

Charters of Freedom

History/Social Studies

Contents

1 Wikijunior:United States Charters of Freedom	1
1.1 Important Documents	1
1.2 Other Concepts	2
2 Declaration of Independence	4
2.1 Background	4
2.2 Draft and adoption	4
2.3 Distribution and copies	5
2.4 Text and analysis	6
2.4.1 Introduction	6
2.4.2 Preamble	6
2.4.3 Indictment	7
2.4.4 Denunciation	8
2.4.5 Conclusion	8
2.5 Text on the back of the document	9
2.6 Differences between draft and final versions	9
2.7 Myths	10
2.8 Questions	10
2.9 Source	11
3 Constitution	19
3.1 Background	19
3.2 Text of the Constitution	19
3.2.1 Preamble	20
3.2.2 Article I	21
3.2.3 Article II	28
3.2.4 Article III	30
3.2.5 Article IV	31
3.2.6 Article V	32
3.2.7 Article VI	32

3.2.8	Article VII	32
3.2.9	Conclusion	32
3.3	Analysis of the text	33
3.3.1	Analysis of the Preamble	33
3.3.2	Analysis of Article I	34
3.3.3	Analysis of Article II	34
3.3.4	Analysis of Article III	34
3.3.5	Analysis of Article IV	35
3.3.6	Analysis of Article V	35
3.3.7	Analysis of Article VI	35
3.3.8	Analysis of Article VII	35
3.3.9	Analysis of the Conclusion	35
3.4	Provisions for amendments	36
3.5	Amendments	36
3.5.1	The Bill of Rights (1-10)	36
3.5.2	Subsequent amendments (11–27)	36
3.5.3	Unratified amendments	37
3.5.4	Pending amendments	37
3.5.5	Expired amendments	37
3.5.6	Proposals for amendments	38
3.6	Questions	39
3.7	Source	39
4	Bill of Rights	40
4.1	Background	40
4.1.1	Arguments against the Bill of Rights	40
4.1.2	The Anti-Federalists	44
4.1.3	Ratification and the Massachusetts Compromise	45
4.2	Drafting	45
4.3	Twelve amendments proposed	45
4.4	Ratification process	46
4.4.1	Ratification dates	46
4.4.2	Later consideration	46
4.5	Incorporation extends to States	47
4.6	Display and honoring of the Bill of Rights	47
4.7	Text of the Bill of Rights	47
4.7.1	Preamble	47
4.7.2	Congressional Apportionment Amendment	48
4.7.3	Congressional Compensation Amendment	48

4.7.4	Amendment I	48
4.7.5	Amendment II	48
4.7.6	Amendment III	48
4.7.7	Amendment IV	48
4.7.8	Amendment V	48
4.7.9	Amendment VI	49
4.7.10	Amendment VII	49
4.7.11	Amendment VIII	49
4.7.12	Amendment IX	49
4.7.13	Amendment X	49
4.7.14	Signatures	49
4.8	Analysis of the text	49
4.8.1	Analysis of the Preamble	49
4.8.2	Analysis of the Congressional Apportionment Amendment	50
4.8.3	Analysis of the Congressional Compensation Amendment	50
4.8.4	Analysis of Amendment I	50
4.8.5	Analysis of Amendment II	50
4.8.6	Analysis of Amendment III	50
4.8.7	Analysis of Amendment IV	50
4.8.8	Analysis of Amendment V	50
4.8.9	Analysis of Amendment VI	51
4.8.10	Analysis of Amendment VII	51
4.8.11	Analysis of Amendment VIII	51
4.8.12	Analysis of Amendment IX	51
4.8.13	Analysis of Amendment X	51
4.8.14	Analysis of the Signatures	51
4.9	References	51
4.10	Questions	51
4.11	Source	52
5	History of the Charters of Freedom	53
5.1	History of the Declaration of Independence (1776-1921)	53
5.2	History of the Constitution (1787-1921)	55
5.3	History of the Bill of Rights (1789-1951)	56
5.4	History of the Declaration of Independence and the Constitution (1921-1952)	56
5.5	The Charters of Freedom at the National Archives (1951-present)	57
5.6	Reference	58
6	National Archives and Records Administration	59

6.1	History	60
6.2	Facilities and exhibition	60
6.2.1	National Archives Building	60
6.2.2	National Archives at College Park	60
6.3	1973 National Archives Fire	60
6.3.1	Affected Records	60
6.3.2	Cause of Fire	61
6.3.3	Damage and Reconstruction	61
6.3.4	Conspiracy Theories	61
6.4	Resources	61
7	Dunlap broadside	62
7.1	List of copies	62
7.2	Source	64
8	Goddard broadside	65
8.1	History	65
8.2	Source	65
9	Syng inkstand	67
9.1	Source	68
10	Additional amendments to the United States Constitution	69
10.1	Amendment XI	69
10.1.1	Text	69
10.1.2	Analysis	69
10.2	Amendment XII	70
10.2.1	Text	72
10.2.2	Analysis	72
10.3	Amendment XIII	72
10.3.1	Text	72
10.3.2	Analysis	72
10.4	Amendment XIV	74
10.4.1	Text	74
10.4.2	Analysis	74
10.5	Amendment XV	77
10.5.1	Text	77
10.5.2	Analysis	77
10.6	Amendment XVI	77
10.6.1	Text	77

10.6.2 Analysis	77
10.7 Amendment XVII	77
10.7.1 Text	78
10.7.2 Analysis	78
10.8 Amendment XVIII	78
10.8.1 Text	78
10.8.2 Analysis	78
10.9 Amendment XIX	79
10.9.1 Text	79
10.9.2 Analysis	79
10.10Amendment XX	79
10.10.1 Text	79
10.10.2 Analysis	80
10.11Amendment XXI	80
10.11.1 Text	80
10.11.2 Analysis	80
10.12Amendment XXII	80
10.12.1 Text	80
10.12.2 Analysis	81
10.13Amendment XXIII	81
10.13.1 Text	81
10.13.2 Analysis	81
10.14Amendment XXIV	82
10.14.1 Text	82
10.14.2 Analysis	82
10.15Amendment XXV	82
10.15.1 Text	82
10.15.2 Analysis	83
10.15.3 Notes	83
10.16Amendment XXVI	84
10.16.1 Text	84
10.16.2 Analysis	84
10.17Amendment XXVII	84
10.17.1 Text	84
10.17.2 Analysis	84
11 Articles of Confederation	103
11.1 Ratification	103
11.2 Text of the Articles of Confederation	103

11.2.1	Preamble	104
11.2.2	Article I	104
11.2.3	Article II	104
11.2.4	Article III	104
11.2.5	Article IV	104
11.2.6	Article V	104
11.2.7	Article VI	105
11.2.8	Article VII	105
11.2.9	Article VIII	105
11.2.10	Article IX	106
11.2.11	Article X	107
11.2.12	Article XI	107
11.2.13	Article XII	107
11.2.14	Article XIII	108
11.2.15	Conclusion	108
11.2.16	Signatures	108
11.3	Analysis of the text	110
11.3.1	Analysis of the Preamble	110
11.3.2	Analysis of Article I	110
11.3.3	Analysis of Article II	110
11.3.4	Analysis of Article III	110
11.3.5	Analysis of Article IV	110
11.3.6	Analysis of Article V	111
11.3.7	Analysis of Article VI	111
11.3.8	Analysis of Article VII	111
11.3.9	Analysis of Article VIII	111
11.3.10	Analysis of Article IX	111
11.3.11	Analysis of Article X	111
11.3.12	Analysis of Article XI	111
11.3.13	Analysis of Article XII	111
11.3.14	Analysis of Article XIII	111
11.3.15	Analysis of the Conclusion	111
11.3.16	Analysis of the Signatures	112
11.4	Function	112
11.5	Revision	112
11.6	Signing of the Articles of Confederation	113
11.7	Source	113

12.1	Origins	115
12.2	Publication	116
12.3	The disputed essays	116
12.4	Structure and form	116
12.5	Judicial use and interpretation	117
12.6	Opposition to the Bill of Rights	117
12.7	List of Federalist Papers	117
12.8	Text of Federalist Papers	117
12.9	Source	118
13	The 13 Colonies	124
13.1	List of colonies	124
13.2	Source	127
14	Freedom Train	128
14.1	The 1947-1949 <i>Freedom Train</i>	128
14.2	The 1975–1976 <i>American Freedom Train</i>	128
14.3	See also	129
14.4	Source	129
14.5	Text and image sources, contributors, and licenses	130
14.5.1	Text	130
14.5.2	Images	130
14.5.3	Content license	132

Chapter 1

Wikijunior:United States Charters of Freedom

This page is for the **Wikijunior** United States Charters of Freedom project.



The flag of the original 13 colonies of the United States who ratified the Charters of Freedom

When working on this project, remember that it's aimed at children. It's more important to be understood than to be precisely accurate on every detail. Use technical vocabulary when you need to, but don't use big words where simpler language would work.

1.1 Important Documents

1. Declaration of Independence
2. Constitution
3. Bill of Rights

1.2 Other Concepts

1. History of the Charters of Freedom
2. National Archives and Records Administration
3. Dunlap broadside
4. Goddard broadside
5. Syng inkstand
6. Additional amendments to the United States Constitution
7. Articles of Confederation
8. Federalist Papers
9. The 13 Colonies
10. Freedom Train
11. 100 Milestone Documents
12. Conserving the Charters of Freedom

*The 13 colonies in 1775*

Chapter 2

Declaration of Independence

Before the **United States of America** became its own country, it was made up of **thirteen colonies** (later to become the first thirteen U.S. states) that were part of the **British Empire**. On July 4, 1776, a group of people representing the interests of the various colonies (known as the **Continental Congress**) agreed to a joint statement known as the **Declaration of Independence** in which they declared the colonies to be free and independent states and explained their justifications for doing so. The anniversary of this declaration is now celebrated as **Independence Day** in the United States.

A handwritten copy of the Declaration of Independence signed by the members of the Continental Congress is on display in the **National Archives** in **Washington, D.C.** It was the first of the three main Charters of Freedom, along with the **Constitution** and the **Bill of Rights**.

2.1 Background

During the 1750s and 1760s, relations between Great Britain and thirteen British colonies along the eastern shore of North America became increasingly strained. Fighting broke out in 1775 at **Lexington and Concord**, marking the beginning of the **American Revolutionary War**. On January 10, 1776, **Thomas Paine** published (anonymously) a pamphlet titled *Common Sense* in which he outlined major problems with the British form of government (a **constitutional monarchy**) and several reasons the American colonies should separate themselves from Great Britain. Paine's pamphlet both reflected and influenced the growing anti-British sentiment in the colonies.

2.2 Draft and adoption

On June 11, 1776, a committee consisting of **John Adams** of Massachusetts, **Benjamin Franklin** of Pennsylvania, **Thomas Jefferson** of Virginia, **Robert R. Livingston** of New York, and **Roger Sherman** of Connecticut (known as the "**Committee of Five**"), was formed to draft a formal resolution declaring the colonists' intent. The committee decided that Jefferson — its youngest member and the youngest signer of the final Declaration — would write the first draft of the resolution. After Franklin and Adams made several minor corrections, Jefferson produced another copy. The committee presented this version to the Continental Congress on June 28, 1776.

Independence from Great Britain was declared on July 2, 1776. The full Declaration was rewritten somewhat in general session prior to its adoption by the Continental Congress on July 4, 1776, at the Pennsylvania State House (now known as **Independence Hall**). Word of the Declaration reached London the following month, on August 10.

The 25 Dunlap broadsides still known to exist are the oldest surviving copies of the document.

On July 19, 1776, Congress ordered a copy be handwritten for the delegates to sign. This engrossed copy of the Declaration was produced by Timothy Matlack, assistant to the secretary of Congress. Most of the delegates signed it on August 2, 1776, in geographic order of their colonies from north to south, though some delegates were not present and had to sign later. Two delegates never signed at all. As new delegates joined the congress, they were also allowed to sign. A total of 56 delegates eventually signed.

The first and most famous signature on the engrossed copy was that of John Hancock of Massachusetts, President of the Continental Congress. Two future presidents, Thomas Jefferson and John Adams, were among the signatories. Edward Rutledge (age 26), was the youngest signer, and Benjamin Franklin (age 70) was the oldest signer.

In January 1777, Congress decided the Declaration should be more widely distributed. Printer Mary Katherine Goddard was commissioned to print a version containing the text and names of the signatories. Today, these copies are known as the "Goddard broadsides". Nine copies are known to still exist.

In 1823, printer William J. Stone was commissioned by Secretary of State John Quincy Adams to create an engraving of the document essentially identical to the original. Stone's copy was made using a wet-ink transfer process, where the surface of the document was moistened, and some of the original ink transferred to the surface of a copper plate which was then etched so that copies could be run off the plate on a press. Because of poor conservation of the 1776 document through the 19th century, Stone's engraving, rather than the original which has largely faded, has become the basis of most modern reproductions.

2.4 Text and analysis

The text of the Declaration of Independence can be divided into five sections: the introduction, the preamble, the indictment of George III, the denunciation of the British people, and the conclusion. (Note that these five headings are not part of the text of the document.)

2.4.1 Introduction

In CONGRESS, July 4 1776

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.

In this section, the signers declare their independence from the British and prepare to state why they feel compelled to do so.

2.4.2 Preamble

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 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.

This section is presented as a syllogism, with one proposition leading to another proposition. From the first proposition (that all men are created equal), a chain of logic is produced that leads to the right and responsibility of revolution when a government becomes destructive of the people's rights.

2.4.3 Indictment

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 the 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 Amount and Payment of their Salaries.

He has erected a Multitude of new Offices, and sent hither Swarms of Officers to harass our People, and eat out their Substance.

He has kept among us, in Times of Peace, Standing Armies, without the consent of our Legislature.

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 the 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 in these Colonies:

For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:

For suspending our own Legislatures, and declaring themselves invested with Powers 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 complete 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 among 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.

In this section, the signers then list 27 grievances against the British Crown. The grievances are directed personally at the King (as in “He has refused his Assent to Laws...”), although many of them refer to actions taken by the British Parliament or the Royal Governors. Many of the grievances are examples of violations of fundamental English law, such as “imposing taxes on us without our Consent”, and “depriving us, in many Cases, of the Benefits of Trial by Jury”. Many historians maintain that some of the grievances are exaggerated propaganda (such as the “Swarms of Officers” in truth referring to about fifty men ordered to prevent smuggling).

2.4.4 Denunciation

Nor have we been wanting in Attentions 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.

This section is a message to King **George III** that the 13 colonies are no longer a part of the **British Empire** and that they do not want to have anything to do with the British.

2.4.5 Conclusion

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 the 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 the divine Providence, we mutually pledge to each other our Lives, our Fortunes, and our sacred Honor.

[New Hampshire:] *Josiah Bartlett, William Whipple, Matthew Thornton*

[Massachusetts:] *Samuel Adams, John Adams, John Hancock, Robert Treat Paine, Elbridge Gerry*

[Rhode Island:] *Stephen Hopkins, William Ellery*

[Connecticut:] *Roger Sherman, Samuel Huntington, William Williams, Oliver Wolcott*

[New York:] *William Floyd, Philip Livingston, Francis Lewis, Lewis Morris*

[New Jersey:] *Richard Stockton, John Witherspoon, Francis Hopkinson, John Hart, Abraham Clark*

[Pennsylvania:] *Robert Morris, Benjamin Rush, Benjamin Franklin, John Morton, George Clymer, James Smith, George Taylor, James Wilson, George Ross*

[Delaware:] *Caesar Rodney, George Read, Thomas McKean*

[Maryland:] *Samuel Chase, William Paca, Thomas Stone, Charles Carroll of Carrollton*

[Virginia:] *George Wythe, Richard Henry Lee, Thomas Jefferson, Benjamin Harrison, Thomas Nelson, Jr., Francis Lightfoot Lee, Carter Braxton*

[North Carolina:] *William Hooper, Joseph Hewes, John Penn*

[South Carolina:] *Edward Rutledge, Thomas Heyward, Jr., Thomas Lynch, Jr., Arthur Middleton*

[Georgia:] *Button Gwinnett, Lyman Hall, George Walton*

In this section, the signers assert that (since conditions exist under which people must change their government, and the British have produced such conditions) the colonies must necessarily throw off political ties with the British Crown and become independent states. The conclusion contains, at its core, the **Lee Resolution** that had been passed on July 2. The signatures have been listed here labeled with the states each group of delegates came from; this is not seen on the original Declaration.

2.5 Text on the back of the document

If you have watched the movie **National Treasure**, you may think a treasure map was written on the back of the Declaration of Independence. However, that is not true. Although there is something written on the back of the document, it is not a treasure map. Written on the back of the Declaration of Independence were the words "*Original Declaration of Independence dated 4th July 1776*". The text appears on the bottom of the document, upside down. While no one knows for certain who wrote it, it is known that early in its life, the large parchment document (it measures 29¾ inches by 24½ inches) was rolled up for storage. So, it is likely that the notation was added simply as a label.

2.6 Differences between draft and final versions

The Declaration went through three stages from conception to final adoption:

1. Jefferson's original draft.
2. Jefferson's draft with revisions from Benjamin Franklin and John Adams.
3. The final version, which included changes made by the full Congress.

Jefferson's original draft included a denunciation of the slave trade ("*He has waged cruel war against human nature itself, violating its most sacred rights of life & liberty in the persons of a distant people who never offended him, captivating & carrying them into slavery in another hemisphere, or to incur miserable death in their transportation thither.*"), which was later edited out by Congress, as was a lengthy criticism of the British people and parliament. According to Jefferson:

- “The pusillanimous idea that we had friends in England worth keeping terms with, still haunted the minds of many. For this reason those passages which conveyed censures on the people of England were struck out, lest they should give them offense.”

2.7 Myths

Several myths surround the document:

- Because it is dated *July 4, 1776*, many people believe it was signed on that date—it was signed August 2 by most of the delegates.
- An unfounded legend states that John Hancock signed his name so large that King **George III** would be able to read it without his spectacles. In point of fact, other examples of his signature indicate that he typically signed his name in this way.
- Much like the previous, another myth states that John Hancock had bad eyesight himself and was therefore forced to sign his name large. This is, of course, not verified.
- The famous painting by John Trumbull, which hangs in the grand Rotunda of the Capitol of the United States, is usually incorrectly described as the signing of the Declaration, when what it actually shows is the five-man drafting committee presenting their work. Trumbull depicts most of the eventual signers as being present on this occasion, but this gathering never took place. An image of the painting can be seen in an earlier section of this article.
- The **Liberty Bell** was not rung to celebrate independence, but to call the local inhabitants to hear the reading of the document on July 8, and it certainly did not acquire its crack on so doing; that story comes from a children’s book of fiction, *Legends of the American Revolution*, by George Lippard. The Liberty Bell was actually named in the early nineteenth century when it became a symbol of the anti-slavery movement .

2.8 Questions

Here are some questions to answer. If you are stumped, and need the answer, just click and drag your mouse over the space next to the question. The answer will show up. The answers to all the questions are located in this article.

1. What led to the creation of this document? The American Revolutionary War
2. On what day was independence declared? July, 2, 1776
3. What was the name given to the first 150-200 copies of the Declaration of Independence? Dunlap broadsides
4. How many Dunlap broadsides are still known to exist? 25
5. On what day did most of the delegates sign the Declaration of Independence? August 2, 1776
6. How many delegates signed the Declaration of Independence? 56
7. How do we know how the Declaration of Independence looks like even though it faded heavily? A printer named William J. Stone was commissioned to create an engraving of the document
8. Which British king who was ruling over the 13 colonies when they declared independence? King George III
9. Whose signature was the largest on the document? John Hancock’s
10. What was written on the back of the Declaration of Independence? Original Declaration of Independence dated 4th July 1776
11. How many grievances against the British Crown were listed in the Indictment? 27
12. Where does the painting by John Trumbull depicting the signing of the Declaration of Independence hang? The Rotunda of the Capitol

2.9 Source

Basically a junior version of the [Wikipedia](#) article.



Thomas Jefferson, the man who authored the Declaration of Independence.



A painting depicting the signing of the Declaration of Independence by John Trumbull

IN CONGRESS, JULY 4, 1776.
A DECLARATION
 BY THE REPRESENTATIVES OF THE
UNITED STATES OF AMERICA,
 IN GENERAL CONGRESS ASSEMBLED.

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 Rights 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 endeavored 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 harass 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 neighboring Province, establishing therein an arbitrary Government, and enlarging its Boundaries, so as to render it at once an Example and an 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 Legislatures, 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 oppress the Works of Death, Desolation, and Tyranny, already begun with circumstances of Cruelty and Perfidy, scarcely parallelled 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 endeavored 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, it unfit to be the Ruler of a free People.

Now have we been warning in Attention to our British Brethren. We have warned them from Time to Time of Attempts by their Legislatures 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 constrained them by the Ties of 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 demands 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.

Signed by ORDER and in BEHALF of the CONGRESS,

JOHN HANCOCK, PRESIDENT.

ATTEST.
CHARLES THOMSON, SECRETARY.

PHILADELPHIA: PRINTED BY JOHN DUNLAP.



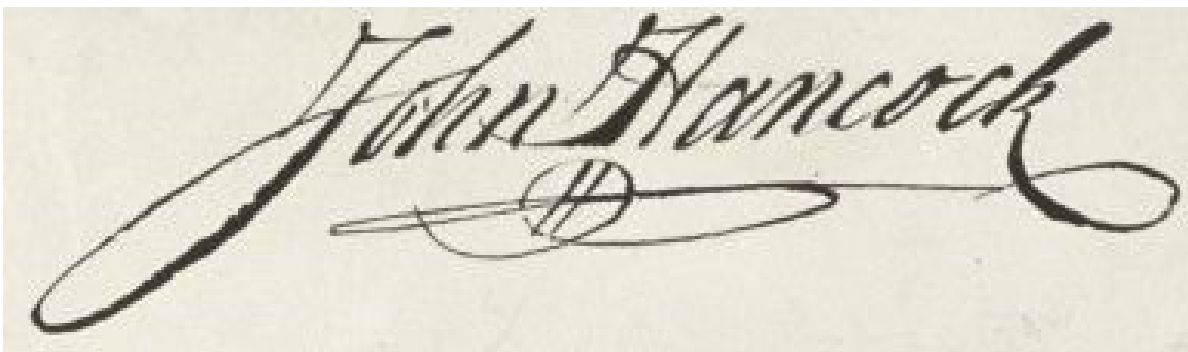
The room in Independence Hall, Pennsylvania where the Declaration of Independence and the Constitution were signed



King George III, the British king who was ruling over the 13 colonies when they declared independence.



The Declaration of Independence and the Constitution were signed with the Syng inkstand, which is on display at Independence Hall in Philadelphia.



John Hancock's signature is the first, largest and most famous signature on the Declaration of Independence

Chapter 3

Constitution

The **United States Constitution** is the supreme law of the United States of America. When nine states of the then thirteen states ratified the document it marked the creation of a union of sovereign states, and a federal government to operate that union. It replaced the weaker, less well-defined union that existed under the **Articles of Confederation** and took effect on March 4, 1789. The handwritten copy signed by the delegates to the Congress is on display in the **National Archives** in Washington, D.C. It is the second of the three Charters of Freedom along with the **Declaration of Independence** and the **Bill of Rights**.

