not have to be apportioned. Also Justices in the circuit court had, as early as 1792, refused to act as commissioners under an act of Congress, considering the law unconstitutional.

**Q. What is treason against the United States?**

A. Treason against the United States consists in levying war against them, or in adhering to their enemies, giving the latter aid and comfort. No person can be convicted of treason except upon the testimony of two witnesses to the same overt act or on confession in open court (Art. III, sec. 3, cl. 1).

**Q. What right has a Territorial Delegate in Congress?**

A. A Territorial Delegate sits in the House of Representatives from each organized territory. Delegates may be appointed to committees and have the right to speak on any subject, but not to vote (Art. IV, sec. 3, cl. 2).

**Q. Is a constitutional amendment submitted to the President?**

A. No. A resolution proposing an amendment to the Constitution, after having passed both houses of Congress by a two-thirds vote, does not go to the President for his signature. It is sent to the States to be ratified either by their legislatures or by conventions, as Congress shall determine (Art. V). The Supreme Court as early as 1798 declared the approval was not requisite (*Hollingsworth v. Virginia*, 3 Dallas 378).

**Q. What constitutes the supreme law of the land?**

A. Art. VI, cl. 2 of the Constitution says: "This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding."

**Q. When referring to various States in the Union, is the term "sovereign States" correct?**

A. No. A sovereign is that person or State which recognizes no superior. The States of the Union have a superior--the Constitution of the United States, which is "the supreme Law of the Land . .



. any Thing in the Constitution or Laws of any State to the Contrary notwithstanding" (Art. VI, cl. 2).

**Q. Is there a clause in the Constitution prohibiting members of certain religious denominations from becoming President of the United States?**

A. No. Art. VI, cl. 3 of the Constitution provides that "no religious Test shall ever be required as a Qualification to any Office of public Trust under the United States."

**Q. Should the amendments be called articles?**

A. The amendments proposed by the first Congress were sent out as "Articles in addition to, and Amendment of the Constitution of the United States of America," and the term "article" is used in self-application in all the amendments since the Twelfth, except the Seventeenth, which uses the term "amendment." This would seem to give official sanction to calling the amendments "articles," but as it causes some confusion, they are better placed by the use of "amendment" only, with the proper number.

**Q. In the first session of the First Congress how many proposed amendments were considered?**

A. All of the amendments proposed by the State conventions were considered, but only approximately 90 separate amendments were formally introduced. Professor Ames lists 312 through the First Congress, which includes the 124 proposed by the States and all reports and amendments to those proposed, in Congress.

**Q. Who proposed the creation of the first executive departments and the first amendments to the Constitution?**

A. James Madison, of Virginia, proposed the resolutions for the formation of the first executive departments and the series of twelve amendments to the Constitution of which ten were finally ratified by the States.

**Q. What constitutes the Bill of Rights?**

A. The first ten amendments to the Constitution.

**Q. It is said that when the first amendments to the Constitution were submitted, there were twelve, of which ten were adopted. What were the other two about?**

A. The two amendments of the twelve submitted as the Bill of Rights which were rejected were the one which related to the apportionment of Representatives in Congress and the one fixing the compensation of members of Congress. (Note: The rejected second amendment was ratified on May 7, 1992 as the 27th amendment.)

**Q. Do the first ten amendments bind the States?**

A. No. They restrict the powers of the national government. They do not bind the States; but various of their restrictions have been applied to the States by the [Fourteenth Amendment](#).

**Q. Does not the Constitution give us our rights and liberties?**

A. No, it does not, it only guarantees them. The people had all their rights and liberties before they made the Constitution. The Constitution was formed, among other purposes, to make the people's liberties *secure*-- secure not only as against foreign attack but against oppression by their own government. They set specific limits upon their national government and upon the States, and reserved to themselves all powers that they did not grant. The [Ninth Amendment](#) declares: "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people."

**Q. What protection is given to a person accused of crime under the jurisdiction of the United States?**

A. The [Fifth Amendment](#) declares that no person, except one serving in the land or naval forces or the militia in time of war or public danger, can be held to answer for a capital or other infamous crime unless on a presentment or indictment of a grand jury. No person can be twice put in jeopardy of life or limb for the same offense. No one in a criminal case can be compelled to be a witness against himself, or be deprived of life, liberty, or property without due process of law. Private property cannot be taken for public use without just compensation. By the Eighth Amendment excessive bail and fines and cruel and unusual punishments are prohibited. The original Constitution forbids ex post facto laws and bills of attainder, limits the punishment for treason, protects the right to a writ of habeas corpus, and secures trial by jury.

**Q. Is the right to speedy trial guaranteed?**

A. Yes. The [Sixth Amendment](#) expressly states that in all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury within the district of the crime, and to be informed of the nature and cause of the accusation. He is entitled to be confronted with the witnesses against him, to be allowed to compel the attendance of witnesses in his favor, and to have the assistance of counsel for his defense.

**Q. Is the right of trial by jury in civil cases also assured?**

A. Yes. [Amendment Seven](#) preserves the right of trial by jury in suits of common law involving the value of more than twenty dollars.

**Q. What has been the longest period during which no amendment has been added to the Constitution?**

A. Sixty-one years, from 1804 to 1865. This period elapsed between the Twelfth and Thirteenth Amendments.

**Q. How long did it take the States to ratify the income tax amendment?**

A. The Sixteenth Amendment was proposed to the States on July 12, 1909, deposited with the Secretary of State on July 21, ratified by the thirty-sixth state on February 3, 1913, and, declared ratified on February 25, 1913.