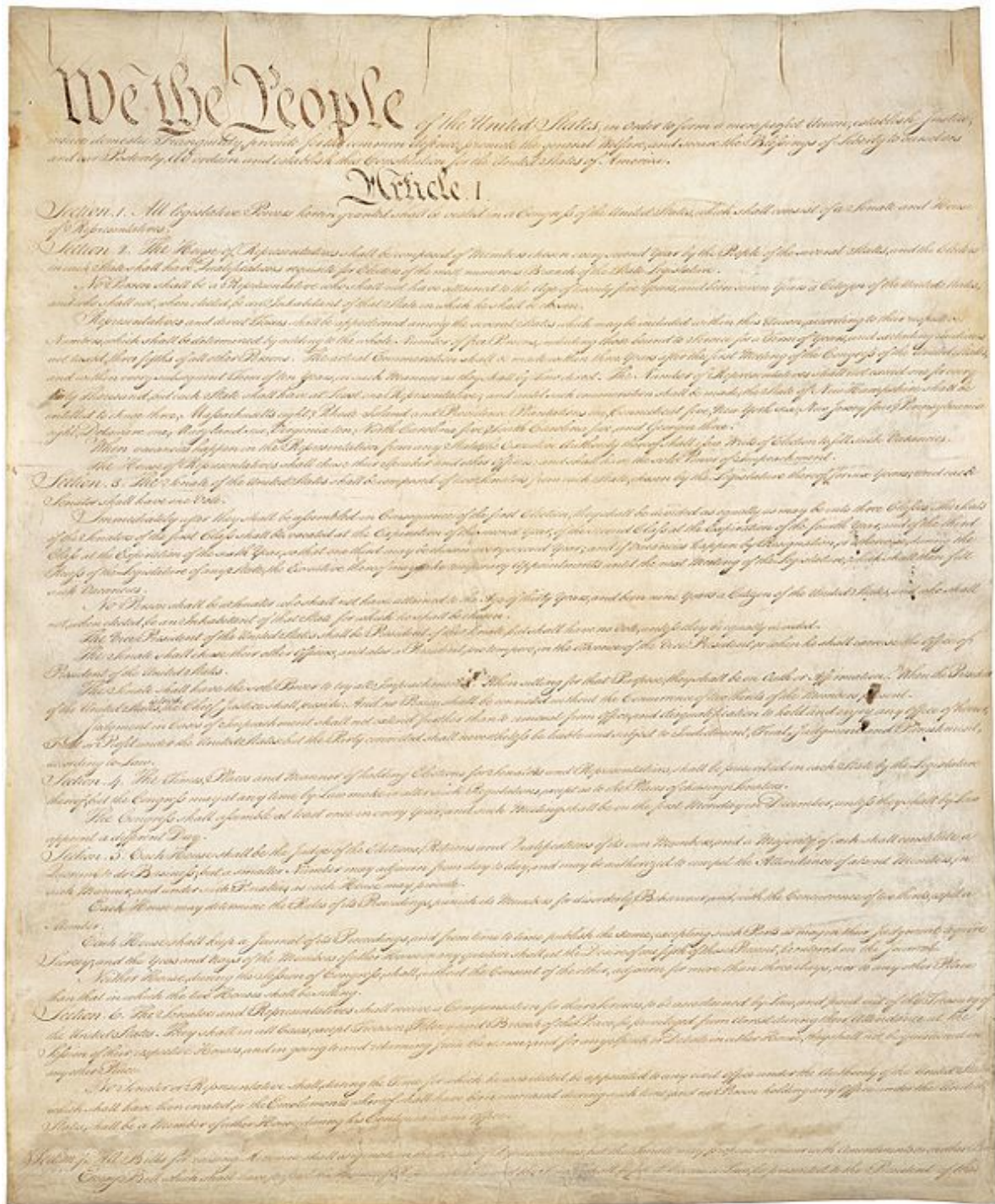
3.1 Background

During the Revolutionary War, the thirteen states first formed a weak central government—with the Congress being its only component—under the **Articles of Confederation**. Congress lacked any power to impose taxes, and, because there was no national executive or judiciary, it relied on state authorities, who were often uncooperative, to enforce all its acts. It also had no authority to override tax laws and tariffs between states. The Articles required unanimous consent from all the states before they could be amended and states took the central government so lightly that their representatives were often absent. For lack of a quorum, Congress was frequently blocked from making even moderate changes.

The Confederation Congress endorsed the plan to revise the Articles of Confederation on February 21, 1787. Twelve states, Rhode Island being the only exception, accepted this invitation and sent delegates to convene in May 1787. The decision was made to draft a new fundamental government design which eventually stipulated that only 9 of the 13 states would have to ratify for the new government to go into effect. These actions were criticized by some as exceeding the convention's mandate and existing law. However, Congress, noting dissatisfaction with the Articles of Confederation government, unanimously agreed to submit the proposal to the states despite what some perceived as the exceeded terms of reference. On September 17, 1787, the Constitution was completed in Philadelphia, followed by a speech given by Benjamin Franklin. In it he talked about how he wasn't completely satisfied with it but that perfection would never fully be achieved. He accepted the document as it was and he wanted all those against the ratification of it to do the same. The new government it prescribed came into existence on March 4, 1789, after fierce fights over ratification in many of the states.

3.2 Text of the Constitution

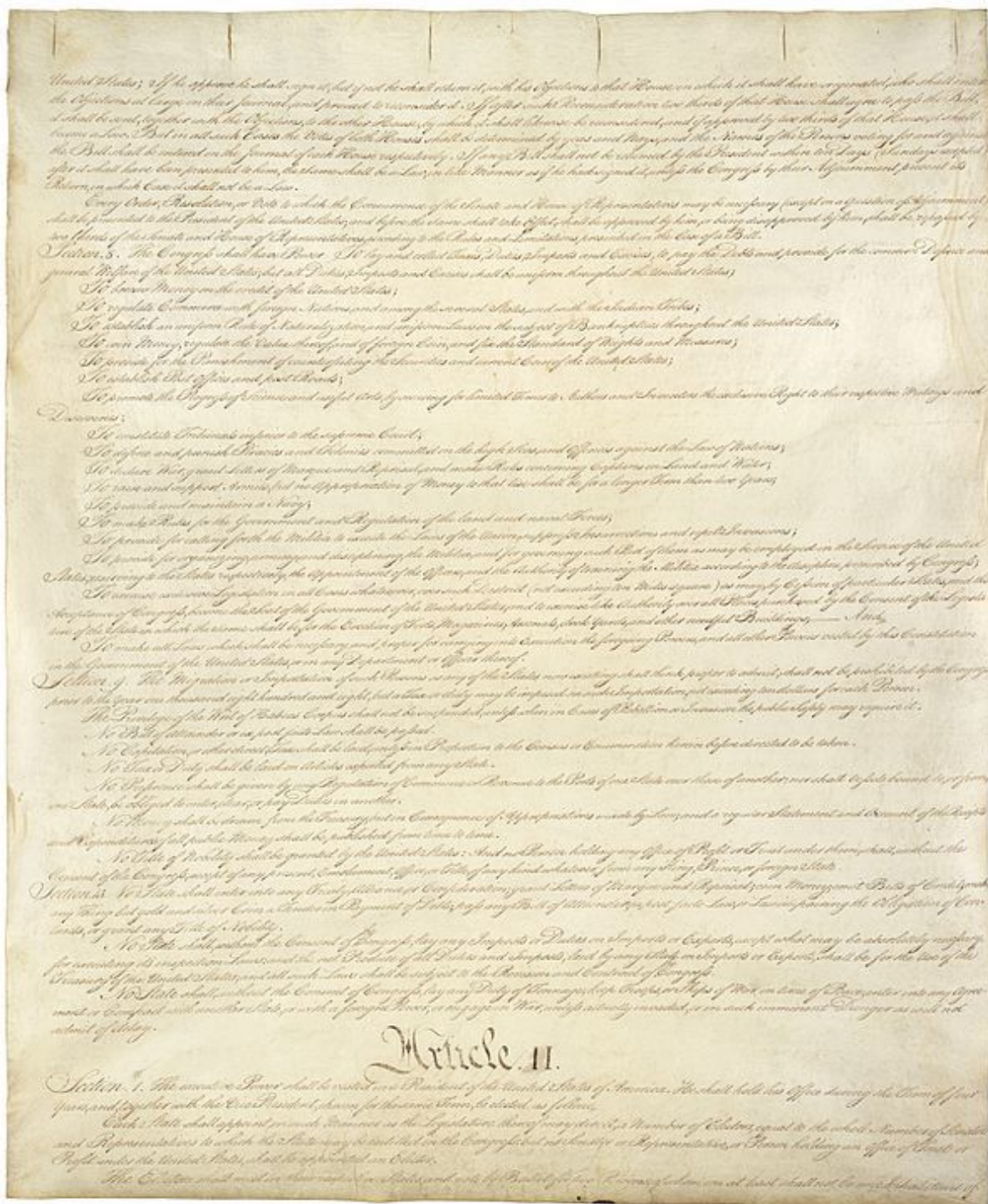
The text of the Constitution can be divided into nine sections: the preamble, 7 articles, and the conclusion. (Note that the preamble and conclusion headings are not part of the text of the document) (though the articles have headings labeled Article I-Article VII).

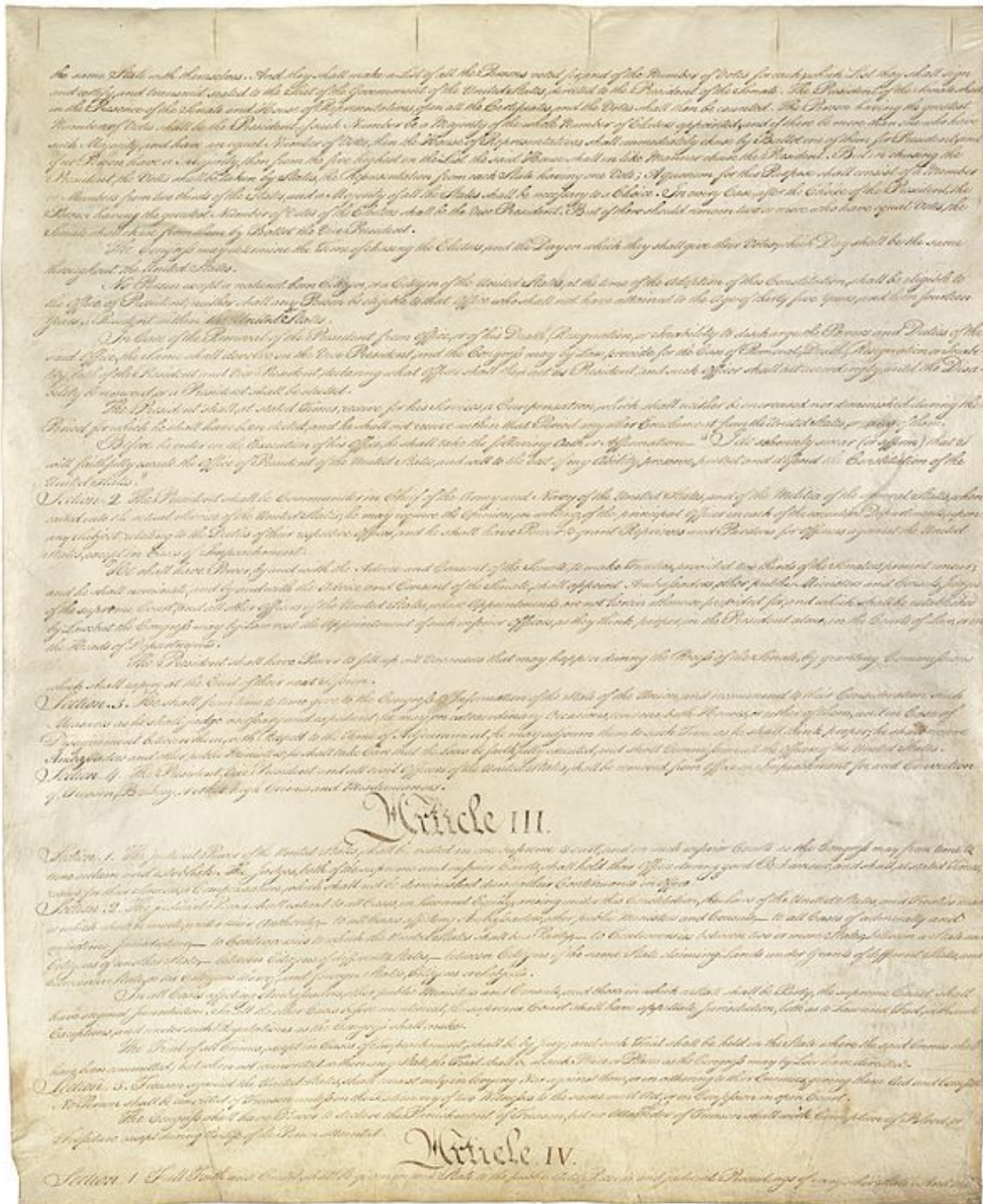


Page I of the Constitution of the United States of America

3.2.1 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.

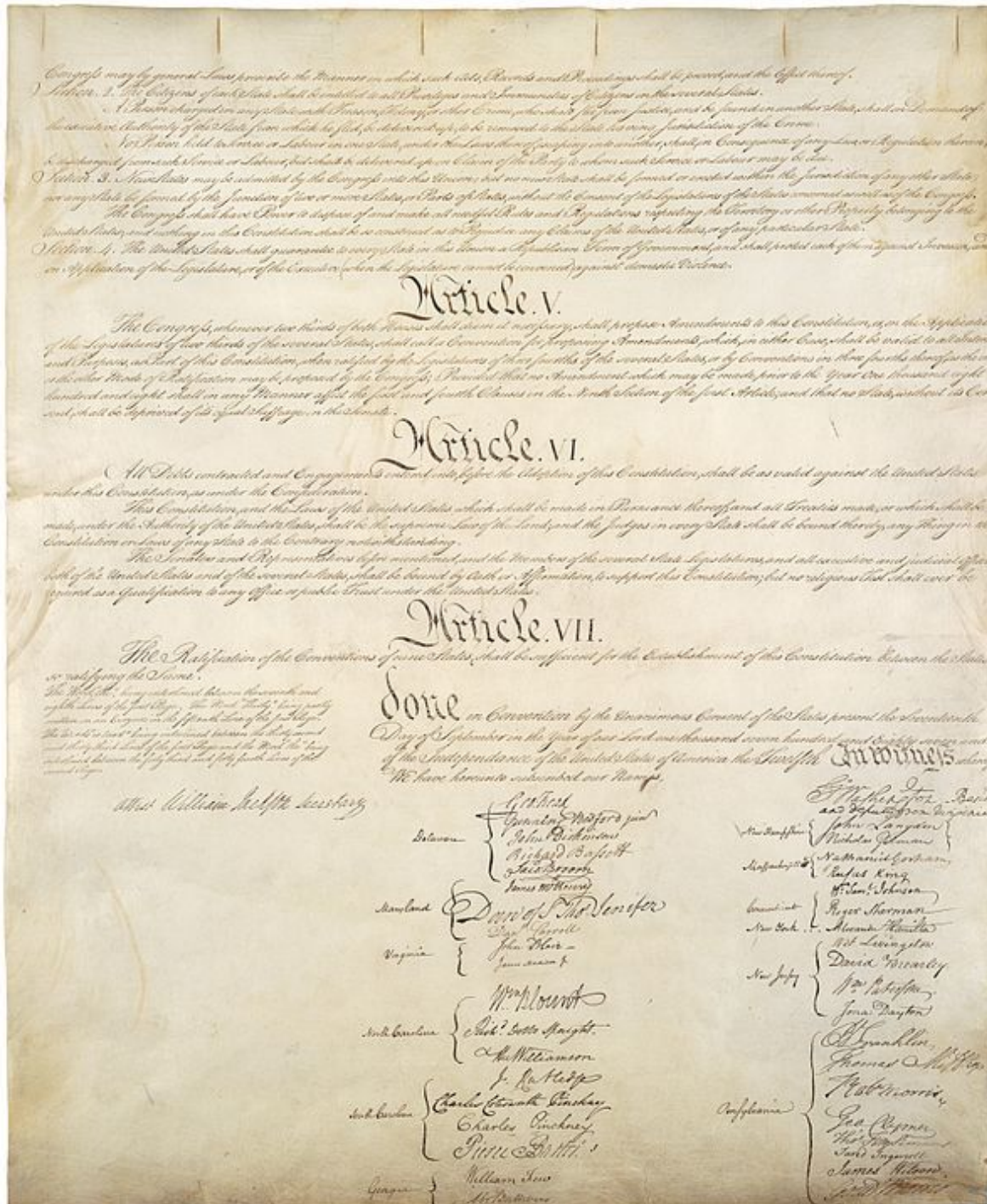




Page III of the United States Constitution

Section 1

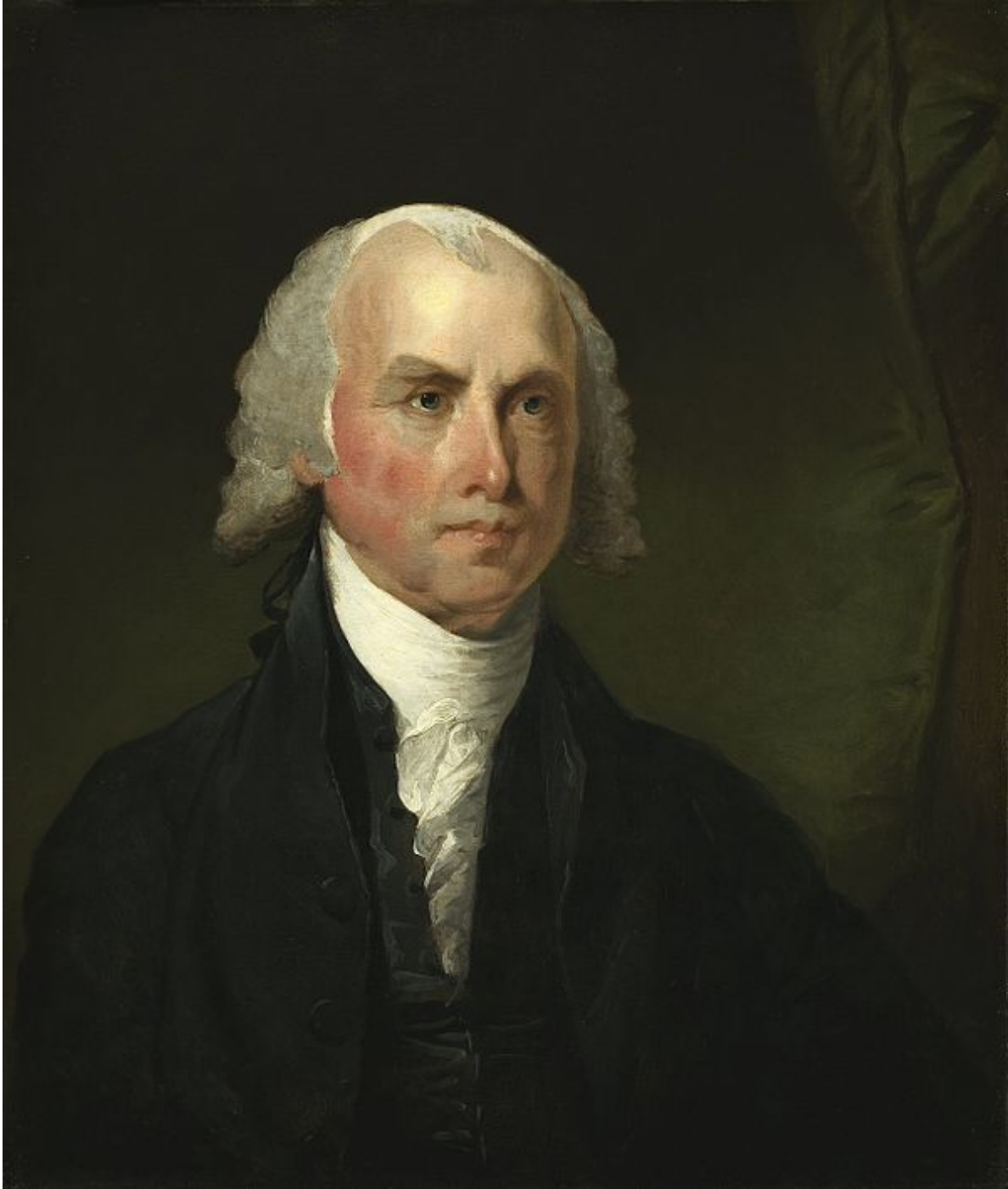
All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.



Page IV of the United States Constitution

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.



James Madison, "Father of the Constitution" and first author of the Bill of Rights.

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 Place of choosing 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 Behavior, and, with the Concurrence of two-thirds, expel a Member.



The Declaration of Independence and the Constitution were signed with the Syng inkstand, which is on display at Independence Hall in Philadelphia.

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 increased 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 a 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 Offenses 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.

3.2.3 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 lie 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 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 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 Offenses 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.



A painting depicting the signing of the Constitution by Howard Chandler Christy

3.2.4 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 Behavior, 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.

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.

3.2.5 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 States 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.

3.2.6 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.

3.2.7 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.

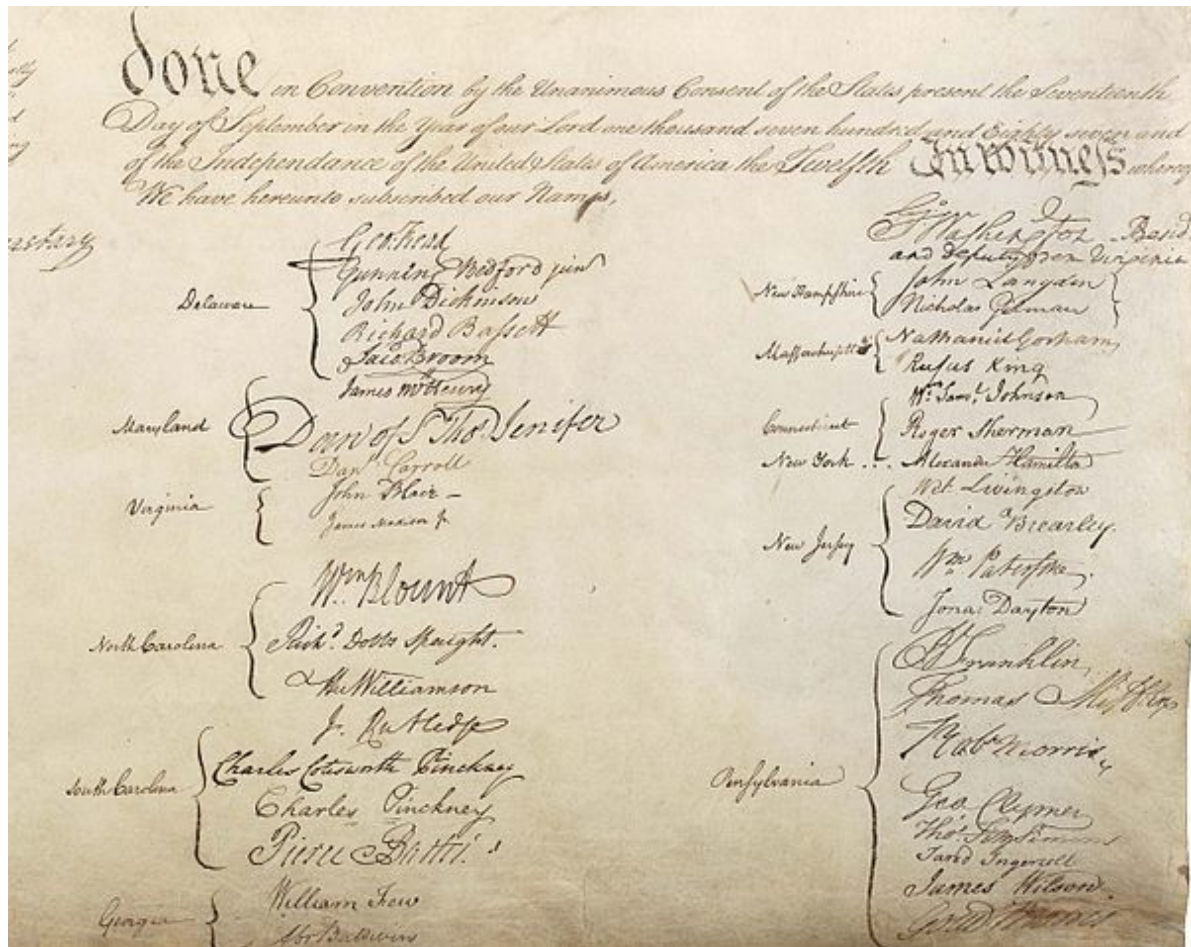
3.2.8 Article VII

The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

3.2.9 Conclusion

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.

- *Virginia: George Washington*
- *Delaware: George Read, Gunning Bedford, Jr., John Dickinson, Richard Bassett, Jacob Broom*
- *Maryland: James McHenry, Daniel of St. Thomas Jenifer, Daniel Carroll*
- *Virginia: John Blair, James Madison Jr.*
- *North Carolina: William Blount, Richard Dobbs Spaight, Hugh Williamson*
- *South Carolia: John Rutledge, Charles Cotesworth Pinckney, Charles Pinckney, Pierce Butler*
- *Georgia: William Few, Abraham Baldwin*
- *New Hampshire: John Langdon, Nicholas Gilman*
- *Massachusetts: Nathaniel Gorham, Rufus King*
- *Connecticut: William Samuel Johnson, Roger Sherman*
- *New York: Alexander Hamilton*



Part of page IV of the Constitution showing the 39 signatures of 39 of the 55 delegates who attended the signing of the Constitution. 16 delegates did not sign the Constitution.

- New Jersey: William Livingston, David Brearley, William Paterson, Jonathan Dayton
- Pennsylvania: Benjamin Franklin, Thomas Mifflin, Robert Morris, George Clymer, Thomas Fitzsimons, Jared Ingersoll, James Wilson, Gouverneur Morris

3.3 Analysis of the text

This section describes each section of the Constitution.

3.3.1 Analysis of the Preamble

The Preamble neither grants any powers nor inhibits any actions; it only explains the rationale behind the Constitution. The Preamble, especially the first three words (“We the people”), is one of the most quoted and referenced sections of the Constitution.



*The room in Independence Hall, Pennsylvania where the *Declaration of Independence* and the Constitution were signed*

3.3.2 Analysis of Article I

Article I establishes the legislative branch of government, U.S. Congress, which includes the House of Representatives and the Senate. The Article establishes the manner of election and qualifications of members of each House. In addition, it provides for free debate in congress and limits self-serving behavior of congressmen, outlines legislative procedure and indicates the powers of the legislative branch. Finally, it establishes limits on federal and state legislative power.

3.3.3 Analysis of Article II

Article II describes the presidency (the executive branch): procedures for the selection of the president, qualifications for office, the oath to be affirmed and the powers and duties of the office. It also provides for the office of Vice President of the United States, and specifies that the Vice President succeeds to the presidency if the President is incapacitated, dies, or resigns, although whether this succession was on an acting or permanent basis was unclear until the passage of the 25th Amendment.

Article II also provides for the impeachment and removal from office of civil officers

3.3.4 Analysis of Article III

Article III describes the court system (the judicial branch), including the Supreme Court. The article requires that there be one court called the Supreme Court; Congress, at its discretion, can create lower courts, whose judgments and orders are reviewable by the Supreme Court. Article Three also requires trial by jury in all criminal cases, defines the crime of treason, and charges Congress with providing for a punishment for it, while imposing limits on that punishment.

3.3.5 Analysis of Article IV

Article IV describes the relationship between the states and the Federal government, and amongst the states. For instance, it requires states to give “full faith and credit” to the public acts, records and court proceedings of the other states. Congress is permitted to regulate the manner in which proof of such acts, records or proceedings may be admitted. The “privileges and immunities” clause prohibits state governments from discriminating against citizens of other states in favor of resident citizens (e.g., having tougher penalties for residents of Ohio convicted of crimes within Arizona). It also establishes extradition between the states, as well as laying down a legal basis for freedom of movement and travel amongst the states. Today, this provision is sometimes taken for granted, especially by citizens who live near state borders; but in the days of the Articles of Confederation, crossing state lines was often a much more arduous (and costly) process. Article IV also provides for the creation and admission of new states. The Territorial Clause gives Congress the power to make rules for disposing of Federal property and governing non-state territories of the United States. Finally, the fourth section of Article IV requires the United States to guarantee to each state a republican form of government, and to protect the states from invasion and violence.

3.3.6 Analysis of Article V

Article V describes the process necessary to amend the Constitution. It establishes two methods of proposing amendments: by Congress or by a national convention requested by the states. Under the first method, Congress can propose an amendment by a two-thirds vote (of a quorum, not necessarily of the entire body) of the Senate and of the House of Representatives. Under the second method, two-thirds of the state legislatures may convene and “apply” to Congress to hold a national convention, whereupon Congress must call such a convention for the purpose of considering amendments. Thus far, only the first method (proposal by Congress) has been used.

Once proposed—whether submitted by a national convention or by Congress—amendments must then be ratified by three-fourths of the states to take effect. Article V gives Congress the option of requiring ratification by state legislatures or by special conventions assembled in the states. The convention method of ratification has been used only once (to approve the 21st Amendment). Article V currently places only one limitation on the amending power—that no amendment can deprive a state of its equal representation in the Senate without that state’s consent.

3.3.7 Analysis of Article VI

Article VI establishes the Constitution, and the laws and treaties of the United States made in accordance with it, to be the supreme law of the land. It also validates national debt created under the Articles of Confederation and requires that all legislators, federal officers, and judges take oaths to support the Constitution.

3.3.8 Analysis of Article VII

Article VII sets forth the requirements for ratification of the Constitution. The Constitution would not take effect until at least nine states had ratified the Constitution in state conventions specially convened for that purpose. New Hampshire became that ninth state on June 21, 1788. Once the Congress of the Confederation received word of New Hampshire’s ratification, it set a timetable for the start of operations under the Constitution, and, on March 4, 1789, the government under the Constitution began operations.

The Constitution was ratified by the states in the following order:

3.3.9 Analysis of the Conclusion

The Conclusion ends the Constitution and is basically a summary of the document’s date of completion and contains the delegate’s signatures.

3.4 Provisions for amendments

The authors of the Constitution were aware that changes would be necessary from time to time if the Constitution was to endure and cope with the effects of the growth of the nation. However, they were also conscious that such a change should not be easy, in case it permits ill-conceived and hastily passed amendments. They also wanted to ensure that an amendment would not block action desired by the vast majority of the population. Their solution was to devise a dual process by which the Constitution could be altered.

The first option must begin in Congress which, by a two-thirds of the members vote in each house, may initiate an amendment. Alternatively, the legislatures of two-thirds of the several states may ask Congress to call a national convention to discuss and draft amendments. To date, all amendments have been proposed by Congress. The second option is that two-thirds of the state legislatures may convene and “apply” to Congress to hold a national convention, whereupon Congress must call such a convention for the purpose of considering amendments. Although state legislatures have occasionally requested the calling of a convention, no such request has yet received the concurrence required for such a convention. As of mid-2006, only the first method (proposal by Congress) has been used.

In either case, an amendment must have the approval of the legislatures or of smaller ratifying conventions within three-fourths of the states before becoming a part of the Constitution. All amendments except one have been submitted to the state legislatures for ratification; only the 21st amendment was ratified by individual conventions in the states.

Amendments to the United States Constitution are considered “articles in addition to and amendment of” the original body of the text and are appended at the end of it. This is the case even when an amendment revises or rescinds an existing clause or section. There is no provision for expunging from the text obsolete or rescinded provisions.

Some people feel that demographic changes in the U.S.—specifically the great disparity in population between states—have made the Constitution too difficult to amend, with states representing as little as 4% of the population theoretically able to block an amendment desired by over 90% of Americans; others feel that it is unlikely that such an extreme result would occur. However, any proposals to change this would necessarily involve amending the Constitution itself.

Congressional legislation, passed to implement provisions of the Constitution or to adapt those implementations to changing conditions, also broadens and, in subtle ways, changes the meanings given to the words of the Constitution. Up to a point, the rules and regulations of the many agencies of the federal government have a similar effect. In case of objection, the test in both cases is whether, in the opinion of the courts, such legislation and rules conform with the meanings given to the words of the Constitution.

3.5 Amendments

The Constitution has a total of 27 amendments. The first ten, written in the **Bill of Rights**, another Charter of Freedom, were ratified simultaneously. The following seventeen were ratified separately.

3.5.1 The Bill of Rights (1-10)

The **Bill of Rights** comprises the first ten amendments to the Constitution. Those amendments were adopted between 1789 and 1791, and all relate to limiting the power of the federal government. They were added in response to criticisms of the Constitution by the state ratification conventions and by prominent individuals such as Thomas Jefferson. These critics argued that without further restraints, the strong central government would become tyrannical. The amendments were proposed by Congress as part of a block of twelve in September 1789. By December 1791 a sufficient number of states had ratified ten of the twelve proposals, and the Bill of Rights became part of the Constitution. One of the failed proposals has yet to be ratified, while the other became the 27th amendment in 1992.

3.5.2 Subsequent amendments (11–27)

The 17 **Additional amendments to the United States Constitution** ratified after the Bill of Rights cover many subjects. The majority of the seventeen later amendments stem from continued efforts to expand individual civil or political liberties,

while a few are concerned with modifying the basic governmental structure drafted in Philadelphia in 1787.

Although there are 27 amendments to the United States Constitution, one of them, the 18th Amendment, is inoperative. It was rescinded by the 21st Amendment, and is the only amendment to date to be directly and specifically repealed by another.

3.5.3 Unratified amendments

Over 10,000 Constitutional amendments have been introduced in Congress since 1789; in a typical Congressional year in the last several decades, between 100 and 200 are offered. Most of these concepts never get out of Congressional committee, much less get proposed by the Congress for ratification. Backers of some amendments have attempted the alternative, and thus far never-utilized, method mentioned in Article V.

Of the thirty-three amendments that have been adopted by Congress and sent to the states for ratification, six have not been ratified by the required number of states. Four of these six amendments are still technically open and pending. Since the early 20th century, Congress has usually, but not always, stipulated that an amendment must be ratified by the required number of states within seven years from the date of its submission to the states in order to become part of the Constitution.

3.5.4 Pending amendments

The following amendments are still before the states; none of them has a ratification deadline attached:

- The Congressional Apportionment Amendment, proposed by the 1st Congress on September 25, 1789, defined a formula for how many members there would be in the United States House of Representatives after each decennial census. Ratified by eleven states, the last being Kentucky in June 1792 (Kentucky's initial month of statehood). In principle it may yet be ratified, though as written it became moot when the population of the United States reached ten million.
- The Titles of Nobility Amendment, proposed by the 11th Congress on May 1, 1810, would have ended the citizenship of any American accepting "any Title of Nobility or Honor" from any foreign power. This amendment was ratified by 12 state legislatures.
- The Corwin Amendment, proposed by the 36th Congress on March 2, 1861, would have forbidden any attempt to subsequently amend the Constitution to empower the Federal government to "abolish or interfere" with the "domestic institutions" of the states (an implicit reference to slavery). It was ratified by only Ohio and Maryland lawmakers before the outbreak of the Civil War. Illinois lawmakers—sitting as a state constitutional convention at the time—likewise approved it, but that action is of questionable validity. However, adoption of the 13th, 14th, and 15th Amendments after the Civil War likely means that the amendment would be ineffective if adopted.
- The Child Labor Amendment, proposed by the 68th Congress on June 2, 1924, which stipulates: "The Congress shall have power to limit, regulate, and prohibit the labor of persons under eighteen years of age." This amendment is now moot, since subsequent federal child labor laws have uniformly been upheld as a valid exercise of Congress' powers under the commerce clause.

3.5.5 Expired amendments

The following amendments are no longer before the states; neither of them were ratified by the required number of states prior to the attached ratification deadline:

- The Equal Rights Amendment, or ERA, which reads in pertinent part "Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex." Proposed by the 92nd Congress on



The Magna Carta, a British document which influenced the Constitution and the Bill of Rights.

March 22, 1972, it was ratified by the legislatures of 35 states, and expired on either March 22, 1979, or on June 30, 1982, depending upon one's point of view of a controversial ratification deadline three-year extension by the 95th Congress in 1978. Of the 35 states ratifying it, four later rescinded their ratifications prior to the extended ratification period which commenced March 23, 1979 and a fifth—while not going so far as to actually rescind its earlier ratification—adopted a resolution stipulating that its approval would not extend beyond March 22, 1979. There continues to be diversity of opinion as to whether such reversals are valid; no court has ruled on the question, including the Supreme Court. But a precedent against the validity of rescission was first established during the ratification process of the 14th Amendment when Ohio and New Jersey rescinded their earlier approvals, but yet were counted as ratifying states when the 14th Amendment was ultimately proclaimed part of the Constitution in 1868.

- The District of Columbia Voting Rights Amendment was proposed by the 95th Congress on August 22, 1978. Had it been ratified, it would have granted to the District of Columbia—as though it were a state—full representation in the United States Congress, full representation in the Electoral College system, and full participation in the process by which the Constitution is amended. It would have also repealed the 23rd Amendment. Ratified by the legislatures of only 16 states—less than half of the required 38—the proposed amendment expired on August 22, 1985.

3.5.6 Proposals for amendments

There are currently only a few proposals for amendments which have entered mainstream political debate. These include the proposed Federal Marriage Amendment, the Balanced Budget Amendment, and the Flag-Burning Amendment.

3.6 Questions

Here are some questions to answer. If you are stumped, and need the answer, just click and drag your mouse over the space next to the question. The answer will show up. The answers to all the questions are located in this article (except question 12). (Question 12 has no right or wrong answer).

1. What document did the Constitution replace? The Articles of Confederation
2. Which one of the 13 states did not send a delegate to sign the Constitution? Rhode Island
3. How many of the 13 states were needed to ratify this document in order for it to become functional? 9
4. Who was nicknamed the "Father of the Constitution"? James Madison
5. How many articles are there in the Constitution? 7
6. How many delegates signed the Constitution? 39
7. Which article describes how to amend the Constitution? Article V
8. How many ways are there to amend the Constitution? 2
9. How many times has the Constitution been amended? 27
10. Which document the first ten amendments to the Constitution written on? The Bill of Rights
11. Which document influenced the Constitution? The Magna Carta
12. Which article do you think is the most significant and why? Answers may vary

3.7 Source

Adapted from the [Wikipedia](#) article.

Chapter 4

Bill of Rights

The **United States Bill of Rights** is the document containing the first ten amendments to the **Constitution**. These amendments explicitly limit the Federal government's powers, protecting the rights of the people by preventing Congress from abridging freedom of speech, freedom of the press, freedom of assembly, freedom of religious worship, and the right to bear arms, preventing unreasonable search and seizure, cruel and unusual punishment, and self-incrimination, and guaranteeing due process of law and a speedy public trial with an impartial jury. These amendments came into effect on December 15, 1791, when ratified by three-fourths of the 13 states. Initially drafted by James Madison in 1789, the Bill of Rights was written at a time when ideological conflict between Federalists and anti-Federalists, dating from the Philadelphia Convention in 1787, threatened the Constitution's ratification. The Bill of Rights plays a central role in American law and government, and remains a fundamental symbol of the freedoms and culture of the nation. The original handwritten copy is on display in the **National Archives** in **Washington, D.C.** It is the third of the three Charters of Freedom along with the **Declaration of Independence** and the **Constitution**.

4.1 Background

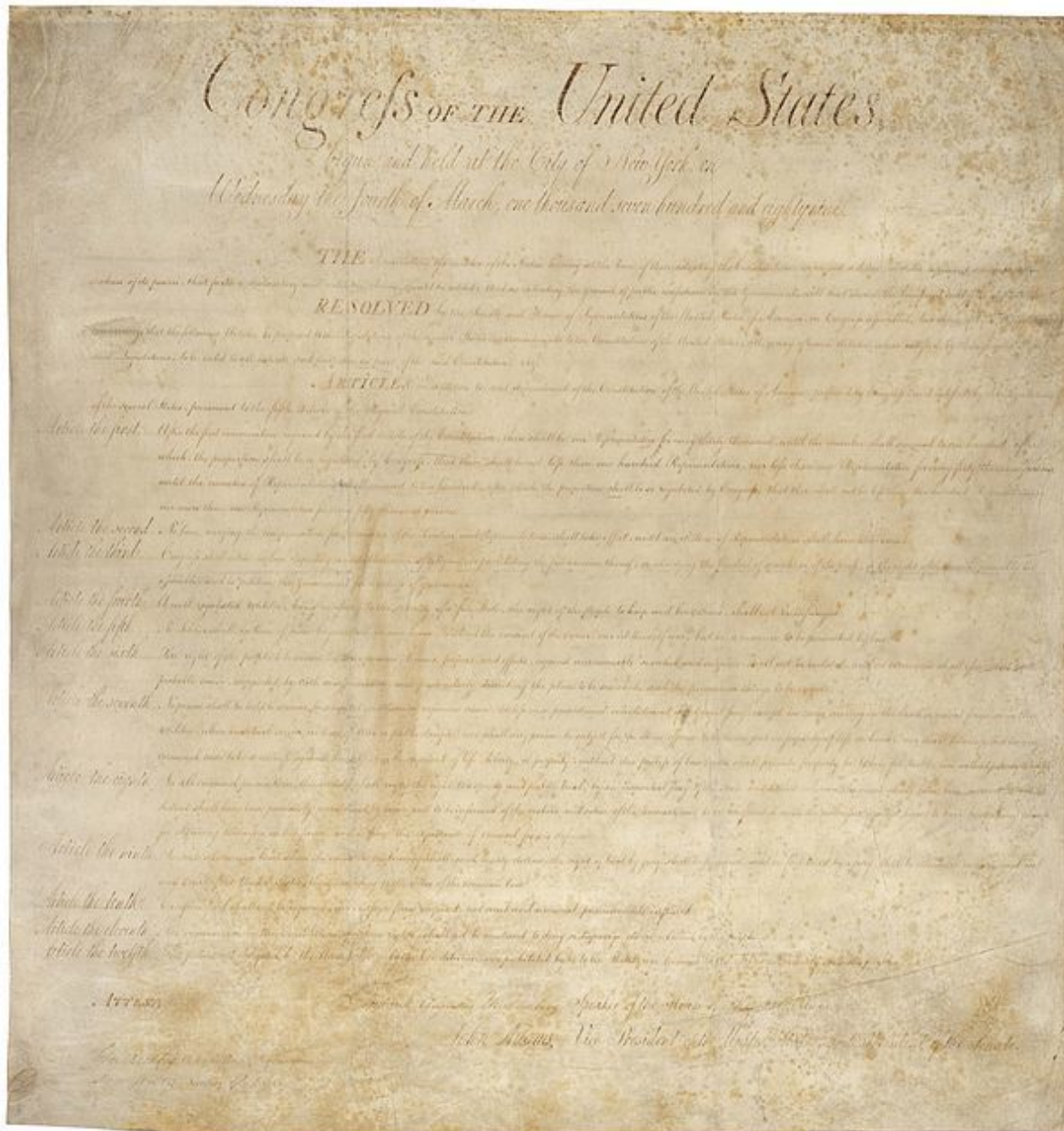
The Philadelphia Convention, convened in 1787, set out to correct weaknesses inherent in the **Articles of Confederation** that had been apparent even before the American Revolutionary War had been successfully concluded: it was widely conceded that the government needed broader power to generate revenue, as Congress lacked authority to levy taxes; the **Liberum Veto** and the requirement of a supermajority to enact major legislation enabled one or two states to defeat legislative proposals; no provisions were made for an executive branch to enforce the laws or for a national court system to interpret them; and individual states could refuse to be bound under treaties and agreements negotiated with foreign powers.

This need for a stronger legislature, a unified currency, and a central authority with a power to conduct affairs of state led to the stronger Federal government adopted by compromise at the Convention.

The newly constituted Federal government, included a strong executive branch, a stronger legislative branch and an independent judicial branch. However, debate between political factions known as the Federalists and anti-Federalists ensued over the balance between strengthening the nation's government and weakening the rights of the people who only ten years earlier had explicitly rebelled against the perceived tyranny of **King George III** of England.

4.1.1 Arguments against the Bill of Rights

The idea of adding a Bill of Rights to the Constitution was originally controversial, and was strongly opposed by many notable American statesmen, including Alexander Hamilton. In one of the **Federalist Papers**, published during the Philadelphia Convention on May 28, 1788, Hamilton argued against a "Bill of Rights," asserting that ratification of the Constitution did not mean the American people were surrendering their rights, and therefore that protections were unnecessary: "Here, in strictness, the people surrender nothing, and as they retain every thing, they have no need of particular reservations." As

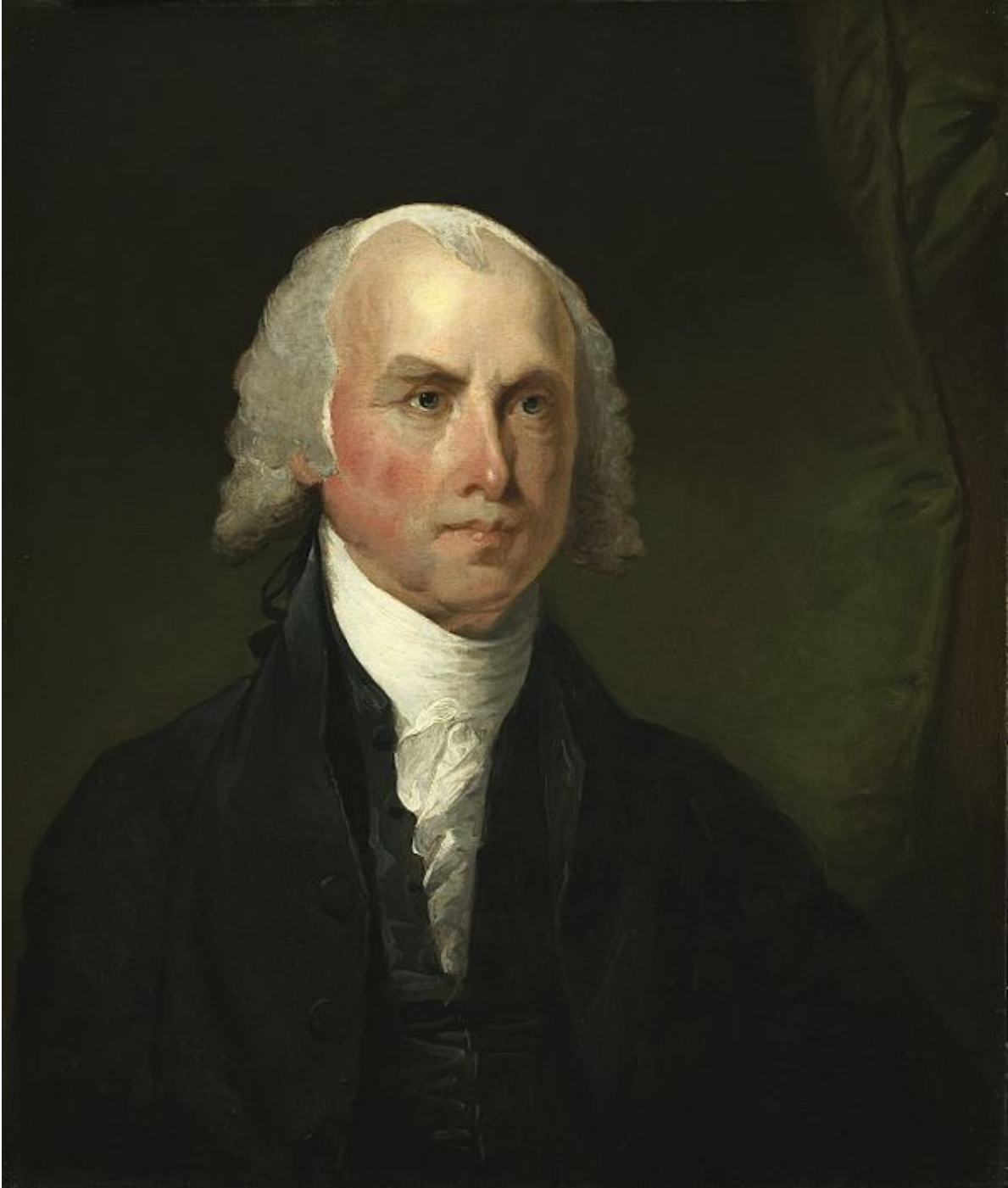


The United States Bill of Rights

critics of the Constitution referred to earlier political documents that had protected specific rights, Hamilton argued that the Constitution was inherently different. Unlike previous political arrangements between sovereigns and subjects in the United States, there would be no agent empowered to abridge the people's rights: "Bills of rights are in their origin, stipulations between kings and their subjects, abridgments of prerogative in favor of privilege, reservations of rights not surrendered to the prince. Such was *Magna Charta*, obtained by the Barons, sword in hand, from King John."