**Q. It has been stated that the Prohibition Amendment was the first instance of incorporating a statute in the Constitution. Is this so?**

A. No. Those portions of the Constitution which specifically dealt with slavery and the slave trade (Art. I, sec. 9, cl. 1; Art. IV, sec. 2, cl. 3 ) were both of this character. They were made obsolete by time limit in one case and the Civil War in the other.

**Q. How many amendments to the Constitution have been repealed?**

A. Only one -- the Eighteenth (Prohibition).

**Q. How is an amendment repealed?**

A. By adding another amendment.

**Q. If the Eighteenth Amendment is repealed, why is it necessary to call the new one repealing it the Twenty-first?**

A. The Eighteenth Amendment will indeed remain in the Constitution, but a notation will be added to the effect that it is repealed by the Twenty-first.

**Q. What is the Twentieth Amendment and when was it adopted?**

A. This is the so-called "Lame Duck" Amendment, which changes the time for the beginning of the terms of the President, Vice President, and the members of Congress. The term of the President and Vice President begins on January 20, and that of members of Congress on January 3. It was adopted upon the ratification by the thirty-sixth State, January 23, 1933, and certified in effect on February 6.

**Q. Why was a constitutional amendment necessary to change the date of the beginning of the terms of President, Vice President, and members of Congress?**

A. The Constitution fixes the terms of President and, Vice President at four years, of Senators at six years, and of Representatives at two years. Any change of date would affect the terms of the incumbents. It was therefore necessary to amend the Constitution to make the change.

**Q. If the President-elect dies, who becomes President at the beginning of the term for which he was elected?**

A. The Twentieth Amendment provides that in this case the Vice President-elect shall become President.

**Q. Does the Twentieth Amendment do away with the Electoral College?**

A. It does not.

**Q. It takes how many States to block an amendment?**

A. Thirteen, without respect to population or importance; but while approval is considered final, rejection is not while within the time limit, if one is prescribed by the amendment.

by Sol Bloom

## **Tour the White House, Washington D.C. USA**



The White House has six floors, 132 rooms, 35 bathrooms, 147 windows, 412 doors, 12 chimneys, 8 staircases, and 3 elevators.



The White House State Dining Room, which now seats as many as 140 guests, was originally much smaller and served at various times as a drawing room, office, and Cabinet Room. Not until the Andrew Jackson administration was it called the State Dining Room, although it had been used for formal dinners by previous Presidents.

The Presidential Collection Room, now the China Room, was designated by Mrs. Woodrow Wilson in 1917 to display the growing collection of White House china. The room was redecorated in 1970, retaining the traditional red color scheme determined by the portrait of Mrs. Calvin Coolidge—painted by Howard Chandler Christy in 1924. President Coolidge, who was scheduled to sit for Christy, was too occupied that day with events concerning the Teapot Dome oil scandal. So the President postponed his appointment, and Mrs. Coolidge posed instead.



The Vermeil Room, sometimes called the Gold Room, was last refurbished in 1991; it serves as a display room and, for formal occasions, as a ladies sitting room. The soft yellow of the paneled walls complements the collection of vermeil, or gilded silver, bequeathed to the White House in 1956 by Mrs. Margaret Thompson Biddle.

Although intended by architect James Hoban to be the Common Dining Room, the Green Room has served many purposes since the White House was first occupied in 1800. The inventory of February 1801 indicates that it was first used as a Lodging Room. Thomas Jefferson, the second occupant of the White House, used it as a dining room with a canvas floor cloth, painted green, foreshadowing the present color scheme. James Madison made it a sitting room since his Cabinet met in the East Room next door, and the Monroes used it as the Card Room with two tables for the whist players among their guests.



**Letter from the Federal Convention President  
to the President of Congress, Transmitting the Constitution  
September 17, 1787**

**Sir,**

We have now the honor to submit to the consideration of the United States in Congress assembled, that Constitution which has appeared to us the most advisable.

The friends of our country have long seen and desired, that the power of making war, peace, and treaties, that of levying money and regulating commerce, and the correspondent executive and judicial authorities should be fully and effectually vested in the general government of the Union: But the impropriety of delegating such extensive trust to one body of men is evident -- Hence results the necessity of a different organization.

It is obviously impractical in the federal government of these states, to secure all rights of independent sovereignty to each, and yet provide for the interest and safety of all: Individuals entering into society, must give up a share of liberty to preserve the rest. The magnitude of the sacrifice must depend as well on situation and circumstances, as on the object to be obtained. It is at all times difficult to draw with precision the line between those rights which must be surrendered, and those which may be reserved; and on the present occasion this difficulty was increased by a difference among the several states as to their situation, extent, habits, and particular interests.

In all our deliberations on this subject we kept steadily in our view, that which appears to us the greatest interest of every true American, the consolidation of our Union, in which is involved our prosperity, felicity, safety, perhaps our national existence. This important consideration, seriously and deeply impressed on our minds, led each state in the Convention to be less rigid on points of inferior magnitude, than might have been otherwise expected; and thus the Constitution, which we now present, is the result of a spirit of amity, and of that mutual deference and concession which the peculiarity of our political situation rendered indispensable.

That it will meet the full and entire approbation of every state is not perhaps to be expected; but each will doubtless consider that had her interest been alone consulted, the consequences might have been particularly disagreeable or injurious to others; that it is liable to as few exceptions as could reasonably have been expected, we hope and believe; that it may promote the lasting welfare of that country so dear to us all, and secure her freedom and happiness, is our most ardent wish.

With great respect, We have the honor to be, Sir,  
Your Excellency's most obedient and humble servants,

**George Washington**, President  
By unanimous Order of the Convention.

His Excellency, the President of Congress



**Letter of Transmittal, signed by George Washington**