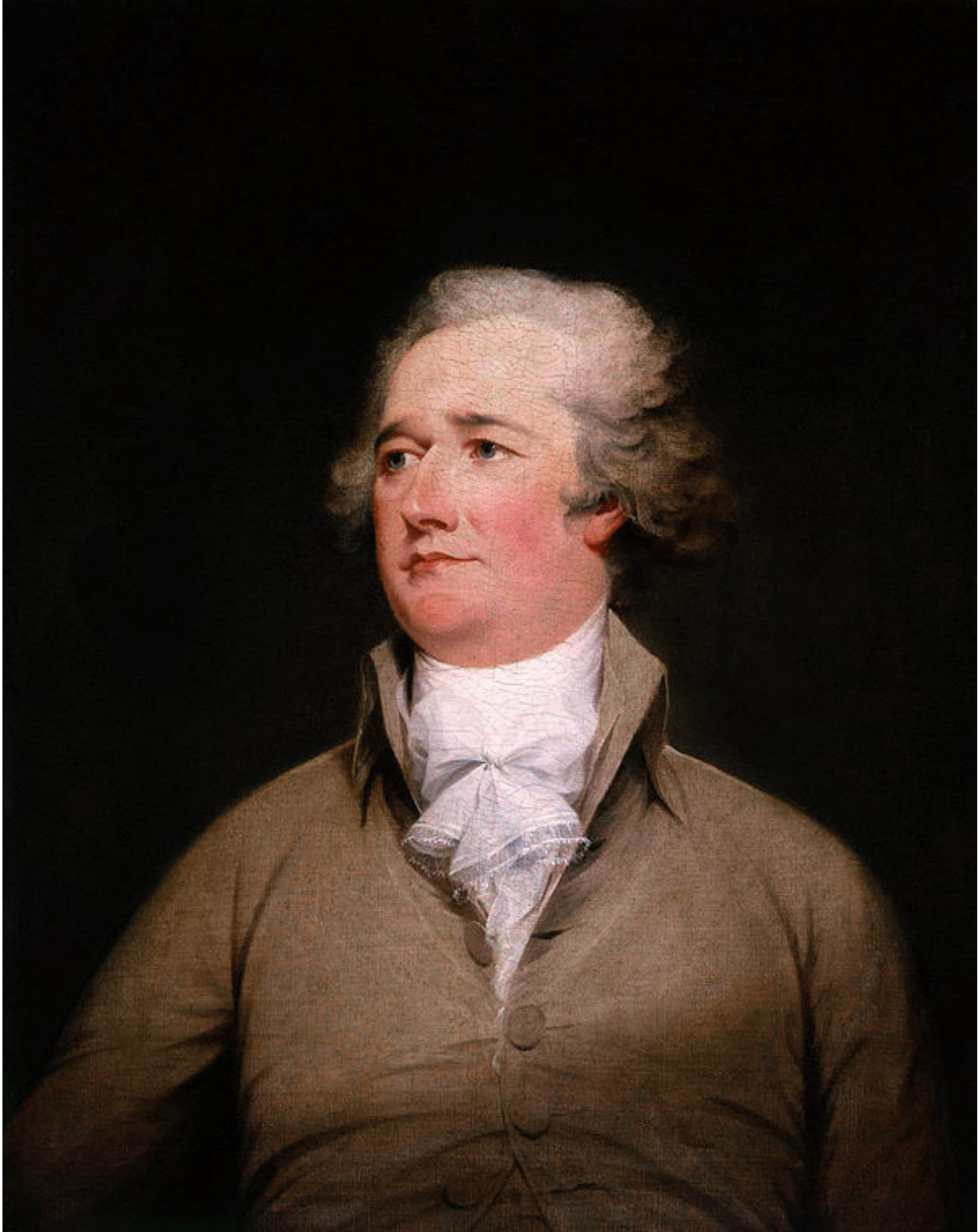
Finally, Hamilton expressed the fear that protecting specific rights might imperil rights that were not mentioned:

"I go further, and affirm that bills of rights, in the sense and in the extent in which they are contended for, are not only unnecessary in the proposed constitution, but would even be dangerous. They would contain various exceptions to powers which are not granted; and on this very account, would afford a colorable pretext



*James Madison, "Father of the **Constitution** and first author of the Bill of Rights.*

to claim more than were granted. For why declare that things shall not be done which there is no power to do?"



Alexander Hamilton, the man who wrote most of the Federalist Papers



The Magna Carta, a British document which influenced Constitution and the Bill of Rights.

4.1.2 The Anti-Federalists

During the debate over the ratification of the Constitution, famous revolutionary figures such as Patrick Henry came out publicly against the Constitution. They argued that the strong national government proposed by the Federalists was a threat to the rights of individuals and that the President would become a king, and objected to the federal court system in the proposed Constitution. Thomas Jefferson, ambassador to France, described his concern over the lack of a Bill of Rights, among other criticisms. In answer to the argument that a list of rights might be interpreted as being exhaustive, Jefferson wrote to Madison, “Half a loaf is better than no bread. If we cannot secure all our rights, let us secure what we can.”

The best and most influential of the articles and speeches criticizing the Constitution were gathered by historians into a collection known as the **Anti-Federalist Papers**, an opposite of the **Federalist Papers** which had supported the creation of a stronger federal government. One of these, an essay “On the lack of a Bill of Rights,” later called “Antifederalist Number 84,” was written under the pseudonym Brutus. In response to the Federalist view that it was unnecessary to protect the people against powers that the government would not be granted, “Brutus” wrote:

“We find they have, in the ninth section of the first article declared, that the writ of habeas corpus shall not be suspended, unless in cases of rebellion,—that no bill of attainder, or ex post facto law, shall be passed,—that no title of nobility shall be granted by the United States, etc. If every thing which is not given is reserved, what propriety is there in these exceptions? Does this Constitution any where grant the power of suspending the habeas corpus, to make ex post facto laws, pass bills of attainder, or grant titles of nobility? It certainly does not in express terms. The only answer that can be given is, that these are implied in the general powers granted. With equal truth it may be said, that all the powers which the bills of rights guard against the abuse of, are contained or implied in the general ones granted by this Constitution.”

“Brutus” continued with a dark implication directed against the Framers: “Ought not a government, vested with such

extensive and indefinite authority, to have been restricted by a declaration of rights? It certainly ought. So clear a point is this, that I cannot help suspecting that persons who attempt to persuade people that such reservations were less necessary under this Constitution than under those of the States, are wilfully endeavoring to deceive, and to lead you into an absolute state of vassalage.”

4.1.3 Ratification and the Massachusetts Compromise

Individualism was the strongest element of opposition; the necessity, or at least the desirability, of a bill of rights was almost universally felt, and the Anti-Federalists were able to play on these feelings in the ratification convention in Massachusetts. By this stage, five of the states had ratified the Constitution with relative ease; however, the Massachusetts convention was bitter and contentious:

“In Massachusetts, the Constitution ran into serious, organized opposition. Only after two leading Antifederalists, John Adams and John Hancock, negotiated a far-reaching compromise did the convention vote for ratification on February 6, 1788 (187-168). Antifederalists had demanded that the Constitution be amended before they would consider it or that amendments be a condition of ratification; Federalists had retorted that it had to be accepted or rejected as it was. Under the Massachusetts compromise, the delegates recommended amendments to be considered by the new Congress, should the Constitution go into effect. The Massachusetts compromise determined the fate of the Constitution, as it permitted delegates with doubts to vote for it in the hope that it would be amended.”

Four of the next five states to ratify, including New Hampshire, Virginia, and New York, included similar language in their ratification instruments. Thus, while the Anti-Federalists were unsuccessful in their quest to prevent the adoption of the Constitution, their efforts were not totally in vain.

4.2 Drafting

After the Constitution was ratified in 1789, the first United States Congress met in Federal Hall in New York City. Most of the delegates agreed that a “bill of rights” was needed and most of them agreed on the rights they believed should be enumerated.

James Madison, at the head of the Virginia delegation of the 1st Congress, had opposed a Bill of Rights but hoped to preempt the potential political disaster of a second Constitutional Convention that might have undone the difficult compromises of 1787: a second convention would open the entire Constitution to reconsideration and could undermine the work he and so many others had done in establishing the structure of the United States Government.

Madison based his work on George Mason’s Virginia Declaration of Rights (1776), which itself had been written with Madison’s input. In addition to this direct influence, Madison’s work on the Bill of Rights reflected centuries of English law and philosophy, further modified by the principles of the American Revolution. It has been argued that all men have inalienable natural rights and that the purpose of government was to protect property rights, ideas that became part of the American view of government. Madison, in the United States Bill of Rights, continued in the radical tradition of the American Revolution by further extending and codifying these rights.

4.3 Twelve amendments proposed

At first, on June 8, 1789, a motion was made to have the “Committee of the Whole House on the State of the Union,” that is, the entire House of Representatives work on proposals for amendments until they were deemed fit to refer to the States for consideration. On July 17, 1789, a motion was passed referring this work to a select committee of eleven members, consisting of Congressmen from every State, including Madison, John M. Vining (Delaware), Abraham Baldwin (Georgia), Roger Sherman (Connecticut), Aedanus Burke (South Carolina), Nicholas Gilman (New Hampshire), George Clymer (Pennsylvania), Egbert Benson (New York), Benjamin Goodhue (Massachusetts), Elias Boudinot (New Jersey),

and George Gale (Maryland). The committee drafted the precise language of the amendments, and referred their work back to the House. After revisions in the House, the Bill was passed to the United States Senate on August 24, 1789, and returned with revisions on September 21, 1789.

Finally, the joint proposal of twelve Amendments was approved on September 25, 1789 and submitted to the State Legislatures for approval, and while ten were ratified, two failed. The Congressional Apportionment Amendment, intended to determine the number of Congressional Representatives and assure representation for the common people ^[1], was ratified by only eleven of the state legislatures, one shy of the twelve required to achieve the three-fourths threshold. The Congressional Compensation Amendment fared even worse, passing only six states, but was revived in the 1980s and eventually ratified in 1992 as Amendment XXVII to the United States Constitution.

4.4 Ratification process

On November 20, 1789, New Jersey became the first state to ratify these amendments. On December 15, 1791, ten of these proposals became the First through Tenth Amendments—and official United States law, when they were ratified by the Virginia legislature.

Articles III–XII were ratified by 11/14 States (> 75%). Article I, rejected by Delaware, was ratified by 10/14 States (< 75%), and later by Kentucky (11/15 States < 75%), and failed. Article II was ratified by 6/14, later 7/15 States, and failed.

4.4.1 Ratification dates

- New Jersey, November 20, 1789; rejected article II
- Maryland, December 19, 1789; approved all
- North Carolina, December 22, 1789; approved all
- South Carolina, January 19, 1790; approved all
- New Hampshire, January 25, 1790; rejected article II
- Delaware, January 28, 1790; rejected article I
- New York, February 27, 1790; rejected article II
- Pennsylvania, March 10, 1790; rejected article II
- Rhode Island, June 7, 1790; rejected article II
- Vermont, November 3, 1791; approved all
- Virginia, December 15, 1791; approved all

4.4.2 Later consideration

Lawmakers in Kentucky, which joined the Union in June 1792, ratified the entire set of twelve proposals during that commonwealth's initial month of statehood, perhaps unaware—given the nature of long-distance communications in the 1700s—that Virginia's approval six months earlier had already made ten of the package of twelve part of the Constitution!

Although ratification made the Bill of Rights effective in 1791, three of the original thirteen States: Connecticut, Georgia, and Massachusetts, did not “ratify” the first ten amendments until 1939.

4.5 Incorporation extends to States

Originally, the Bill of Rights applied only to the federal government and not to the several state governments. Parts of the amendments initially proposed by Madison that would have limited state governments (“No state shall violate the equal rights of conscience, or the freedom of the press, or the trial by jury in criminal cases.”) were not approved by Congress, and therefore the Bill of Rights did not appear to apply to the powers of state governments.

Thus, states had established state churches up until the 1820s, and Southern states, beginning in the 1830s, could ban abolitionist literature. However, in 1925, the Supreme Court ruled that the Fourteenth Amendment, which had been adopted in 1868, made certain applications of the Bill of Rights applicable to the states. The Supreme Court then cited the *Gitlow* case as precedent for a series of decisions that made most of the provisions of the Bill of Rights applicable to the states.

4.6 Display and honoring of the Bill of Rights

In 1941, President Franklin Delano Roosevelt declared December 15 to be “Bill of Rights Day”, a national holiday commemorating the 150th anniversary of the ratification of the Bill of Rights.

The Bill of Rights is on display at the [National Archives](#), in the “Rotunda for the Charters of Freedom.”

The Rotunda itself was constructed in the 1950s and dedicated in 1952 by President Harry S. Truman, who said, “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. . .”

After fifty years, signs of deterioration in the casing were noted, while the documents themselves appeared to be well-preserved: “But if the ink of 1787 was holding its own, the encasements of 1951 were not...minute crystals and micro-droplets of liquid were found on surfaces of the two glass sheets over each document...The CMS scans confirmed evidence of progressive glass deterioration, which was a major impetus in deciding to re-encase the Charters of Freedom.”

Accordingly, the casing was updated and the Rotunda rededicated on September 17, 2003. In his dedicatory remarks, 216 years after the close of the Constitutional Convention, President George W. Bush stated, “The true [American] revolution was not to defy one earthly power, but to declare principles that stand above every earthly power -- the equality of each person before God, and the responsibility of government to secure the rights of all.”

4.7 Text of the Bill of Rights

The text of the Bill of Rights can be divided into fourteen sections: the preamble, the Congressional Apportionment Amendment, the Congressional Compensation Amendment, 10 ratified amendments, and the signatures. (Note that these headings are not part of the text of the document).

4.7.1 Preamble

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.”

4.7.2 Congressional Apportionment Amendment

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. This is just one of the amendments that were taken out of the narrowed 12 amendments.

4.7.3 Congressional Compensation Amendment

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.

4.7.4 Amendment I

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.

4.7.5 Amendment II

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.

4.7.6 Amendment III

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.

4.7.7 Amendment IV

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.

4.7.8 Amendment V

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 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.

4.7.9 Amendment VI

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 defense.

4.7.10 Amendment VII

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.

4.7.11 Amendment VIII

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

4.7.12 Amendment IX

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

4.7.13 Amendment X

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.

4.7.14 Signatures

- *Frederick Augustus Conrad Muhlenburg*
- *John Adams*
- *John James Beckley*
- *Samuel Allyne Otis*

4.8 Analysis of the text

This section describes each section of the Bill of Rights.

4.8.1 Analysis of the Preamble

The preamble starts out by saying that the 13 states wished to create this document to prevent the federal government from abusing the powers it was granted by the **Constitution**. Also, it states that the listed amendments are being proposed as stated in Article V of the Constitution.

4.8.2 Analysis of the Congressional Apportionment Amendment

This failed amendment seeks to make certain that seats in the House of Representatives are reapportioned according to population every ten years, but given the current population of the United States, the algorithm that it sets forth would now place very few restrictions on the size of the House. Were this amendment to be ratified today, it would allow anywhere between 200 and nearly 6,000 Representatives.

4.8.3 Analysis of the Congressional Compensation Amendment

This amendment, which also failed, prevented any law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives intervened. This amendment was finally ratified as Amendment XXVII in 1992.

4.8.4 Analysis of Amendment I

This amendment, the most important and well-known to most Americans, prevented the U.S. Congress from infringing on six important human rights. It forbids federal laws that:

- Establish a state religion or prefer certain religion;
- Prohibit the free exercise of religion;
- Infringe the freedom of speech;
- Infringe the freedom of the press;
- Limit the right to assemble peaceably;
- Limit the right to petition the government for a redress of grievances.

4.8.5 Analysis of Amendment II

This amendment declares the need for “a well regulated militia”, and prohibits infringement of “the right of the people to keep and bear arms”.

4.8.6 Analysis of Amendment III

This amendment prohibits the quartering of soldiers (military personnel) in private homes without the owner’s consent in peacetime. It makes quartering legally permissible in wartime only, but only in accordance with law.

4.8.7 Analysis of Amendment IV

This amendment guards against unreasonable searches and seizures. It was a response to the controversial writs of assistance (a type of general search warrant) which were a significant factor behind the American Revolution.

4.8.8 Analysis of Amendment V

This amendment is related to legal procedure. Its guarantees stem from English common law. For instance, grand juries and the phrase “due process” both trace their origin to common law.

4.8.9 Analysis of Amendment VI

This amendment codifies rights related to criminal prosecutions in federal courts. The Supreme Court has ruled that these rights are so fundamental and important that they are protected in state courts by Amendment XIV's Due Process Clause.

4.8.10 Analysis of Amendment VII

This amendment codifies the right to jury trial in certain civil trials. The Supreme Court has not extended the Amendment to the states under Amendment XIV, as it has for many other components of the Bill of Rights.

4.8.11 Analysis of Amendment VIII

This amendment prohibits excessive bail or fines, as well as cruel and unusual punishment.

4.8.12 Analysis of Amendment IX

This amendment protects at least some rights not specifically written in the Bill of Rights.

4.8.13 Analysis of Amendment X

This amendment makes explicit the idea that the federal government is limited only to the powers it is granted in the Constitution, is generally recognized to be hardly worth mentioning.

4.8.14 Analysis of the Signatures

The Bill of Rights is signed by four important cabinet members to ensure its validity. The signers are Frederick Augustus Conrad Muhlenburg, the Speaker of the House of Representatives, John Adams, the Vice President and President of the Senate, John James Beckley, the Clerk of the House of Representatives and Samuel Allyne Otis, the Secretary of the Senate.

4.9 References

[1] "Article The First"

4.10 Questions

Here are some questions to answer. If you are stumped, and need the answer, just click and drag your mouse over the space next to the question. The answer will show up. The answers to all the questions are located in this article.

1. The Bill of Rights is a list of amendments for which document? The Constitution
2. On what day did the Bill of Right's amendments come into effect? December 15, 1791
3. Which document influenced the Bill of Rights? The Magna Carta
4. How many amendments were proposed? 12
5. Which was the first state to ratify the amendments? New Jersey

6. How many of the amendments proposed on this document were ratified? 10
7. What day is “Bill of Rights Day”? December 15
8. When was the “Rotunda for the Charters of Freedom” constructed? The 1950s
9. What year was 216 years after the close of the Constitutional Convention? 2003
10. Which amendment is the most important and well-known to most Americans? Amendment I

4.11 Source

Basically a junior version of the [Wikipedia](#) article.

Chapter 5

History of the Charters of Freedom

In 1952, the **Declaration of Independence** and the **Constitution** came to join the **Bill of Rights** (which was placed in 1938) at the **National Archives**. In fact, the documents did not receive the name “Charters of Freedom” until 1953. Where were the Charters of Freedom before then? This article will tell you about their history.

5.1 History of the Declaration of Independence (1776-1921)

On July 19, 1776, Congress resolved “that the Declaration passed on the 4th, be fairly engrossed on parchment, with the title and stile of “The unanimous declaration of the thirteen United States of America,” and that the same, when engrossed, be signed by every member of Congress. Timothy Matlack, an assistant to Charles Thomson, the secretary of the Continental Congress, did the engrossing (calligraphy with large letters) on a single sheet of parchment. On August 2, 1776, the Declaration of Independence was signed by the delegates.

The Declaration of Independence, probably rolled up like other parchment documents of the time, moved with Congress from city to city throughout the Revolutionary War. Each time the document was used, it would have been unrolled and re-rolled.

In September 1789 the Secretary of Congress transferred the Declaration to the custody of the Secretary of State, and then it moved with the national government, from New York to Philadelphia and then in 1800 to **Washington, D.C.**

In 1814, when the British attacked Washington, D.C., the Declaration of Independence was evacuated, first to an unused gristmill near Chain Bridge over the **Potomac River** and later to a private home near **Leesburg, Virginia**. By 1817, the Secretary of State Richard Rush noted that the “hand of time” had faded the signatures.

In 1820, Secretary of State John Quincy Adams contracted with William J. Stone to engrave a facsimile of the Declaration, it was completed in 1823. It is because of Stone’s engraving plate, now in the National Archives, that we know what the Declaration of Independence looked like.

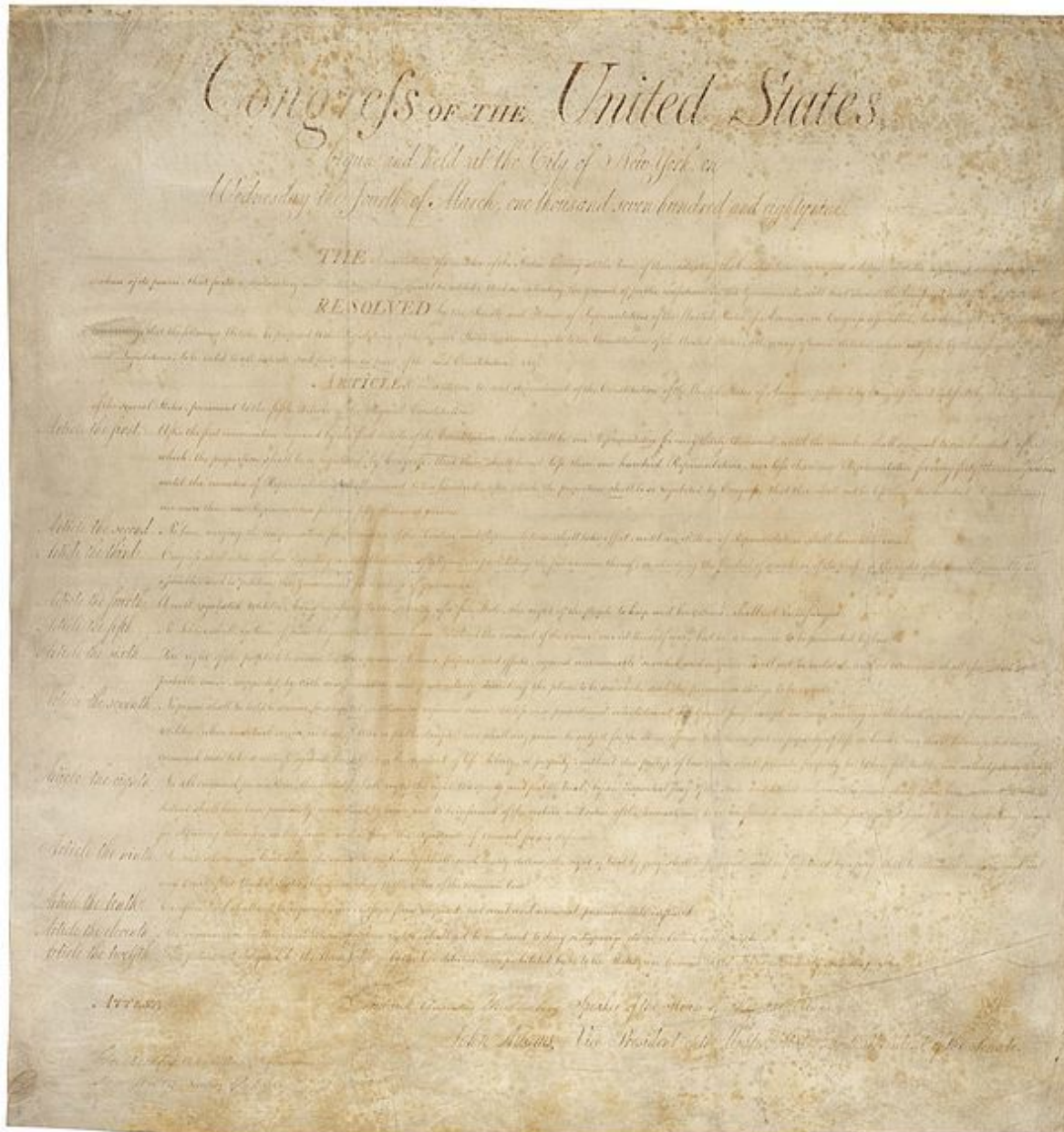
In 1841, when the new Patent Office building opened (now the Smithsonian’s National Portrait Gallery at Seventh and F Streets, NW), Secretary of State Daniel Webster sent the Declaration of Independence and other interesting documents (such as General Washington’s commission in the Revolutionary Army) to be exhibited for public viewing, and it remained there, exposed to natural light, for thirty-five years. During its stay at the Patent Office, the combined effects of aging, sunlight, and fluctuating temperature and relative humidity took their toll on the document, and observers remarked on its worn and faded appearance.

The Declaration of Independence was exhibited at Independence Hall in Philadelphia for exhibit at the Centennial National Exposition in 1876, and when it returned to Washington, D.C. in 1877, it was placed on exhibit at the new State-War-Navy Building (now the Eisenhower Executive Office Building) next to the White House.

In 1892, a new steel case was constructed, and plans were made to send it to **Chicago** for the World’s Columbian Exposition, but at the last minute it was decided that due to the fading of the text and the deterioration of the parchment, the Declaration of Independence could no longer be safely exhibited and the plans were cancelled. The Declaration was

5.2 History of the Constitution (1787-1921)

The Constitutional Convention met in **Philadelphia** during the summer of 1787, and on September 16-17, 1787, Jacob Shallus, an assistant clerk of the Pennsylvania State Assembly, engrossed the Constitution on four sheets of parchment. Delegates signed it on page four. The Constitution, like the Declaration, passed to the custody of the Department of State in 1789, moved with the government, and was evacuated to Leesburg in 1814. The Constitution was never exhibited, and there are only a few mentions of it in the historical records.



The United States Bill of Rights

5.3 History of the Bill of Rights (1789-1951)

The joint resolution of Congress proposing twelve amendments to the Constitution, like the laws of the first Congress, was engrossed on a single sheet of parchment by a congressional clerk, William Lambert, in September 1789. The Speaker of the House, Frederick Augustus Muhlenberg, and the president of the Senate, John Adams, signed it. By 1791 three-fourths of the states had ratified articles three through twelve, and they became the first ten amendments, the Bill of Rights.

Unfortunately, practically nothing is known about the Bill of Rights between 1789 and 1938, except that it was kept with other signed original laws and resolutions, moved with the government, and although not specifically mentioned, was probably evacuated to Leesburg in 1814.

In 1938, the State Department transferred the original laws and resolutions of Congress, including constitutional amendments, to the National Archives. The first known photograph of the Bill of Rights was made to illustrate the National Archives annual report in 1941. From September 1947 to January 1949, the Bill of Rights was the featured document on the tour of the **Freedom Train**, which carried 126 historic documents to 322 cities. The Bill of Rights was on exhibit in the National Archives Building from September 1949 to January 1951. During the Korean War, the Bill of Rights and other documents of high intrinsic value were sent to the Roosevelt Library in Hyde Park, New York.

5.4 History of the Declaration of Independence and the Constitution (1921-1952)

From 1921 to 1952 the Declaration of Independence and the Constitution share a common history. In 1920 a committee of scholars investigated and made recommendations for the permanent preservation and possible exhibition of the Declaration of Independence and the Constitution. A year later, President Warren Harding signed an executive order transferring custody of the Declaration of Independence and the Constitution from the State Department to the **Library of Congress**. The next day, the Librarian of Congress, Herbert Putnam, went to the State Department, signed a receipt, placed the Declaration and Constitution on a pile of leather mail sacks and a cushion in a Ford Model-T truck, returned with them to the Library of Congress, and placed them in a safe in his office. Putnam asked Congress for a special appropriation to create a dignified exhibit so that visitors to Washington could view the documents in a “sort of shrine.” Congress gave him twelve thousand dollars, and the new exhibit opened in 1924. For the first time the Constitution was placed on exhibit, next to the Declaration of Independence. Newspapers reported that after almost 150 years of traveling the two great documents had finally found a permanent home.

In 1926, Congress made its first appropriation for a National Archives Building. At the laying of the cornerstone on February 20, 1933, President Herbert Hoover announced that “the most sacred documents of our history—the originals of the Declaration of Independence and the Constitution of the United States” would be placed on display there. Later that year, architect John Russell Pope selected Barry Faulkner to paint two large murals for the Exhibition Hall, the subjects of which were the signing of those two great documents. The murals depict Thomas Jefferson presenting the Declaration of Independence to John Hancock and James Madison presenting the final draft of the Constitution to George Washington.

In 1934 President Franklin Roosevelt selected the first Archivist of the United States, R.D.W. Connor, and they both believed the Declaration and Constitution belonged in the new National Archives Building. When reporters asked, Connor declined comment but gave reporters a copy of Hoover’s speech. Librarian Putnam declared that President Hoover “made a mistake.” The two great documents were at the Library of Congress by executive order of the President and an act of Congress (the appropriation to build the exhibit), and they would remain there in their shrine instead of moving to the “lobby” of the National Archives Building. Connor was furious, but he remained silent. He owed his job to the recommendation of J. Franklin Jameson, chief of the Manuscript Division at the Library of Congress, and Connor had promised Jameson he would not take the initiative in seeking the transfer of the documents. Ironically, it was Jameson, the dean of American historians, who suggested the people to be included in the Faulkner’s two great murals and approved his sketches. Privately, Connor talked to President Roosevelt several times about transferring the documents to the National Archives, but they agreed it would be best to wait until Putnam left the scene.

Then, World War II intervened. In December 1941, the Library of Congress sent the Declaration of Independence and the Constitution to the bullion depository at **Fort Knox**, Kentucky, for safekeeping. By September 1944, it was decided

to return the documents to their permanent exhibit at the shrine in the Library of Congress. The new Archivist of the United States, Solon Buck, had no intention of pressing for their transfer to the National Archives.

5.5 The Charters of Freedom at the National Archives (1951-present)

On September 17, 1951, there was a grand ceremony at the Library of Congress for the reopening of a permanent encasement for the Declaration of Independence and the Constitution, newly sealed in helium by the Bureau of Standards. The distinguished guests included President Truman, the new Librarian of Congress, Luther Evans, and the new Archivist of the United States, Wayne Grover.

President Truman admitted that preserving the parchments might prove difficult, but the ideas in the Declaration of Independence and the Constitution of the United States would never perish and they would continue to give energy and hope to new generations in the United States and in other countries. Truman also said the first ten amendments, the Bill of Rights, were just as fundamental a part of our basic law.

Truman then added a sentence, in his handwriting, to the reading copy of his speech: "I hope these first ten amendments will be sealed up and placed alongside the original document. They are just as important."

While delivering his speech Truman slightly changed his own sentence. He said he hoped "the first ten amendments will be put on parchment and sealed up." And the Bill of Rights was not "*just* as important," but "*the most* important part of the Constitution."

A few weeks later, Wayne Grover and Luther Evans met for lunch and together hatched the plot to fulfill President Truman's request—to seal the Bill of Rights in helium and exhibit it alongside the Declaration of Independence and the Constitution in the National Archives Building.

Working together secretly, they agreed it would be necessary to formally clear the transfer with the President, congressional leaders, and Senator Theodore Green, the chairman of the Joint Committee on the Library. All favored the transfer. On April 30, 1952, Evans provided the agenda for the committee meeting, with the second item being "Transfer of certain documents to the National Archives." Evans went to the meeting alone because he knew that some of his colleagues at the library were hostile, and he wanted the committee not just to approve but to order him to transfer the documents, which it did unanimously. That led to seven months of remodeling of the National Archives Exhibition Hall and planning for the transfer.

The ceremony leaving the library on Saturday, December 13, 1952, was a spectacular event. The commanding general of the Air Force Headquarters Command formally received the documents at the Library of Congress at 11 a.m. Twelve members of the Armed Forces Special Police carried the five parchment pages, encased in helium-filled glass cases and enclosed in wooden crates, through a cordon of eighty-eight servicewomen down the library steps. The boxes were placed on mattresses in an armored Marine Corps personnel carrier. A color guard, ceremonial troops, the Army Band, the Air Force Drum and Bugle Corps, two light tanks, four servicemen carrying submachine guns, and a motorcycle escort paraded down Pennsylvania and Constitution Avenues to the Archives Building. Both sides of the street along the parade route were lined by Army, Navy, Coast Guard, Marine, and Air Force personnel. The general and the twelve special policemen arrived at the National Archives Building at 11:35 a.m., carried the crates up the steps, and formally delivered them into the custody of the Archivist of the United States.

Two days later, at 10:15 a.m., on Monday, December 15, 1952, the formal enshrining ceremony was equally impressive. Officials of more than one hundred national civic, patriotic, religious, veterans, educational, business, and labor groups crowded into the Exhibition Hall. The chief justice of the United States presided. After the invocation by the chaplain of the Senate, the governor of Delaware (the first state to ratify the Constitution) called the roll of states in the order in which they ratified the Constitution or were admitted to the Union. As each state was called, a servicewoman carrying the state flag entered the Exhibition Hall and remained at attention in front of the display cases circling the hall. President Truman announced that "the Declaration of Independence, the Constitution, and the Bill of Rights are now assembled in one place for display and safekeeping." Senator Green briefly traced the history of the three documents, and the Librarian of Congress and the Archivist of the United States jointly unveiled the shrine. Finally, Chief Justice Vinson spoke briefly; the chaplain of the House of Representatives gave the benediction; the United States Marine Corps Band played the Star-Spangled Banner; the President was escorted from the hall; the bearers of the flags of the forty-eight states (Alaska and Hawaii were not states yet.) marched out and the ceremony was over.

Thus opened the new exhibit for the three parchment documents, together for the first time in one place and with a new collective name never before used: “the Charters of Freedom.” Where did that phrase come from? President Truman must be given credit for first expressing the idea in 1951 of exhibiting the Bill of Rights with the Declaration of Independence and the Constitution. But the three documents did not become the Charters of Freedom until 1953, when the National Archives published “The Charters of Freedom”, an exhibit catalog that included facsimile copies of all six parchment sheets.

In his speech, President Truman said “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.” Truman was right, but now the wit of modern man has devised something better—the new encasements, which will house the charters beginning September 17, 2003.

In these new encasements, the eighteenth century meets the twenty-first century. Sophisticated monitoring systems will allow conservators to periodically check the condition of the parchments, and the sealed cases will provide a stable environment. As the latest in the line of custodians of these documents, the National Archives and Records Administration is working to ensure that future generations will be able view them and be inspired by them.

5.6 Reference

An article from the Winter 2002 issue of *Prologue*, the National Archive’s magazine, about the history of the Charters of Freedom

Chapter 6

National Archives and Records Administration



The National Archives building in Washington, D.C.

The United States National Archives and Records Administration (NARA) is an independent agency of the United States federal government charged with preserving and documenting government and historical records. It also works to increase public access to those documents. NARA is officially responsible for publishing acts of Congress, presidential proclamations and executive orders, and federal regulations. The agency often works closely with scholars to facilitate

their studies. NARA is most famously known as the housing of the United States Charters of Freedom.

6.1 History

In the past, each branch and agency of the U.S. government was responsible for maintaining its own documents, which often resulted in the loss and destruction of records. Congress established the National Archives in 1934 to centralize federal record keeping, with the Archivist of the United States as its chief administrator. The National Archives was incorporated into the General Services Administration in 1949, but in 1985 it was made an independent agency known as NARA.

Most of the documents in the care of NARA are in the public domain, as works of the federal government are excluded from copyright protection. However, some documents that have come into the care of NARA from other sources may still be protected by copyright or donor agreements. NARA also stores classified documents and its Information Security Oversight Office monitors and sets policy for the U.S. government's security classification system.

6.2 Facilities and exhibition

6.2.1 National Archives Building

The National Archives Building, known informally as Archives I, located north of the National Mall on Constitution Avenue in Washington, D.C., opened as its original headquarters in 1935. It houses the Charters of Freedom: the *Declaration of Independence*, the *Constitution*, and the *Bill of Rights*. These are displayed to the public in the main chamber of the National Archives, which is called the Rotunda for the Charters of Freedom. Flash photography of the documents is prohibited. There are no lines at the National Archives, and visitors are allowed to walk from document to document as they wish.

The National Archives Building also exhibits other important American historical documents such as the *Louisiana Purchase* and the *Emancipation Proclamation*, as well as collections of photography and other historically and culturally significant American artifacts.

6.2.2 National Archives at College Park

Due to space constraints, NARA opened a second facility, known informally as Archives II, in 1994 at *College Park, Maryland*, where it is now based. There are also twelve Regional Archives facilities across the country and two major facilities in *St. Louis, Missouri* which comprise the National Personnel Records Center. However, the National Archives Building in downtown Washington, D.C. still contains such record collections as all existing Federal Census records, Ship Passenger Lists, military unit records from the American Revolution up to the Philippine-American War, records of the Confederate Government, the Freedmen's Bureau records and pension/land records.

6.3 1973 National Archives Fire

A disastrous fire that occurred at the National Personnel Records Center (NPRC), a facility controlled by NARA, in *St. Louis, Missouri*, on July 12, 1973. NPRC, the custodian of military service records, lost approximately 16-18 million Official Military Personnel Files as a result of the fire.

6.3.1 Affected Records

The affected record collections are described below.

- U.S. Army personnel discharged November 1, 1912, to January 1, 1960
- U.S. Air Force personnel discharged September 25, 1947, to January 1, 1964, with names alphabetically after Hubbard, James E.
- Some U.S. Army Reserve personnel who received final discharge as late as 1964
- Various U.S. Navy, United States Coast Guard, and U.S. Marine Corps records which were out of file and were caught in the section of the building which experienced the most damage in the fire.

6.3.2 Cause of Fire

The exact cause of the 1973 National Archives Fire was never fully determined. An investigation in 1975 revealed that the affected floor, where the fire had started, had been under extreme temperature with little or no ventilation. It was speculated that air pressure on the floor had reached such a level that, combined with the very high temperatures in the enclosed space, the brittle and dry records began to catch fire. The investigation also did not rule out that the fire had been contributed to, if not directly started by, cigarette embers which were present in several trashcans.

6.3.3 Damage and Reconstruction

The 1973 fire destroyed the entire 6th floor of the National Personnel Records Center. Damage from the fire can still be seen today. In 1974, a massive reconstruction effort was begun to restore the service records which were destroyed in the 1973 fire. In most cases where a military record has been presumed destroyed, NPRC is able to reconstruct basic service information, such as military date of entry, date of discharge, character of service, and final rank.

6.3.4 Conspiracy Theories

In recent years, some conspiracy theories have emerged to explain the 1973 National Archives Fire. No such claims are taken very seriously by the United States government. Such conspiracy accusations include:

- The Federal Government intentionally started the 1973 National Archives Fire as a cover to destroy unwanted military files, erase certain records from the Second World War, and to reduce budget costs by destroying a floor of an under budgeted federal building.
- Agents of anti-government organizations broke into NPRC and started the 1973 fire as a terrorist attack.
- The 1973 Fire did not happen at all, and that the explanation of a fire destroying millions of military records is a lie conceived by the Federal Government to cut costs and avoid public requests for the older military files.
- The **Church of Scientology** started the fire in an attempt to destroy embarrassing records relating to **L. Ron Hubbard's** World War II service. The basis of this conspiracy theory seems to stem from the later incidents that occurred during **Operation Snow White**, and from the coincidence that certain records were only destroyed alphabetically from "Hubbard, James E" (although Hubbard had served in the Navy, not the Air Force).

6.4 Resources

- The [Wikipedia](#) article
- [NARA official site](#)
- [National Archives 1973 NPRC Fire Information Page](#)

Chapter 7

Dunlap broadside

The Dunlap Broadside is the first 150-200 reproduction copies of the **Declaration of Independence**, printed on the night of July 4, 1776, by John Dunlap of **Philadelphia**. Unfortunately, the original handwritten copy of the Declaration that Congress sent to Dunlap has been lost. One Dunlap broadside was sent to George Washington on July 6, who had it read to his troops in New York on July 9.

As of 1989, only 24 copies of the Dunlap broadsides were known to exist, until a flea market shopper bought a framed painting for four dollars. While inspecting a tear in the lining behind the painting, the owner discovered a folded Dunlap broadside.

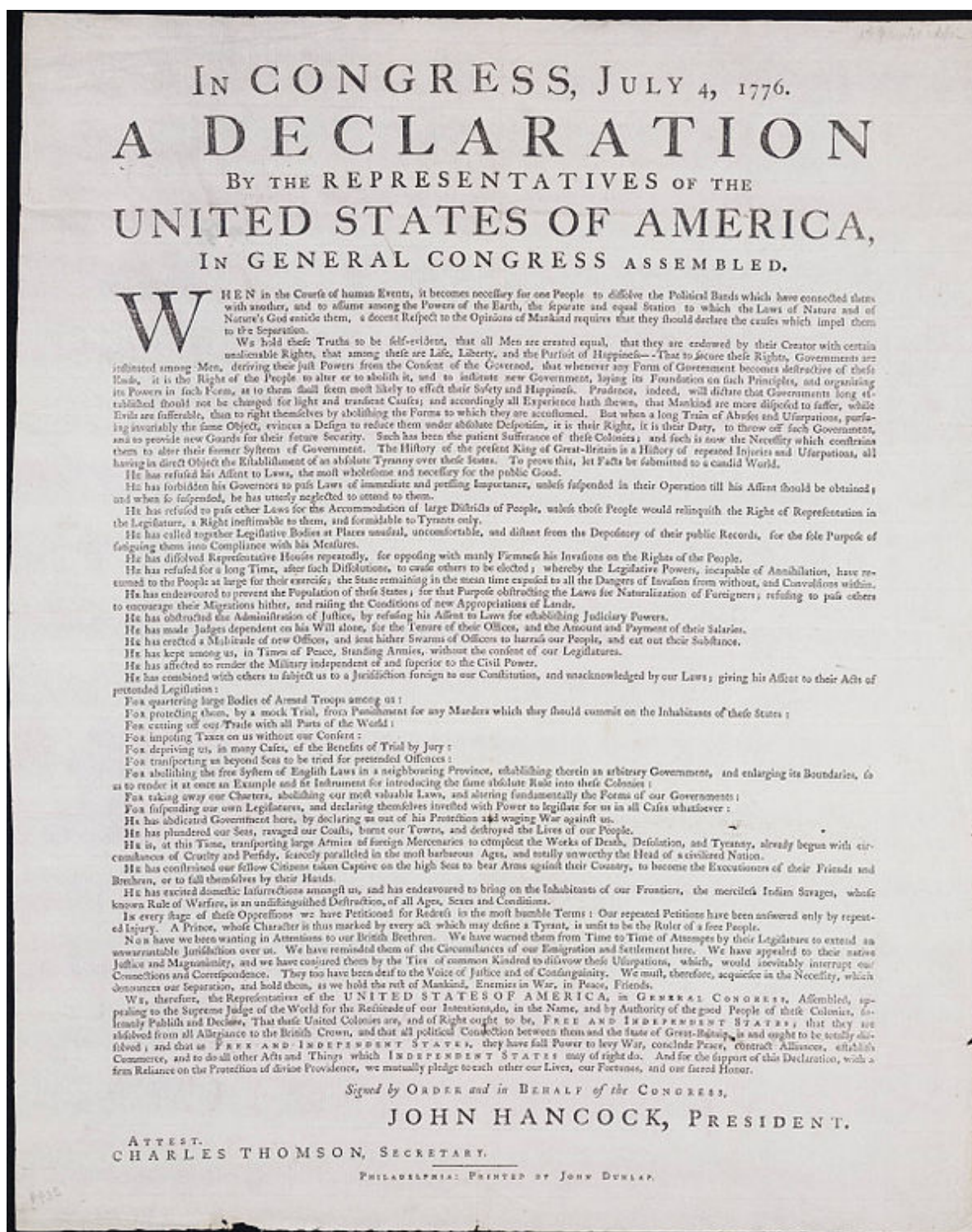
This 25th copy of the Dunlap broadside was authenticated by Sotheby's and an independent expert. In June 2000, Norman Lear partnered with David Hayden to purchase the document at an online Sotheby's auction. They paid \$8.14 million.

Of the 25 surviving copies of the Dunlap broadside, 21 copies belong to universities, historical societies, public libraries and city halls. The remaining four are in private hands, although promised to public collections.

7.1 List of copies

The 25 known Dunlap broadside copies listed by location within the United States (or last known location), alphabetically by state, then city; followed by the traveling copy in the United States and two copies in London, United Kingdom.

- Connecticut, New Haven — Beinecke Library at Yale University
- District of Columbia, Washington — Library of Congress, Rare Book and Special Collections Division
- District of Columbia, Washington — Library of Congress, Manuscripts Division, Washington Papers — fragment copy with 54 lines; thought to be the copy George Washington read to the troops on July 9, 1776, in New York.
- District of Columbia, Washington — National Archives — inserted into the Continental Congress manuscript journal, previously attached with a seal
- Illinois, Chicago — Chicago Historical Society — signed by John Steward (1747-1829) of Goshen, New York; sold July 2, 1975, at auction, by Christie's London; later sold to the Chicago Historical Society
- Indiana — Bloomington — Lilly Library at Indiana University — previous owner was Henry N. Flynt of Greenwich, Connecticut
- Maine, Portland — Maine Historical Society — given to the society in 1893 at the bequest of John S. H. Fogg.
- Maryland, Baltimore — Maryland Historical Society — fragment of upper left area of the document, including the first 36 lines.



A Dunlap broadside

- Massachusetts, Boston — Massachusetts Historical Society
- Massachusetts, Cambridge — Houghton Library at Harvard University — donated in 1947 by Carleton R. Richmond

- Massachusetts, Williamstown — Williams College — previously owned by the Wood family; sold at auction, April 22, 1983, by Christie’s New York.
- New Jersey, Princeton — Scheide Library (Scheide Library circa 1959 is a living gift from W. H. “Bill” Scheide to the Firestone Library at Princeton University — currently owned by William H. Scheide; bought by John H. Scheide from A. S. W. Rosenbach
- New York, New York (last known location) — sold by the New York Historical Society to a private collector in the United States.
- New York, New York — New York Public Library
- New York, New York — Morgan Library — once owned by the Chew family; sold April 1, 1982, at auction at Christie’s New York.
- New Hampshire, Exeter — American Independence Museum (created around the document) operated by the New Hampshire Society of the Cincinnati — copy discovered in 1985 in the Ladd-Gilman House in Exeter.
- Pennsylvania, Philadelphia — American Philosophical Society — acquired from the Library of Congress in 1901 in a trade for Benjamin Franklin’s Passy imprint of *The Boston Independent Chronicle* “Supplement”.
- Pennsylvania, Philadelphia — Historical Society of Pennsylvania — fragment including the first 32 lines; thought to be likely an uncorrected proof; from the Frank M. Ketting collection; Ketting asserted it was this document that had been read in public; however, Charles Henry Hart wrote in 1900: “The endorsement is in the handwriting of the late Frank M. Etting, who died insane, one of the most inexact and inaccurate of collectors.”
- Pennsylvania, Philadelphia — Independence National Historic Park — previously owned by Col. John Nixon, appointed by the sheriff of Philadelphia to read the Declaration of Independence to the public on July 8, 1776, in the State House yard; presented to the park by his heirs in 1951.
- Texas, Dallas — Dallas Public Library — “The Leary Copy” discovered in 1968 amid the stock of Leary’s Book Store of Philadelphia, Pennsylvania in a crate that had been unopened since 1911. Ira G. Corn Jr. and Joseph P. Driscoll of Dallas bought the manuscript on May 7, 1969. A group of 17 people later sold it to the Dallas city government.
- Virginia, Charlottesville — University of Virginia (one of two copies owned by the university) — found in an attic in Albany, New York in 1955 where it had been used to wrap other papers. Bought by Charles E. Tuttle Company of Rutland, Vermont; later sold to David Randall, who sold it in 1956 to the university.
- Virginia, Charlottesville — University of Virginia (one of two copies owned by the university) — “The H. Bradley Martin Copy”; exhibited at the Grolier Club in 1974; sold on January 31, 1990 to Albert H. Small, who gave it to the university.
- Roving copy, traveling around the United States — found in the back of a picture frame bought at a yard sale for \$4.00 at an Adamstown, Pennsylvania flea market; now owned by a consortium which includes Norman Lear; sold in 2000 for \$8.14 million; previously sold for \$2.42 million on June 4, 1991
- United Kingdom, London — Public Record Office, Admiralty Papers — Vice Admiral Richard Howe sent this copy from the flagship *Eagle*, then “off of Staten Island” with a letter dated July 28, 1776
- United Kingdom, London — Public Record Office, Colonial Office Papers — General William Howe and Vice Admiral Richard Howe from the flagship *Eagle*, off Staten Island, sent this copy with a letter dated August 11, 1776, which stated, “A printed copy of this Declaration of Independency came accidentally to our hands a few days after the dispatch of the Mercury packet, and we have the honor to enclose it.”

7.2 Source

Basically a junior version of the [Wikipedia](#) article

Chapter 8

Goddard broadside

The **Goddard Broadside** was the second printed version of the **Declaration of Independence** to be distributed by the Second Continental Congress and the first to include the names of the signatories.

8.1 History

Contrary to popular belief, the Declaration of Independence was not “signed” on July 4, 1776. That was instead the date that the final draft of the Declaration was approved by the states represented in the Second Continental Congress (except New York) and sent to printer John Dunlap for typesetting and printing. The earliest published copies of Declaration, which were sent to the states, British authorities, and others, were these printed **Dunlap broadsides**.

After the Declaration was approved by New York, an “engrossed copy” was prepared on parchment by a calligrapher and signed by the delegates on and after August 2, 1776. This engrossed copy is the famous version of the Declaration now on display in the **National Archives**.

In January 1777, Congress decided the Declaration should be more widely distributed. Printer Mary Katherine Goddard was commissioned to print a version containing the text and names of the signatories. Today, these copies are known as the “Goddard Broadside”. Nine copies are known to still exist.

One of the eventual signers of the Declaration, Thomas McKean, is not listed on the Goddard Broadside, suggesting that he signed the engrossed copy after January 1777.

8.2 Source

Basically a junior version of the **Wikipedia** article

IN CONGRESS, JULY 4, 1776.

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 Experiences have shown, 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 Tyranny, 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 has been the Variety of Unjust and Oppressive Measures, by which they have been reduced to the present Situation, that a History of repeated Injuries and Oppressions, all tending to the same 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, until he had assented to them; and when he refused, 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 Town Meetings, unauthoritative, and almost from the Sepulchre of their public Rights, for the sole Purpose of imposing on them Taxes without their Consent.

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 same rendering, in the mean Time, equal to all the Dangers of Invasion from without, and Corruptions within.

He has endeavored to prevent the Population of these States; for that Purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage Merit, and raising the Conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by rendering his Judges 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 excited a multitude of new Officers, and sent hither Swarms of Officers to harass our People, and eat out their Substance.

He has kept among us, in Times of Peace, Standing Armies, without the Consent of our Legislature.

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 Offenses:

For abolishing the free System of English Laws in a neighboring Province, establishing therein an arbitrary Government, and enlarging its Boundaries, so as to render it at once an Example and an Instrument for introducing the same arbitrary Rule into these Colonies:

For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Government:

For suspending our own Legislatures, and declaring themselves invested with Powers to legislate 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 complete the Works of Death, Destruction, and Tyranny, already begun, with Circumstances of Cruelty and Policy, scarcely parallelled 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 Animosity amongst us, and has endeavored to bring on the Inhabitants of one Province, the merciless Indian Savages, whose known Rule of Warfare, is an undistinguished Destruction, of all Ages, Sexes, and Conditions.

In every Stage of his Oppression we have Petitioned for Redress in the most humble Manner: 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 such Usurpations, which would inevitably interrupt our Commerce and Consanguinity. They too have been deaf to the Voice of Justice and of Consanguinity. We must, therefore, acquiesce in the Silence, which denotes our Separation, and hold them, as we hold the Rest of Mankind, Enemies to 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.

John Hancock.

GEORGIA, { James Oglethorpe, Lyman Hall, Gus. Walton.	VIRGINIA, { George Wythe, Richard Henry Lee, Thos. Jefferson, Edw. Mifflin, Thos. Nelson, Jr., Francis Lightfoot Lee, Cartor Braxton.	DELAWARE, { Caesar Rodney, Gus. Reed.	MASSACHUSETTS, { East-Allen, New-Allen, John-Todd-Paine, Admiral Gory.
NORTH CAROLINA, { Wm. Hooper, Hugh Swain, John Paul.	PENNSYLVANIA, { Edw. Morris, Benjamin Rush, Ralph Bland, John Morton, Gus. Cress,	NEW-YORK, { Wm. Floyd, Phil. Livingston, Fran. Lewis, Levi Morris.	CONNECTICUT, { Roger Sherman, Ezra-Whitington, Wm. Willcox, Otho-Whitney.
SOUTH CAROLINA, { Edward Rutledge, Thos. Heyward, Junr., Thomas Leach, Junr., Arthur Middleton.	NEW-JERSEY, { Edw. Dickinson, Jas. Witherspoon, Fran. Hopkyns, John Hart, Abra. Clark.	NEW-HAMPSHIRE, { Nath. Berry, Jr., Wm. Whipple, Matthew Thornton.	
MARYLAND, { Samuel Chase, Wm. Paca, Thos. Lee, Charles Carroll, of Car- rollton.			

IN CONGRESS, JANUARY 22, 1777.

ORDERED, That an authentic Copy of the DECLARATION OF INDEPENDENCY, with the Names of the MEMBERS OF CONGRESS, subscribing the same, be sent to each of the UNITED STATES, and that they be desired to have the same put on RECORD.

By Order of CONGRESS,

JOHN HANCOCK, President.

BALTIMORE, IN MARYLAND: PRINTED BY MARY KATHARINE GODDARD.

Chapter 9

Syng inkstand



The Declaration of Independence and the Constitution were signed with the Syng inkstand, which is on display at Independence Hall in Philadelphia.

The Syng inkstand was the inkstand used to sign the **Declaration of Independence** and the **Constitution**. It was made by **Philip Syng** in 1752. He was a renowned silversmith and created fine works in silver and sometimes gold for the rich families of Philadelphia, Pennsylvania.

The inkstand is presently on display at Independence Hall in Philadelphia.

9.1 Source

Basically a junior version of the [Wikipedia](#) article.

Chapter 10

Additional amendments to the United States Constitution

These are additional amendments to the **Constitution** added after the first ten amendments on the **Bill of Rights** have been ratified. There are 17 additional amendments to date, ratified from 1795 to 1992. The information on this page comes from **Wikipedia's** respective pages.

Amendments: XI XII XIII XIV XV XVI XVII XVIII XIX XX XXI XXII XXIII XXIV XXV XXVI XXVII

10.1 Amendment XI

Amendment XI of the United States Constitution was passed by the U.S. Congress on March 4, 1794 and was ratified on February 7, 1795.

10.1.1 Text

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.

10.1.2 Analysis

This amendment grants states immunity to foreign suits. Although the amendment's text does not by its own terms include suits brought by a citizen against his own state, the Supreme Court has consistently held that a broader principle of state sovereign immunity inheres in Amendment XI. The dissenting view, which has never garnered more than four justices' support, is that the states surrendered their sovereign immunity when they ratified the Constitution (and certainly when they ratified the Amendment XIV), and that Amendment XI should therefore be read narrowly as a constitutional limitation on the diversity jurisdiction of the federal courts.

Amendment XI confers on non-consenting states immunity from suit for money damages or other equitable relief. Furthermore, the Supreme Court has held that Congress may abrogate state immunity from suit, if this is done pursuant to a valid exercise of its constitutional powers. Amendment XIV grants Congress such power, but not **Article I** of the Constitution.

EIGHTH CONGRESS OF THE UNITED STATES;

AT THE FIRST SESSION,

Begun and held at the city of Washington, in the territory of Columbia, on Monday,
the seventeenth of October, one thousand eight hundred and three.

Resolved by the **Senate** and **House** of **Representatives** of the United States of America, in Congress assembled,

Two kinds of bills having concerning, that on two of the third paragraph of the first section of the second article of the constitution of the United States, the following be proposed as an amendment to the constitution of the United States, which when ratified by three fourths of the legislatures of the several states, shall be valid, to all intents, and purposes, as part of the said constitution, to wit:

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 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 electors from each state having one vote; a quorum for this purpose shall consist of a number 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 come 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 such 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 shall be elected to the office of President, who shall not be eligible to that of Vice President of the United States.

John W. Adams Speaker of the House of Representatives

John Adams Vice President of the United States and President of the Senate

Attest

John Bradley Clerk of the House of Representatives

John Bradley Secretary of the Senate

10.2.1 Text

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 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 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.

10.2.2 Analysis

This amendment altered Article II of the Constitution pertaining to presidential elections. Article II said that the U.S. Electoral College would elect both the President and the Vice President in a single election; the person with a majority would become President and the runner-up would become Vice President. Problems with this system were demonstrated by the election of 1796 and the election of 1800. Amendment XII, proposed by the U.S. Congress on December 9, 1803 and ratified by the requisite number of state legislatures on June 15, 1804, required electors to cast two distinct votes: one for President and another for Vice President. The election of 1804, and every election since, has been conducted under Amendment XII. Only once since that time has the House of Representatives chosen the President.

10.3 Amendment XIII

Amendment XIII of the United States Constitution was passed by the U.S. Congress on January 31, 1865 and was ratified on December 6, 1865.

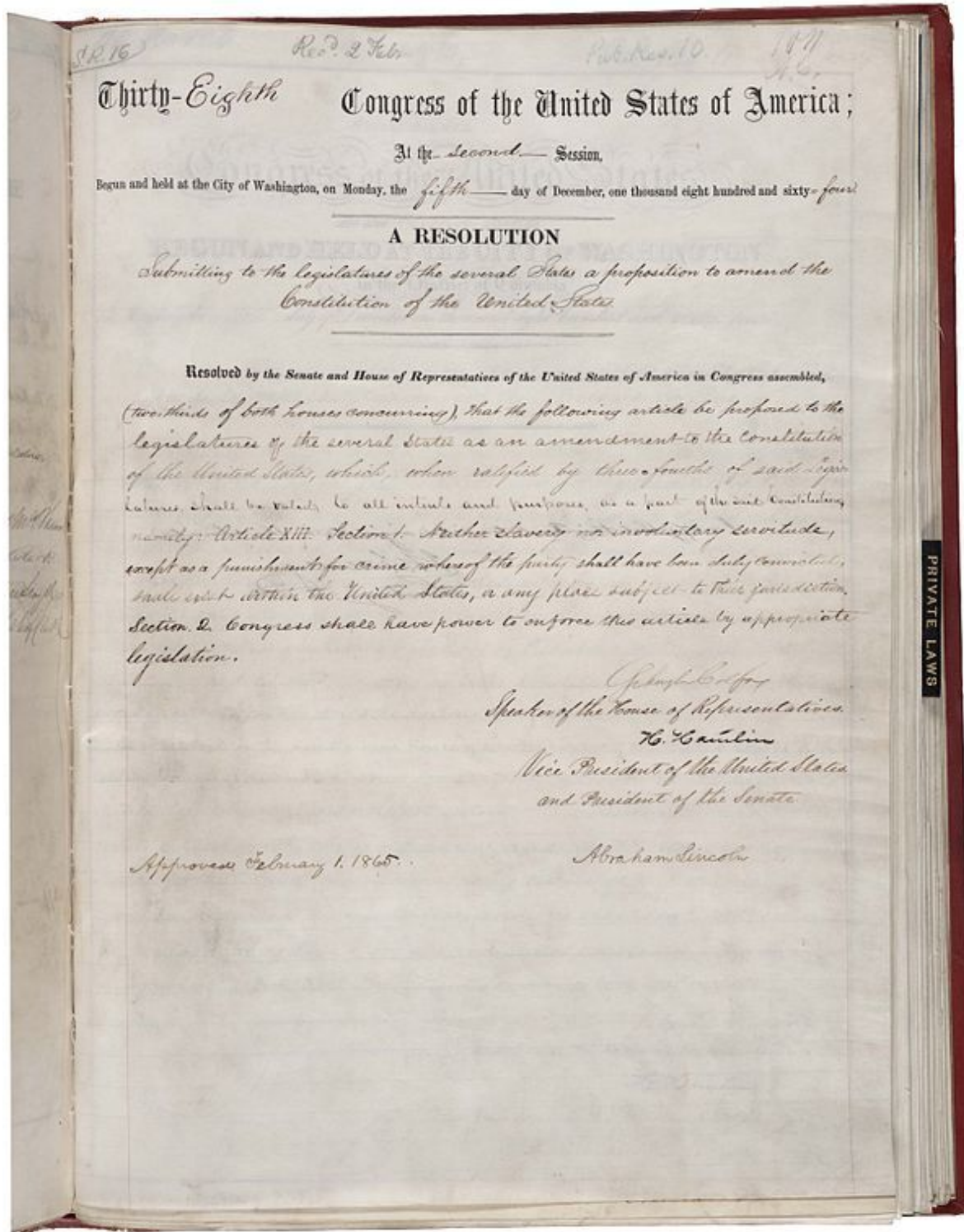
10.3.1 Text

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.*

10.3.2 Analysis

This amendment completed the abolition of slavery, which had begun with President Abraham Lincoln's **Emancipation Proclamation** of 1863. The Emancipation Proclamation had only applied to slaves being held in areas that were in rebellion against the United States at the time of the Proclamation. Slaves in areas then controlled by the Union were not freed



Amendment XIII of the United States Constitution

until this amendment took effect (However, some states where slavery was formerly legal had changed their constitutions in the meantime).

The Supreme Court has ruled that the Amendment XIII does not prohibit mandatory military service in the United States. Interestingly enough, Amendment XIII makes the use of the “chain gang” or other methods of involuntary servitude by convicted criminals constitutional in the United States, as long as the methods of enforcing the servitude are not “cruel and unusual” (floggings, beatings, etc.).

Amendment XIII also prohibits specific performance as a judicial remedy for violations of contracts for personal services such as employment contracts.

10.4 Amendment XIV

Amendment XIV of the United States Constitution was passed by the U.S. Congress on June 13, 1866 and was ratified on July 9, 1868.

10.4.1 Text

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.

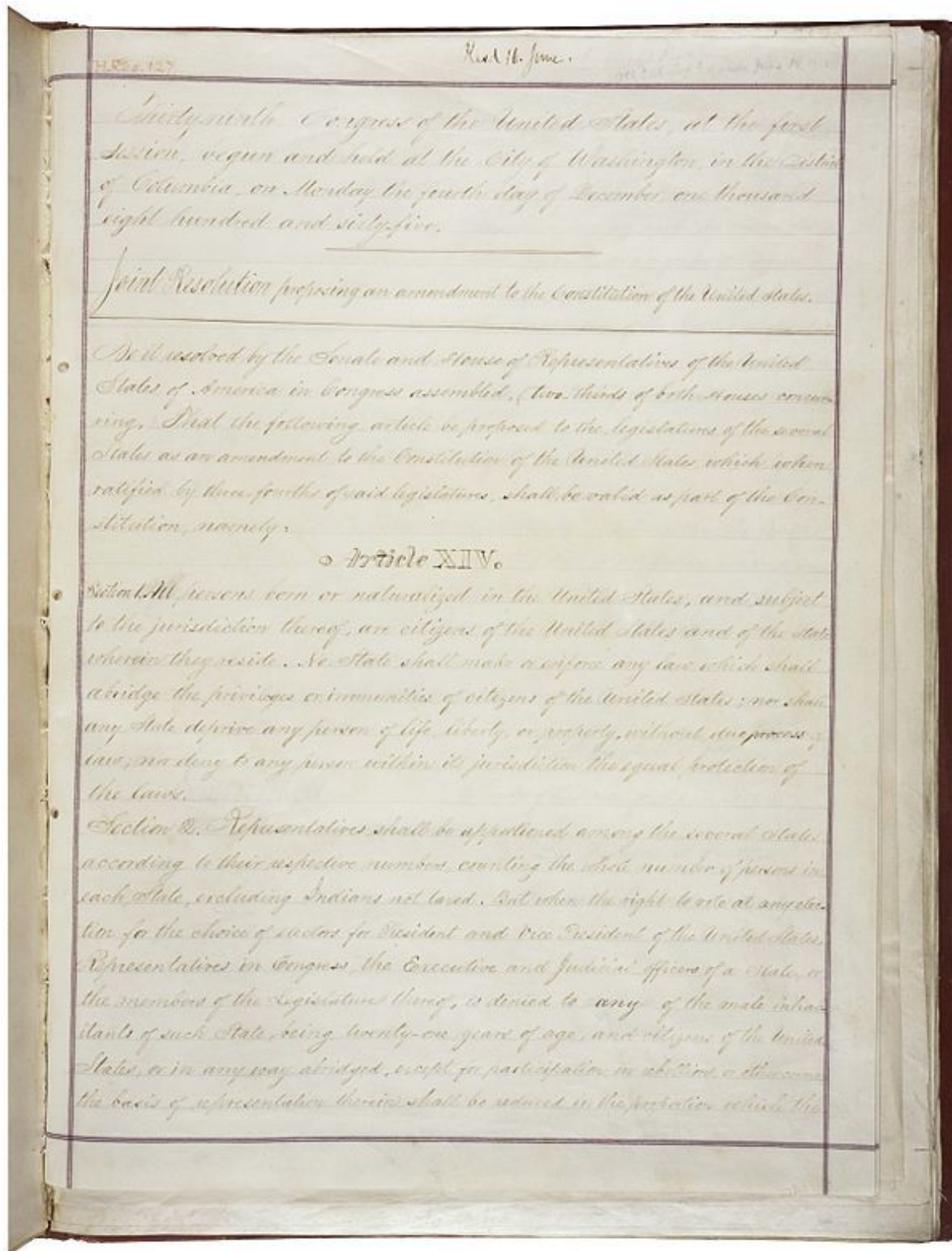
Section 5. *The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.*

10.4.2 Analysis

This amendment regards citizenship, state due process and state equal protection.

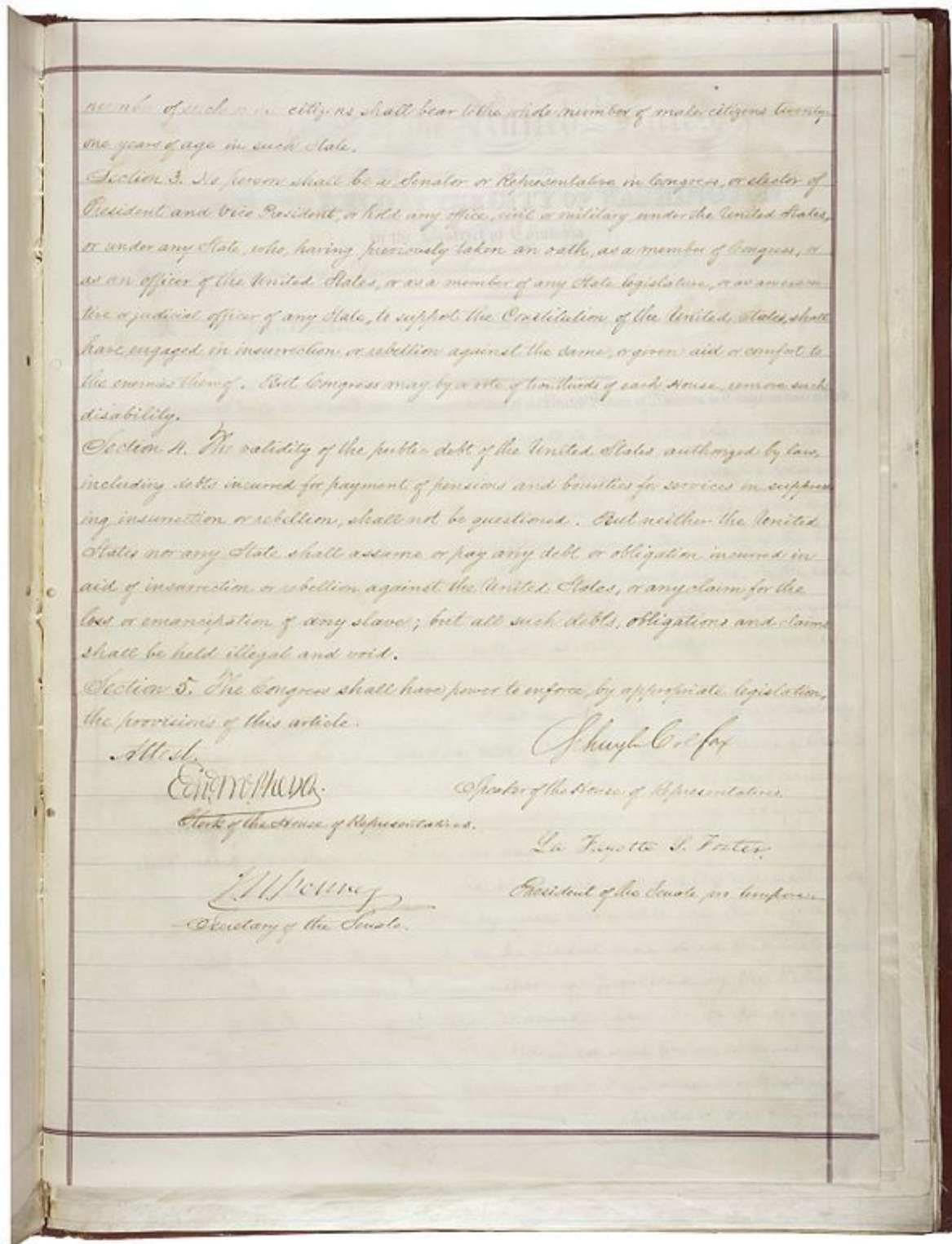
The first section formally defines citizenship and requires the states to provide civil rights.

The second section establishes rules for the apportioning of representatives in Congress to states, essentially counting all residents for apportionment and reducing apportionment if a state wrongfully denies a person’s right to vote.



Amendment XIV of the United States Constitution Page I

The third section prevents the election of any person to the Congress or Electoral College who has engaged in insurrection, rebellion, or treason. However, a two-thirds vote by Congress can override this limitation.



Amendment XIV of the United States Constitution Page II

The fourth section confirmed that the United States would not pay “damages” for the loss of slaves, nor debts that had been incurred by the Confederacy — for example, several English and French banks had loaned money to the South during the

Civil War.

The fifth section empowers Congress to enforce the amendment “by appropriate legislation.”

10.5 Amendment XV

Amendment XV of the United States Constitution was passed by the U.S. Congress on February 26, 1869 and was ratified on February 3, 1870.

10.5.1 Text

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.

10.5.2 Analysis

This amendment prohibits the states or the federal government from using a citizen’s race, color, or previous status as a slave as a voting qualification. Its basic purpose was to enfranchise former slaves. But it was not really until the **Voting Rights Act** in 1965, almost a century later, that this purpose was actually achieved in all states.

10.6 Amendment XVI

Amendment XVI of the United States Constitution was passed by the U.S. Congress on July 12, 1909 and was ratified on February 3, 1913.

10.6.1 Text

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.

10.6.2 Analysis

This amendment allowed the Congress to collect federal income tax from any source without regard for population and the salary of the taxpayers.

A forerunner to this amendment was an act passed in 1894, which attempted were made to impose a federal tax of 2% on incomes over \$3,000. Derided by its opponents as “communistic,” it was challenged in federal court.

What really brought about this amendment was in 1909. Congress was reflecting the growing concern among many elements of society that the wealthiest Americans had brought together too much economic power. In response to these developments, this amendment was passed by Congress and submitted to legislatures of the several states on July 12th, 1909. It was ratified on February 3, 1913.

10.7 Amendment XVII

Amendment XVII of the United States Constitution was passed by the U.S. Congress on May 13, 1912 and was ratified on April 8, 1913.

10.7.1 Text

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.

10.7.2 Analysis

This amendment restates the first paragraph of Article I, section 3 of the Constitution and provides for the election of senators by replacing the phrase “chosen by the Legislature thereof” with “elected by the people thereof.” Also, it allows the governor or executive authority of each state, if authorized by that state’s legislature, to appoint a senator in the event of an opening, until an election occurs.

Amendment XVII is one of the “Progressive Amendments”; they were passed during the Progressive Era, with the support of the political group known as the “Progressives”. The other Progressive amendments were: Amendment XVI, which created the income tax; Amendment XVIII, which started Prohibition of alcoholic beverages; and Amendment XIX, which gave women the right to vote.

10.8 Amendment XVIII

Amendment XVIII of the United States Constitution was passed by the U.S. Congress on December 18, 1917 and was ratified on January 16, 1919.

10.8.1 Text

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.*

10.8.2 Analysis

This amendment started **Prohibition**, a period during which the manufacture, transportation, import, export, and sale of alcoholic beverages were restricted or illegal. The amendment itself did not ban the actual consumption of alcohol, but made obtaining it legally difficult. Temperance movements, in particular, were partly responsible for the creation of this amendment.

A temperance movement is a social movement against the use of alcoholic beverages. Temperance movements may criticize excessive alcohol use, promote complete abstinence, or pressure the government to enact anti-alcohol legislation. Under substantial pressure from the temperance movement in the country, Congress passed a ban on the substance.

Because of many Americans' dismay at the emergence of Prohibition, there was a considerable growth in organized crime in the United States in response to public demand for illegal alcohol. Considered a very unpopular law, the amendment was subsequently repealed by the Amendment XXI on December 5, 1933. It remains the only constitutional amendment to be repealed in its entirety.

10.9 Amendment XIX

Amendment XIX of the United States Constitution was passed by the U.S. Congress on June 4, 1919 and was ratified on August 18, 1920.

10.9.1 Text

The right of citizens in 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.

10.9.2 Analysis

This amendment allowed people of any sex to vote. Before that, women could not vote. After a few determined women protesters paraded down the streets of **Washington, D.C.**, demanding the right to vote from the President. The protesters protested in front of the **White House** for 18 months starting in 1917 to raise awareness of the issue.

On January 9, 1918, President Woodrow Wilson announced his support of the amendment. The next day, the House of Representatives narrowly passed the amendment but the Senate refused to even debate it until October. When the Senate voted on the amendment in October, it failed by two votes.

In response, the **National Woman's Party** urged citizens to vote against anti-suffrage senators up for election in the fall of 1918. After the 1918 election, most members of Congress were pro-suffrage. On May 21, 1919, the House of Representatives passed the amendment by a vote of 304 to 89, and 2 weeks later on June 4, the Senate finally followed, where the amendment passed 56 to 25. It was later ratified on August 18, 1920.

10.10 Amendment XX

Amendment XX of the United States Constitution was passed by the U.S. Congress on March 2, 1932 and was ratified on January 23, 1933.

10.10.1 Text

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 3d 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 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.*

10.10.2 Analysis

This amendment establishes some details of presidential succession and of the beginning and ending of the terms of elected federal officials. The term commencement for congress (January 3) and the president (January 20), were established by this amendment.

10.11 Amendment XXI

Amendment XXI of the United States Constitution was passed by the U.S. Congress on February 20, 1933 and was ratified on December 5, 1933.

10.11.1 Text

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.*

10.11.2 Analysis

This amendment repealed Amendment XVIII and ended **Prohibition**, a period during which the manufacture, transportation, import, export, and sale of alcoholic beverages were restricted or illegal. Not only did it end Prohibition, it prevented states and cities from holding state and local Prohibition (The prohibition of alcohol in a single state or city).

10.12 Amendment XXII

Amendment XXII of the United States Constitution was passed by the U.S. Congress on March 24, 1947 and was ratified on February 27, 1951.

10.12.1 Text

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.*

10.12.2 Analysis

This amendment set a two-term limit on the number of terms a **President of the United States** is allowed to serve. Before this amendment was ratified, strangely, no president has served more than two terms (with the exception of Franklin D. Roosevelt, who was elected for four terms). It is widely believed that early presidents set the two-term limit as a “principle” for future presidents to follow. Few presidents attempted to serve for more than two terms. However, they were either not nominated or lost the elections.

The living current and former presidents are restricted by this amendment as follows:

- Jimmy Carter may serve one more term.
- George H. W. Bush may serve one more term.
- Bill Clinton is ineligible to serve again.
- George W. Bush is ineligible to serve again beyond his current term which ends in 2008.

The amendment imposes no restriction on the number of terms a person may serve as Vice President, or the ability of current or former vice presidents to be elected to the Presidency.

10.13 Amendment XXIII

Amendment XXIII of the United States Constitution was passed by the U.S. Congress on June 16, 1960 and was ratified on March 29, 1961.

10.13.1 Text

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.*

10.13.2 Analysis

This amendment permitted residents of **Washington, D.C.** to nominate representatives to the **Electoral College** which chose the President and Vice President after an election.

10.14 Amendment XXIV

Amendment XXIV of the United States Constitution was passed by the U.S. Congress on September 14, 1962 and was ratified on January 23, 1964.

10.14.1 Text

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 other tax.*

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

10.14.2 Analysis

This amendment prohibits both Congress and the states from conditioning the right to vote in federal elections on the failure to pay a poll tax or other type of tax. After the **Civil War**, Poll taxes (taxes to be paid for the right to vote) had been enacted in eleven Southern states as a measure to prevent poor black people from voting, and had been held to be unconstitutional by the United States Supreme Court. At the time of this amendment's passage, only five states still retained a poll tax.

10.15 Amendment XXV

Amendment XXV of the United States Constitution was passed by the U.S. Congress on July 6, 1965 and was ratified on February 23, 1967.

10.15.1 Text

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 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 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.

10.15.2 Analysis

This amendment clarifies an ambiguous provision of the Constitution regarding succession to the Presidency, and establishes procedures both for filling a vacancy in the office of the Vice President as well as responding to Presidential disabilities.

As originally ratified, the Constitution stated that in the event the office of President became vacant, “the Same shall devolve upon the Vice President.”

This language was somewhat ambiguous in the eyes of some: was the Vice President merely acting as President, or did he actually succeed to the office? While this question was answered by precedent when John Tyler succeeded to the office upon William Henry Harrison’s death in 1841, there still remained doubts. Section 1 of Amendment XXV clarified the position: the Vice President becomes President if the presidency is vacated.

The Constitution did not provide for Vice Presidential vacancies until Amendment XXV was ratified — an omission that had been debated for over a century; the Vice Presidency was vacant due to death or resignation several times, often for years. Under Amendment XXV, whenever there is a vacancy in the office of Vice President of the United States, the President nominates a successor, who is confirmed by the majority vote of both houses of Congress.

Amendment XXV is supplemented by the [Presidential Succession Act of 1947](#), which establishes a line of succession to the powers and duties of the Presidency. Should neither the President nor Vice President be able to serve, the line of succession details what government official shall then act as President.

Amendment XXV addressed the issue by providing that the President may, by transmitting to the President pro tempore of the Senate and the Speaker of the House of Representatives a written declaration to the same effect, declare himself unable to discharge the powers and duties of his office. Until the President sends another written declaration to the aforementioned officers declaring himself able to resume office, the Vice President serves as Acting President.

It is also possible for the Vice President, together with a majority of the heads of the executive departments (that is to say, members of Cabinet) or of such other body as Congress by law provides, to declare the President disabled. The provisions of section four have never been invoked. The President may resume his duties by a written declaration sent to the President pro tempore and the Speaker. If the Vice President and Cabinet, however, are still unsatisfied with the President’s condition, they may within four days of the President’s declaration submit another declaration that the President is incapacitated. Congress must immediately decide the issue; a two-thirds vote in each House is required to permit the Vice President to assume the Acting Presidency.

The current presidential line of succession is as follows:

10.15.3 Notes

† **Non-natural-born citizens are ineligible** It has been a subject of controversy whether Cabinet officers who are not natural-born citizens, such as Carlos Gutierrez (born in Cuba) or Elaine Chao (born in Taiwan), are constitutionally ineligible to be Acting President, because [Article II of the Constitution](#) establishes only eligibility requirements for the office of President proper. Thus, Secretary Gutierrez and Secretary Chao are ineligible to serve as Acting President since they are not natural-born citizens of the United States.

The Speaker of the House and the President pro tempore of the Senate have priority in the line of succession over the Secretary of State, because Speaker of the House and President pro tempore of the Senate are elected positions and the Secretary of State is an appointed official.

Following the Speaker of the House and the President pro tempore of the Senate, the line of succession goes down the line of the head of each executive department in the order in which they were established.

10.16 Amendment XXVI

Amendment XXVI of the United States Constitution was passed by the U.S. Congress on March 23, 1971 and was ratified on July 1, 1971.

10.16.1 Text

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 by any State on account of age.

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

10.16.2 Analysis

This amendment prohibits both the federal government and the state governments from using an age greater than 18 as a qualification for voting.

The right to vote to those 18 or older was endorsed by Presidents Dwight D. Eisenhower and Lyndon Johnson. A law was passed in 1970 which was similar to the amendment, but the government of Oregon challenged it in court and the Supreme Court overturned the parts of the law which required states to register 18-year-olds for state elections. By this time, five states had already granted citizens under the age of 21 the right to vote (Georgia and Kentucky observed 18 as the minimum voting age, Alaska 19, and Hawaii and New Hampshire 20), but many citizens wanted all states to do so.

Congress and the state legislatures felt increasing pressure to pass the Constitutional amendment because of the **Vietnam War**, in which many young men who were ineligible to vote were conscripted to fight, and died. The idea was that if an individual is old enough to die fighting for his country, why should he not have the right to vote? With this in his mind, President Lyndon Johnson had asked Congress to propose an amendment lowering the voting age to 18 in the summer of 1968. The amendment passed through Congress when it was reintroduced by in 1971, and within months passed three-fourths of the state legislatures, quicker than any other amendment. Amendment XXVI was formally certified by President Richard Nixon on July 1, 1971.

10.17 Amendment XXVII

Amendment XXVII of the United States Constitution was passed by the U.S. Congress on September 25, 1789 and was ratified on May 5, 1992.

10.17.1 Text

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

10.17.2 Analysis

This amendment provides that any change in the salary of members of Congress may only take effect after the next general election. Sometimes called the “Congressional Compensation Amendment of 1789”, the “Congressional Pay Amendment”, and the “Madison Amendment”, it was intended to serve as a restraint on the power of Congress to set its own salary—an obvious conflict of interest. Since its 1992 adoption, however, this amendment has not hindered members of Congress from receiving nearly annual pay raises, characterized as “cost-of-living adjustments” (COLAs) rather than as pay raises in the traditional sense of the term. The Federal courts have ruled in cases brought under the amendment that a COLA is not the same thing as a pay raise. Hence, members of Congress have been able to enjoy increases in compensation without triggering the restrictions which this amendment seeks to impose. It should be pointed out that it

is Congress which determines whether Federal judges will receive an increase in their salaries, the only limitation being that Congress is forbidden to ever reduce judicial compensation. Additionally, retirement benefits of Federal judges are linked with those of members of Congress. This amendment was one of two failed amendments on the **Bill of Rights**.

This amendment was actually suggested by a number of states. During the 1788 North Carolina convention assembled to consider the original Constitution itself, the following amendment, among others, was requested of Congress:

The laws ascertaining the compensation of senators and representatives, for their services, shall be postponed in their operation until after the election of representatives immediately succeeding the passing thereof; that excepted which shall first be passed on the subject.

Virginia, in its 1788 ratification convention, recommended the exact same language that North Carolina had suggested.

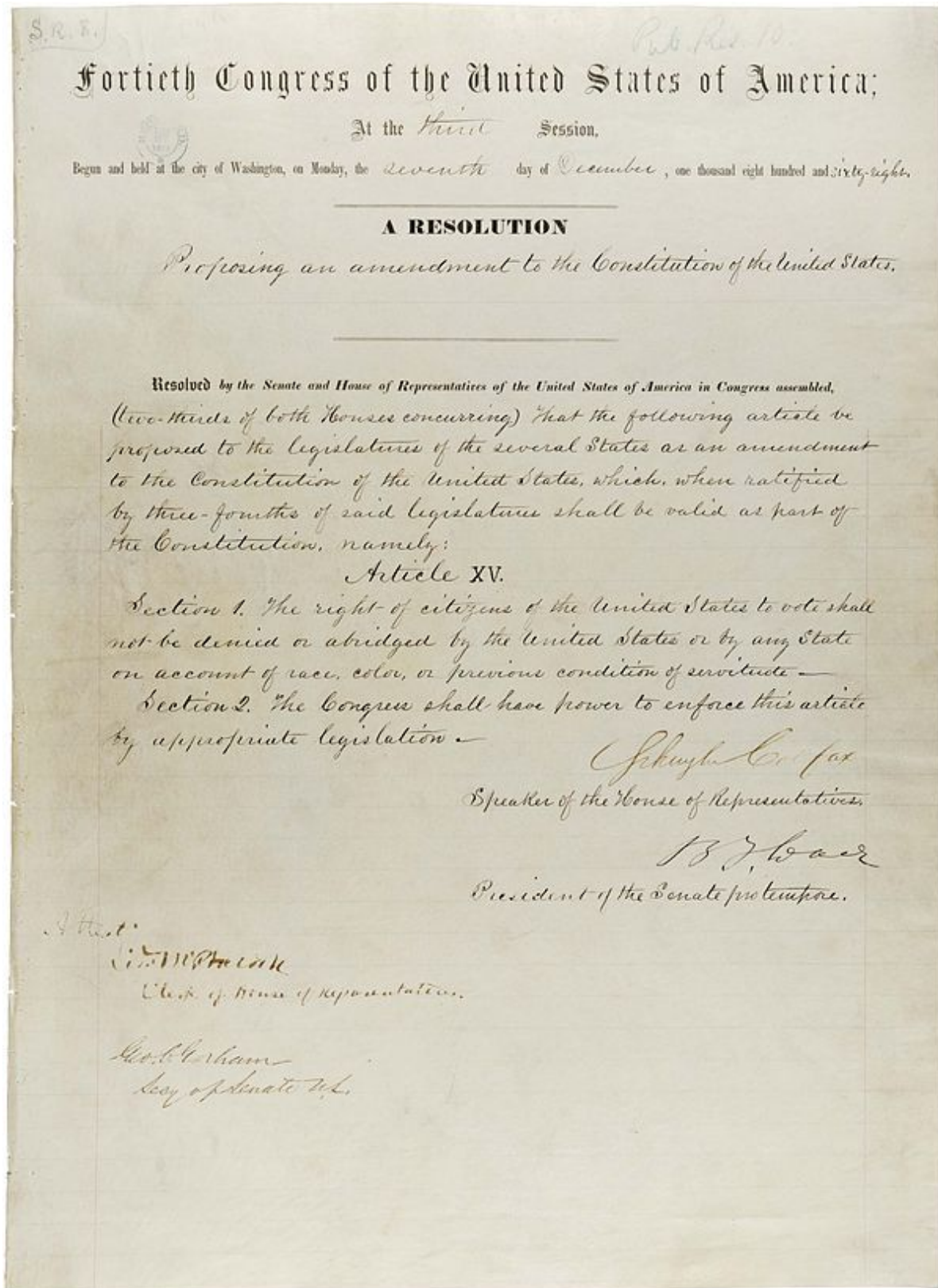
And New York, in its 1788 ratification convention, urged Congress to consider this wording:

That the Compensation for the Senators and Representatives be ascertained by standing law; and that no alteration of the existing rate of Compensation shall operate for the Benefit of the Representatives, until after a subsequent Election shall have been had.

In 1816, more than a quarter century *after* Congress had officially submitted the amendment (and eleven others) to the state legislatures for consideration, the Massachusetts General Court expressed its desire for an amendment to the Constitution worded almost exactly as it was offered by Congress in 1789. The legislation embodying the recommendation was approved by the Massachusetts House of Representatives on a vote of 138 to 29. Sometime in December 1816 or early 1817, the Kentucky General Assembly did the same thing; and, in 1817 or January 1818, Tennessee's lawmakers followed suit.

From 1789 to 1791, the compensation proposal was ratified by legislators in only six states—Maryland, North Carolina, South Carolina, Delaware, Vermont and Virginia—out of the eleven then required. As more states entered the Union, the ratification threshold increased.

The proposed amendment was largely forgotten until 1982, when a Texas university student, Gregory Watson, rediscovered it. The push for ratification began in earnest; and the amendment was finally ratified a decade later on May 5, 1992, when it was approved by the legislature of Alabama, the 38th state to assent, there being 50 states in the Union at the time. At that point, it became Amendment XXVII of the Constitution.



Amendment XV of the United States Constitution

S. J. Res. 40.



Sixty-first Congress of the United States of America;

At the First Session,

Begun and held at the City of Washington on Monday, the fifteenth day of March,
one thousand nine hundred and nine.

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which, when ratified by the legislatures of three-fourths of the several States, shall be valid to all intents and purposes as a part of the Constitution:

"ARTICLE XVI. 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."

Speaker of the House of Representatives.

*Vice-President of the United States and
President of the Senate.*

Attest.

Clerk of the House of Representatives.

Charles G. Bennett

Secretary

By Henry H. Gibbs

Chief Clerk

H. J. Res. 39.

Sixty-second Congress of the United States of America;
At the Second Session,

Began and held at the City of Washington on Monday, the fourth day of December,
one thousand nine hundred and eleven.

JOINT RESOLUTION

Proposing an amendment to the Constitution providing that Senators shall be
elected by the people of the several States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That in lieu of the first paragraph of section three of Article I of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the States:

"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."

Champ Clark,
Speaker of the House of Representatives.

J. S. Sherman
Vice President of the United States and
President of the Senate.

S. J. Res. 17.

Sixty-fifth Congress of the United States of America;
At the Second Session,

Began and held at the City of Washington on Monday, the third day of December,
one thousand nine hundred and seventeen.

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following amendment to the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States as provided by the Constitution:

"ARTICLE —.

"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.

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

"SEC. 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."

Champ Clark

Speaker of the House of Representatives.

Thos. R. Marshall

Vice President of the United States and

President of the Senate.

H. J. Res. 1.

Sixty-sixth Congress of the United States of America;
At the First Session,

Begun and held at the City of Washington on Monday, the nineteenth day of May,
one thousand nine hundred and nineteen.

JOINT RESOLUTION

Proposing an amendment to the Constitution extending the right of suffrage
to women.

*Resolved by the Senate and House of Representatives of the United States
of America in Congress assembled (two-thirds of each House concurring therein),
That the following article is proposed as an amendment to the Constitution,
which shall be valid to all intents and purposes as part of the Constitution when
ratified by the legislatures of three-fourths of the several States.*

“ARTICLE ———.

“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.”

J. H. Lile

Speaker of the House of Representatives.

Thos. R. Marshall

Vice President of the United States and
President of the Senate.

S. J. Res. 14

**Seventy-second Congress of the United States of America;
At the First Session,**

Begun and held at the City of Washington on Monday, the seventh
day of December, one thousand nine hundred and thirty-one.

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States
fixing the commencement of the terms of President and Vice
President and Members of Congress and fixing the time of the
assembling of Congress.

*Resolved by the Senate and House of Representatives of the United
States of America in Congress assembled (two-thirds of each House
concurring therein), That the following amendment to the Consti-
tution be, and hereby is, proposed to the States, to become valid as
a part of said Constitution when ratified by the legislatures of the
several States as provided in the Constitution:*

"ARTICLE —

"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 3d 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.

"SEC. 2. The Congress shall assemble at least once in every year,
and such meeting shall begin at noon on the 3d day of January,
unless they shall by law appoint a different day.

"SEC. 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 accord-
ingly until a President or Vice President shall have qualified.

"SEC. 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 when-
ever the right of choice shall have devolved upon them.

S. J. Res. 14—2

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

"Sec. 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."

Wm. W. Garner

Speaker of the House of Representatives.

Charles Curtis

*Vice President of the United States and
President of the Senate.*

S. J. Res. 211

Seventy-second Congress of the United States of America;
At the Second Session.

Began and held at the City of Washington on Monday, the fifth
 day of December, one thousand nine hundred and thirty-two.

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by conventions in three-fourths of the several States:

"ARTICLE —

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

"SEC. 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.

"SEC. 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."

Wm. H. Larkin

Speaker of the House of Representatives.

Charles Curtis

Vice President of the United States and
 President of the Senate.

H. J. Res. 27

Eightieth Congress of the United States of America
At the First Session

Begun and held at the City of Washington on Friday, the third
day of January, one thousand nine hundred and forty-seven

JOINT RESOLUTION

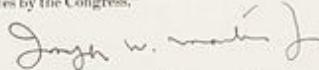
Proposing an amendment to the Constitution of the United States
relating to the terms of office of the President.

*Resolved by the Senate and House of Representatives of the United
States of America in Congress assembled (two-thirds of each House
concurring therein), That the following article is hereby proposed as
an amendment to the Constitution of the United States, which shall
be valid to all intents and purposes as part of the Constitution when
ratified by the legislatures of three-fourths of the several States:*

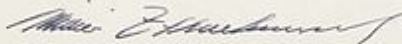
"ARTICLE —

"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.

"SEC. 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."



Speaker of the House of Representatives.



Acting President of the Senate pro tempore.

S. J. Res. 39

Eighty-sixth Congress of the United States of America

AT THE SECOND SESSION

*Began and held at the City of Washington on Wednesday, the sixth day of January,
one thousand nine hundred and sixty*

Joint Resolution

Proposing an amendment to the Constitution of the United States granting representation in the electoral college to the District of Columbia.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

“ARTICLE —

“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.

“SEC. 2. The Congress shall have power to enforce this article by appropriate legislation”.

Sam Rayburn
Speaker of the House of Representatives

Mike Mansfield
Vice President of the United States and
Acting President of the Senate pro tempore



S. J. Res. 29

Eighty-seventh Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Wednesday, the tenth day of January,
one thousand nine hundred and sixty-two*

Joint Resolution

Proposing an amendment to the Constitution of the United States relating to the qualifications of electors.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE —

"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.

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

John C. McMillan
Speaker of the House of Representatives.

Carl Hayden
Vice President of the United States and
President of the Senate *pro tempore*



S. J. Res. 1

Eighty-ninth Congress of the United States of America

AT THE FIRST SESSION

Begun and held at the City of Washington on Monday, the fourth day of January,
one thousand nine hundred and sixty-five

Joint Resolution

Proposing an amendment to the Constitution of the United States relating to
succession to the Presidency and Vice Presidency and to cases where the
President is unable to discharge the powers and duties of his office.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE —

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

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

"SEC. 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.

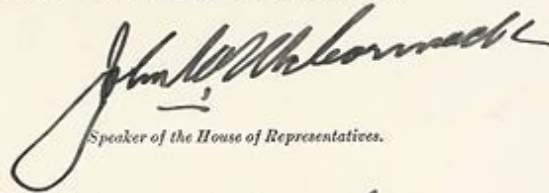
"SEC. 4. Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the 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 forty-eight hours for that purpose if not in session. If the Congress, within



S. J. Res. 1—2

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."


Speaker of the House of Representatives.


Vice President of the United States and
President of the Senate.

S. J. Res. 7

Ninety-second Congress of the United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Thursday, the twenty-first day of January,
one thousand nine hundred and seventy-one*

Joint Resolution

Proposing an amendment to the Constitution of the United States extending the right to vote to citizens eighteen years of age or older.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE —

"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 by any State on account of age.

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

Carl Albert
Speaker of the House of Representatives.

Hubert H. Humphrey
Vice President of the United States and
President of the Senate *pro Tempore*



ARCHIVIST OF THE UNITED STATES
UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME,
GREETING:

KNOW YE, That the first Congress of the United States, at its first session, held in New York, New York, on the twenty-fifth day of September, in the year one thousand seven hundred and eighty-nine, passed the following resolution to amend the Constitution of the United States of America, in the following words and figures in part, to wit:

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 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.*

* * * * *

*And, further, that Section 106b, Title 1 of the United States Code provides
that whenever official notice is received at the National Archives and
Records Administration that any amendment proposed to the
Constitution of the United States has been adopted, according to the
provisions of the Constitution, the Archivist of the United States shall
forthwith cause the amendment to be published, with his certificate,
specifying the States by which the same may have been adopted, and that
the same has become valid, to all intents and purposes, as a part of the
Constitution of the United States.*

*And, further, that it appears from official documents on file in the
National Archives of the United States that the Amendment to the
Constitution of the United States proposed as aforesaid has been ratified
by the Legislatures of the States of Alabama, Alaska, Arizona, Arkansas,
Colorado, Connecticut, Delaware, Florida, Georgia, Idaho, Illinois,
Indiana, Iowa, Kansas, Louisiana, Maine, Maryland, Michigan,
Minnesota, Missouri, Montana, Nevada, New Hampshire, New Jersey,
New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon,
South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia,
West Virginia, Wisconsin, and Wyoming.*

And, further, that the States whose Legislatures have so ratified the said proposed Amendment constitute the requisite three fourths of the whole number of States in the United States.

NOW, Therefore, be it known that I, Don W. Wilson, Archivist of the United States, by virtue and in pursuance of Section 106b, Title 1 of the United States Code, do hereby certify that the aforesaid Amendment has been duly adopted, to all intents and purposes, as a part of the Constitution of the United States.

IN TESTIMONY WHEREOF,

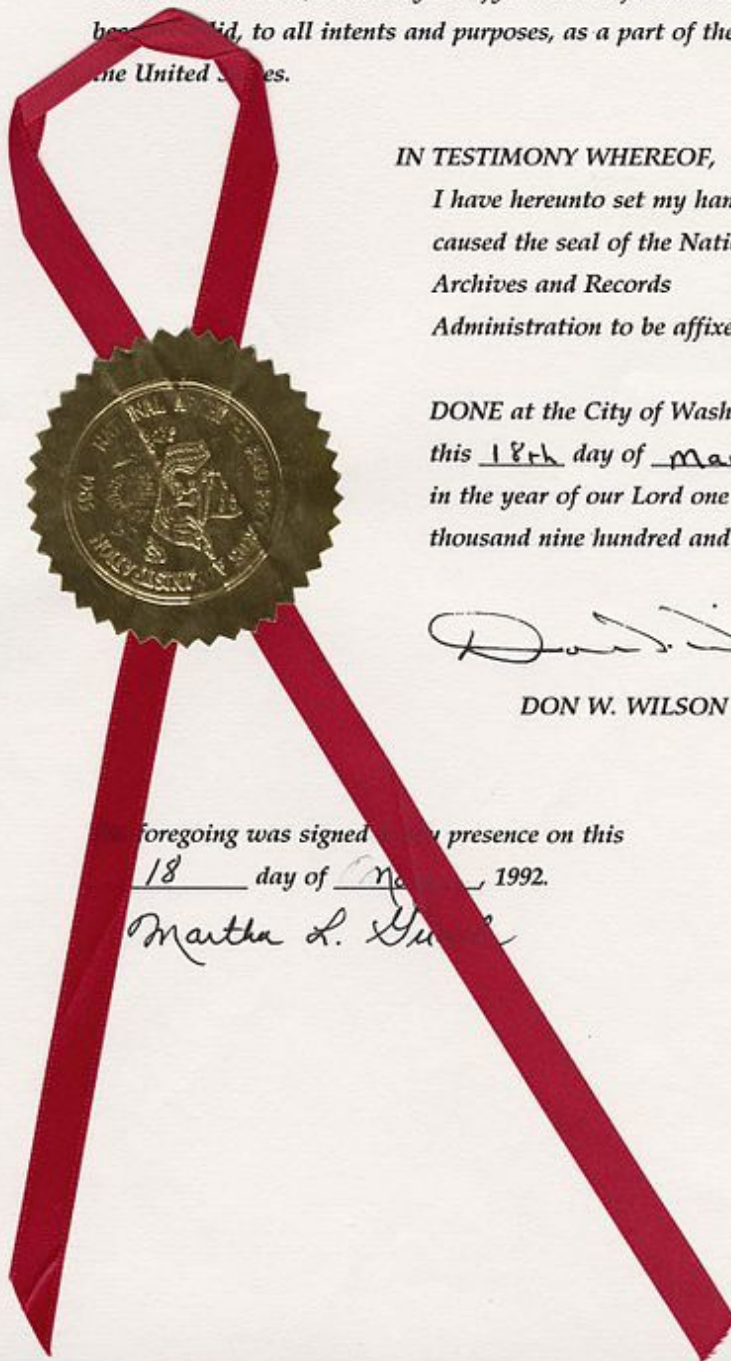
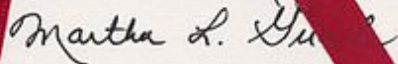
*I have hereunto set my hand and
caused the seal of the National
Archives and Records
Administration to be affixed.*

*DONE at the City of Washington
this 18th day of May
in the year of our Lord one
thousand nine hundred and ninety-two.*



DON W. WILSON

*foregoing was signed in my presence on this
18 day of May, 1992.*



Chapter 11

Articles of Confederation

The **Articles of Confederation and Perpetual Union**, commonly known as the **Articles of Confederation**, was the first governing document of the United States of America.

The articles, which combined The 13 Colonies of the American Revolutionary War into a loose confederation, were adopted by the Second Continental Congress on November 15, 1777, after 16 months of debate. The articles were ratified three years later on March 1, 1781.

The articles were replaced by the **Constitution** on June 21, 1788, when the ninth state, New Hampshire, ratified the Constitution.

11.1 Ratification

Congress began to push for ratification of the Articles in 1777, penning a letter (appended to the Articles) urging that the document

be candidly reviewed under a sense of the difficulty of combining in one general system the various sentiments and interests of a continent divided into so many sovereign and independent communities, under a conviction of the absolute necessity of uniting all our councils and all our strength, to maintain and defend our common liberties...

The document only became effective as it was ratified by the states. This process dragged on for several years, stalled by an interstate quarrel over claims to uncolonized land in the west. Maryland was the last hold-out; it refused to ratify until Virginia and New York agreed to rescind their claims to lands in the Ohio River valley. All of the colonies rebelling against Britain ratified it by 1781.

Although Congress debated the Articles for over a year, it requested immediate action on the part of the states. On February 5, 1778 South Carolina became the first state to ratify the Articles of Confederation. However, three and a half years passed before the final ratification by Maryland on March 1, 1781.

11.2 Text of the Articles of Confederation

Even though the Articles of Confederation and the **Constitution** were established by much of the same people, they were still very different. The document contained a preamble, 13 articles, a conclusion, and the signatures (Note that the preamble, conclusion and signatures headings are not part of the text of the document) (though the articles have headings labeled Article I-Article XIII).

11.2.1 Preamble

To all to whom these Presents shall come, we the undersigned Delegates of the States affixed to our Names send greeting.

Articles of Confederation and perpetual Union between the States of New Hampshire, Massachusetts bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia.

11.2.2 Article I

The Stile of this Confederacy shall be "The United States of America."

11.2.3 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.

11.2.4 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 pretense whatever.

11.2.5 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 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 restrictions 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 offense.

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.

11.2.6 Article V

For the most convenient management of the general interests of the United States, delegates shall be annually appointed in such manner as the legislatures 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 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 or imprisonments, during the time of their going to and from, and attendance on Congress, except for treason, felony, or breach of the peace.

11.2.7 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, 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 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 vessel 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 judgement 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 filed 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.

11.2.8 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.

11.2.9 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 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.

11.2.10 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.

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 causes whatever; which authority shall always be exercised in the manner following. Whenever the legislative or executive authority or lawful agent of any 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 judgement 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 or defend their claim or cause, the court shall nevertheless proceed to pronounce sentence, or judgement, which shall in like manner be final and decisive, the judgement 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 judgement, 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 judgement, 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 standards 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 or 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 members 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 cloath, arm and equip them in a solid- like manner, at the expense of the United States; and the officers and men so cloathed, 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 of men than the quota thereof, such extra number shall be raised, officered, cloathed, armed and equipped in the same manner as the quota of each State, unless the legislature of such State shall judge that such extra number cannot be safely spread out in the same, in which case they shall raise, officer, cloath, arm and equip as many of such extra number as they judge can be safely spared. And the officers and men so cloathed, 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 or 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 the 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 judgement 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 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.

11.2.11 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 the 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 be requisite.

11.2.12 Article XI

Canada acceding to this confederation, and adjoining 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.

11.2.13 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.

11.2.14 Article XIII

Every State shall abide by the determination 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.

11.2.15 Conclusion

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.

11.2.16 Signatures

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 Jr. August 8th 1778

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

John Hancock

Samuel Adams

Elbridge Gerry

Francis Dana

James Lovell

Samuel Holten

Paul Revere

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

William Ellery

Henry Marchant

John Collins

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

Roger Sherman
Samuel Huntington
Oliver Wolcott
Titus Hosmer
Andrew Adams

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

James Duane
Francis Lewis
William Duer
Gouverneur Morris

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

John Witherspoon
Nathaniel Scudder

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

Robert Morris
Daniel Roberdeau
Jonathan Bayard Smith
William Clingan
Joseph Reed 22nd July 1778

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

Thomas 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

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

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

- *On the part and Behalf of the State of NoCarolina:*

John Penn July 21st 1778

Cornelius Harnett

John Williams

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

Henry Laurens

William Henry Drayton

John Mathews

Richard Hutson

Thomas Heyward Jr.

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

John Walton 24th July 1778

Edward Telfair

Edward Langworthy

11.3 Analysis of the text

This section describes each section of the Articles of Confederation.

11.3.1 Analysis of the Preamble

The Preamble briefly describes what the Articles of Confederation are and lists the colonies which ratified this document.

11.3.2 Analysis of Article I

Article I establishes the name of the country as “The United States of America”.

11.3.3 Analysis of Article II

Article II explains the rights possessed by any state, and the amount of power to which any state is entitled.

11.3.4 Analysis of Article III

Article III establishes the United States as a league of states united “...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...”

11.3.5 Analysis of Article IV

Article IV establishes freedom of movement—anyone can pass freely between states, excluding “paupers, vagabonds, and fugitives from justice.” All people are entitled to the rights established by the state into which he or she travels. If a crime is committed in one state and the perpetrator flees to another state, he will be extradited to and tried in the state in which the crime was committed.

11.3.6 Analysis of Article V

Article V allocates one vote in the Congress of the Confederation (United States in Congress Assembled) to each state, which was entitled to a delegation of between two and seven members. Members of Congress were appointed by state legislatures; individuals could not serve more than three out of any six years.

11.3.7 Analysis of Article VI

Article VI limits the powers of states to conduct foreign relations and to declare war.

11.3.8 Analysis of Article VII

Article VII states that when an army is raised for common defense, colonels and military ranks below colonel will be named by the state legislatures.

11.3.9 Analysis of Article VIII

Article VIII states that expenditures by the United States will be paid by funds raised by state legislatures, and apportioned to the states based on the real property values of each.

11.3.10 Analysis of Article IX

Article IX defines the rights of the central government: to declare war, to set weights and measures (including coins), and for Congress to serve as a final court for disputes between states.

11.3.11 Analysis of Article X

Article X defines a Committee of the States to be a government when Congress is not in session.

11.3.12 Analysis of Article XI

Article XI requires at least nine states to approve the admission of a new state into the confederacy; preapproves Canada, if they apply for membership.

11.3.13 Analysis of Article XII

Article XII reaffirms that the Confederation accepts war debt incurred by Congress before the Articles of Confederation were ratified.

11.3.14 Analysis of Article XIII

Article XIII declares that the articles are perpetual, and can only be altered by approval of Congress with ratification by *all* the state legislatures.

11.3.15 Analysis of the Conclusion

The Conclusion declares that all the states shall ensure that the Articles of Confederation are followed and also states *that the Union shall be perpetual*.

11.3.16 Analysis of the Signatures

The Articles of Confederation were signed by the delegates, ratifying them. The date the document was signed is also written in this section.

11.4 Function

The Articles of Confederation supported the Congressional direction of the Continental Army, and allowed the 13 states to present a unified front when dealing with the European powers. But as a tool to build an effective wartime government, they were largely a failure. Congress could make decisions, but had no power to enforce them.

Perhaps the most important power that Congress was denied was the power of taxation: Congress could only request money from the states. Understandably, the states did not generally comply with the requests in full, leaving the confederation chronically short of funds. The states and the national congress had both incurred debts during the war, and paying congressional debts became a major issue.

Nevertheless, the Continental Congress did take two actions with lasting impact. The Land Ordinance of 1785 established the general land survey and ownership provisions used throughout later American expansion. The Northwest Ordinance of 1787 noted the agreement of the original states to give up western land claims and cleared the way for the entry of new states.

Once the unity demanded by the Revolutionary War became unnecessary, the Continental Army was largely disbanded. A very small national force was maintained to man frontier forts and protect against Indian attacks. Meanwhile, each of the states had an army (or militia), and 11 of them had navies. The wartime promises of bounties and land grants to be paid for service were not being met. In 1783, Washington defused the Newburgh conspiracy, but riots by unpaid Pennsylvania veterans forced the Congress to leave Philadelphia on June 21.

11.5 Revision

In May 1786, Charles Pinckney of South Carolina proposed that Congress revise the Articles of Confederation. Recommended changes included granting Congress power over foreign and domestic commerce, and providing means for Congress to collect money from state treasuries. Unanimous approval was necessary to make the alterations, however, and Congress failed to reach a consensus.

In September, five states assembled in the **Annapolis Convention** (1786) to discuss adjustments that would improve commerce. Under their chairman, Alexander Hamilton, they invited state representatives to convene in Philadelphia to discuss improvements to the federal government. After debate, Congress endorsed the plan to revise the Articles of Confederation on February 21, 1787.

According to their own terms for modification, the Articles of Confederation were still in effect until 1790, when every one of the 13 states had ratified the new **Constitution**. The Congress under the Articles continued to sit until late in 1788, though seldom with a quorum near the end.

- September 28, 1787 - Congress sends Constitution to States for ratification
- July 2, 1788 - Ratification of Constitution formally announced by Congress, following ratification by ninth state, New Hampshire, on June 21, 1788
- November 1, 1788 - Congress under Articles of Confederation adjourns
- April 1, 1789 - House of Representatives under Constitution reaches a quorum

According to some historians, the Articles were flawed; in particular, the confederal government was unable to settle state disputes on issues like trade and had no power to tax directly. After all, the states were thirteen individual republics.

Although replaced in 1788 by the [Constitution](#), the Articles of Confederation provided stability during the American Revolutionary War years. Most importantly, the experience of drafting and living under this initial document provided valuable lessons in self-governance and somewhat tempered fears about a powerful central government.

11.6 Signing of the Articles of Confederation

The copy of the Articles of Confederation in the [National Archives](#) has a series of signatures on page six. A list of them is presented here. The signing of the Articles was a process that has caused some confusion. The Articles were approved for distribution to the states, on November 15, 1777. A copy was made for each state and one was kept by the Congress. The copies sent to the states for ratification were unsigned, and a cover letter had only the signatures of Henry Laurens and Charles Thomson, who were the President and Secretary to the Congress.

But, the Articles at that time were unsigned, and the date was blank. Congress began the signing process by examining their copy of the Articles on June 27, 1778. They ordered a final copy prepared (the one in the National Archives), and that delegates should inform the secretary of their authority for ratification.

On July 9, 1778 the prepared copy was ready. They dated it, and began to sign. They also requested each of the remaining states to notify its delegation when ratification was completed. On that date, delegates present from New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, Virginia, and South Carolina signed the articles to indicate that their states had ratified. New Jersey, Delaware, and Maryland could not, since their states had not ratified. North Carolina and Georgia also didn't sign that day, since their delegations were absent.

After the first signing, some delegates signed at the next meeting they attended. For example, John Wentworth of New Hampshire added his name on August 8. John Penn was the first of North Carolina's delegates to arrive (on July 10), and the delegation signed the Articles on July 21, 1778.

The other states had to wait until they ratified the Articles, and notified their Congressional delegation. Georgia signed on July 24, New Jersey on November 26, and Delaware on February 12, 1779. After a wait of two years, Maryland ratified, and her delegates signed the Articles on March 1, 1781. The articles were finally in force.

Congress had debated the Articles for over a year and a half, and the ratification process had taken nearly three and a half years. Many participants in the original debates were no longer delegates, and some of the signers had only recently arrived. The Articles of Confederation and Perpetual Union were signed by a group of men who were never present in the Congress at the same time.

11.7 Source

Basically a junior version of the [Wikipedia](#) article

To all to whom

these Presents shall come, we the undersigned Delegates of the States
affixed to these Presents send greeting. Whereas the Delegates of the
United States of America in Congress assembled on the eighth day
of November in the Year of our Lord One Thousand Seven Hundred
Seventy seven, and in the second Year of the Independence of America
agreed to certain articles of Confederation and perpetual Union between the
States of New Hampshire Massachusetts Rhode Island and Providence
Plantations Connecticut New York New Jersey Pennsylvania Delaware
Maryland Virginia North Carolina South Carolina and Georgia
in the Words following, To wit: That the said States of Confederation and perpetual
Union between the States of New Hampshire Massachusetts Rhode Island
and Providence Plantations Connecticut New York New Jersey Pennsylv-
ania Delaware Maryland Virginia North Carolina South Carolina
and Georgia.

Article I. The said States 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 defence, the security
of their Liberties, and their mutual and general welfare, binding them-
selves 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 egress to and from any other State, and shall enjoy therein
all the Privileges of Trade and Commerce subject to the same duties, Imposi-
tions and Restrictions as the inhabitants thereof respectively, provided
that such Restrictions 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 Impostion, duties or Restrictions
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 re-
moved 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

Chapter 12

Federalist Papers

The **Federalist Papers** are a series of 85 articles arguing for the ratification of the United States Constitution. They were first published serially from October 1787 to August 1788 in New York City newspapers. A compilation, called *The Federalist*, was published in 1788. The Federalist Papers serve as a primary source for interpretation of the **Constitution**, as they outline the philosophy and motivation of the proposed system of government. The authors of the Federalist Papers were not above using the opportunity to provide their own “spin” on certain provisions of the constitution to (i) influence the vote on ratification and (ii) influence future interpretations of the provisions in question.

The articles were written by James Madison, Alexander Hamilton, and John Jay, under the pseudonym “Publius,” in honor of Roman consul Publius Valerius Publicola. Madison is generally credited as the father of the Constitution and became the fourth President of the United States. Hamilton was an influential delegate at the Constitutional Convention, and later the first Secretary of the Treasury. John Jay would become the first Chief Justice of the United States. Hamilton penned the majority and Madison made several significant contributions to the series. Jay, who fell ill early in the project, wrote only five.

Federalist No. 10 and Federalist No. 51 are generally regarded as the most influential of the 85 articles; 10 advocates for a large, strong republic and includes discussion on factions, 51 explains the need for separation of powers. Federalist No. 84 is also notable for its opposition to what later became the **Bill of Rights**.

12.1 Origins

The **Constitution** was sent to the states for ratification in late September 1787. Immediately, it was the target of a substantial number of articles and public letters written by Anti-Federalists and other opponents of the Constitution. For instance, the important Anti-Federalist authors “Cato” and “Brutus” debuted in New York papers on September 27 and October 18, respectively. Hamilton began the Federalist Papers project as a response to the opponents of ratification, a response that would explain the new Constitution to the residents of New York and persuade them to ratify it. He wrote in Federalist No. 1 that the series would “endeavor to give a satisfactory answer to all the objections which shall have made their appearance, that may seem to have any claim to your attention.”

Hamilton recruited collaborators for the project. He enlisted Jay, who fell ill and was unable to contribute much to the series. Madison, in New York as a delegate to the Congress, was recruited by Hamilton and Jay and became Hamilton’s major collaborator.

Hamilton also chose “Publius” as the pseudonym under which the series would be written. While many other pieces representing both sides of the constitutional debate were written under Roman names, Albert Furtwangler contends that “‘Publius’ was a cut above ‘Caesar’ or ‘Brutus’ or even ‘Cato.’ Publius Valerius was not a late defender of the republic but one of its founders. His more famous name, Publicola, meant ‘friend of the people.’” It was not the first time Hamilton had used this pseudonym: in 1778, he had applied it to three letters attacking Samuel Chase, an Associate Justice of the United States Supreme Court.

12.2 Publication

The Federalist Papers initially appeared in three New York newspapers: the *Independent Journal*, the *New-York Packet* and the *Daily Advertiser*, beginning on October 27, 1787. Between them, Hamilton, Madison and Jay kept up a rapid pace, with at times three or four new essays by Publius appearing in the papers in a week. Hamilton also encouraged the reprinting of the essay in newspapers outside New York state, and indeed they were published in a number of other states where the ratification debate was taking place.

The high demand for the essays led to their publication in a more permanent form. On January 1, 1788, the New York publishing firm J. & A. McLean announced that they would publish the first thirty-six essays as a bound volume; that volume was released on March 2 and was titled *The Federalist*. (Its title page appears at the top right of the article.) New essays continued to appear in the newspapers; Federalist No. 77 was the last number to first appear in that form, on April 2. A second bound volume containing the last forty-nine essays was released on May 28. The remaining eight papers were later published in the newspapers as well.

A number of later publications are worth noting. A 1792 French edition ended the collective anonymity of Publius, announcing that the work had been written by “MM Hamilton, Maddisson E Gay,” citizens of the State of New York. In 1802 George Hopkins published an American edition that similarly named the authors. Hopkins wished as well that “the name of the writer should be prefixed to each number,” but at this point Hamilton insisted that this was not to be, and the division of the essays between the three authors remained a secret.

The first publication to divide the papers in such a way was an 1810 edition that used a list provided by Hamilton to associate the authors with their numbers; this edition appeared as two volumes of the compiled “Works of Hamilton.” In 1818, Jacob Gideon published a new edition with a new listing of authors, based on a list provided by Madison. The difference between Hamilton’s list and Madison’s form the basis for a dispute over the authorship of a dozen of the essays.

12.3 The disputed essays

The authorship of seventy-three of the *Federalist* essays is fairly certain. Twelve are disputed, though some newer evidence suggests Madison as the author. The first open designation of which essay belonged to whom was provided by Hamilton provided his lawyer with a list detailing the author of each number. This list credited Hamilton with a full sixty-three of the essays (three of those being jointly written with Madison), almost three quarters of the whole, and was used as the basis for an 1810 printing that was the first to make specific attribution for the essays.

Madison did not immediately dispute Hamilton’s list, but provided his own list for the 1818 Gideon edition of *The Federalist*. Madison claimed twenty-nine numbers for himself, and he suggested that the difference between the two lists was “owing doubtless to the hurry in which [Hamilton’s] memorandum was made out.” A known error in Hamilton’s list—Hamilton incorrectly ascribed No. 54 to Jay, when in fact Jay wrote No. 64—has provided some evidence for Madison’s suggestion.

Statistical analysis has been undertaken a number of times to try to decide based on word frequencies and writing styles, and nearly all of the statistical studies show that all twelve disputed papers were written by Madison.

12.4 Structure and form

In Federalist No. 1, which served as the introduction to the series, Hamilton listed six topics to be covered in the subsequent articles:

1. “The utility of the UNION to your political prosperity” – covered in No. 2 through No. 14
2. “The insufficiency of the present Confederation to preserve that Union”—covered in No. 15 through No. 22
3. “The necessity of a government at least equally energetic with the one proposed to the attainment of this object”—covered in No. 23 through No. 36

4. “The conformity of the proposed constitution to the true principles of republican government”—covered in No. 37 through No. 84
5. “Its analogy to your own state constitution”—covered in No. 85
6. “The additional security which its adoption will afford to the preservation of that species of government, to liberty and to prosperity”—covered in No. 85.

Furtwangler notes that as the series grew, this plan was somewhat changed. The fourth topic expanded into detailed coverage of the individual articles of the Constitution and the institutions it mandated, while the two last topics were merely touched on in the last essay.

12.5 Judicial use and interpretation

Federal judges frequently use the Federalist Papers when interpreting the *Constitution* as a contemporary account of the intentions of the framers and ratifiers. However, the amount of deference that should be given to the Federalist Papers in constitutional interpretation has always been somewhat controversial. As early as 1819, Chief Justice John Marshall said about the Federalist Papers that “the opinions expressed by the authors of that work have been justly supposed to be entitled to great respect in expounding the Constitution. No tribute can be paid to them which exceeds their merit; but in applying their opinions to the cases which may arise in the progress of our government, a right to judge of their correctness must be retained.”

12.6 Opposition to the Bill of Rights

The Federalist Papers (specifically Federalist No. 84) are remarkable for their opposition to what later became the *Bill of Rights*. The idea of adding a bill of rights to the constitution was originally controversial because the constitution, as written, did not specifically enumerate or protect the rights of the people. Alexander Hamilton, in Federalist No. 84, feared that such an enumeration, once written down explicitly, would later be interpreted as a list of the only rights that people had.

However, Hamilton’s opposition to the Bill of Rights was far from universal. *Brutus*, articulated this view point in the so-called *Anti-Federalist* No. 84, asserting that a government unrestrained by such a bill could easily devolve into tyranny. Other supporters of the Bill argued that a list of rights would not and should not be interpreted as exhaustive; i.e., that these rights were examples of important rights that people had, but that people had other rights as well. People in this school of thought were confident that the judiciary would interpret these rights in an expansive fashion.

12.7 List of Federalist Papers

Here is a list of the Federalist Papers:

12.8 Text of Federalist Papers

For the text of the Federalist Papers, see the following subpages:

1. Federalist No. 1-10
2. Federalist No. 11-20
3. Federalist No. 21-30

4. Federalist No. 31-40
5. Federalist No. 41-50
6. Federalist No. 51-60
7. Federalist No. 61-70
8. Federalist No. 71-80
9. Federalist No. 81-85

12.9 Source

Basically a junior version of the [Wikipedia](#) article

*For M^r Church from her sister
Elizabeth THE Hamilton*

FEDERALIST:

A COLLECTION

OF

ESSAYS,

WRITTEN IN FAVOUR OF THE

NEW CONSTITUTION,

AS AGREED UPON BY THE FEDERAL CONVENTION,
SEPTEMBER 17, 1787.

IN TWO VOLUMES.

VOL. I.



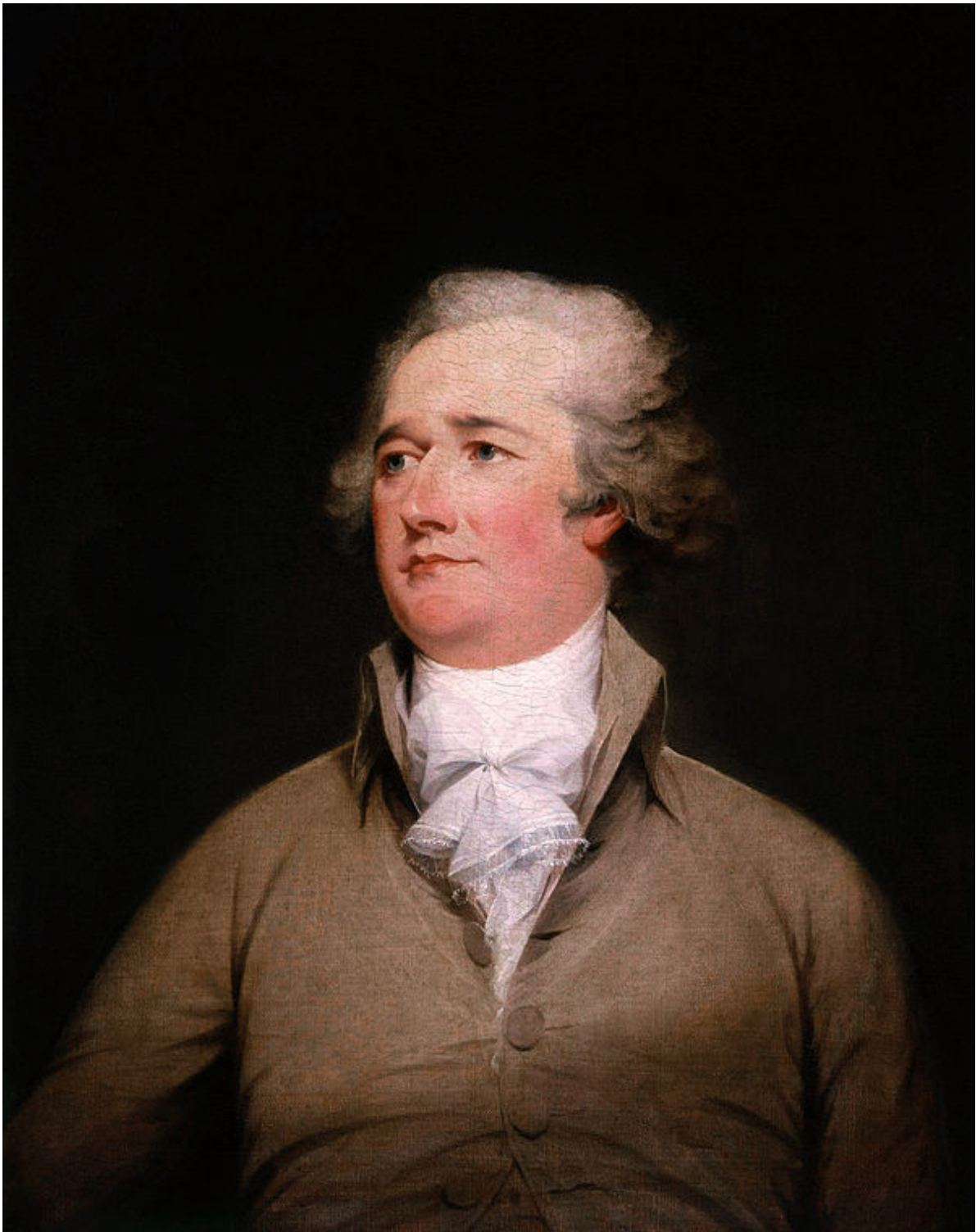
NEW-YORK:

PRINTED AND SOLD BY J. AND A. McLEAN,

No. 41, HANOVER-SQUARE.

M,DCC,LXXXVIII.

Mr. Jefferson's copy



Alexander Hamilton, the author of most of the Federalist Papers

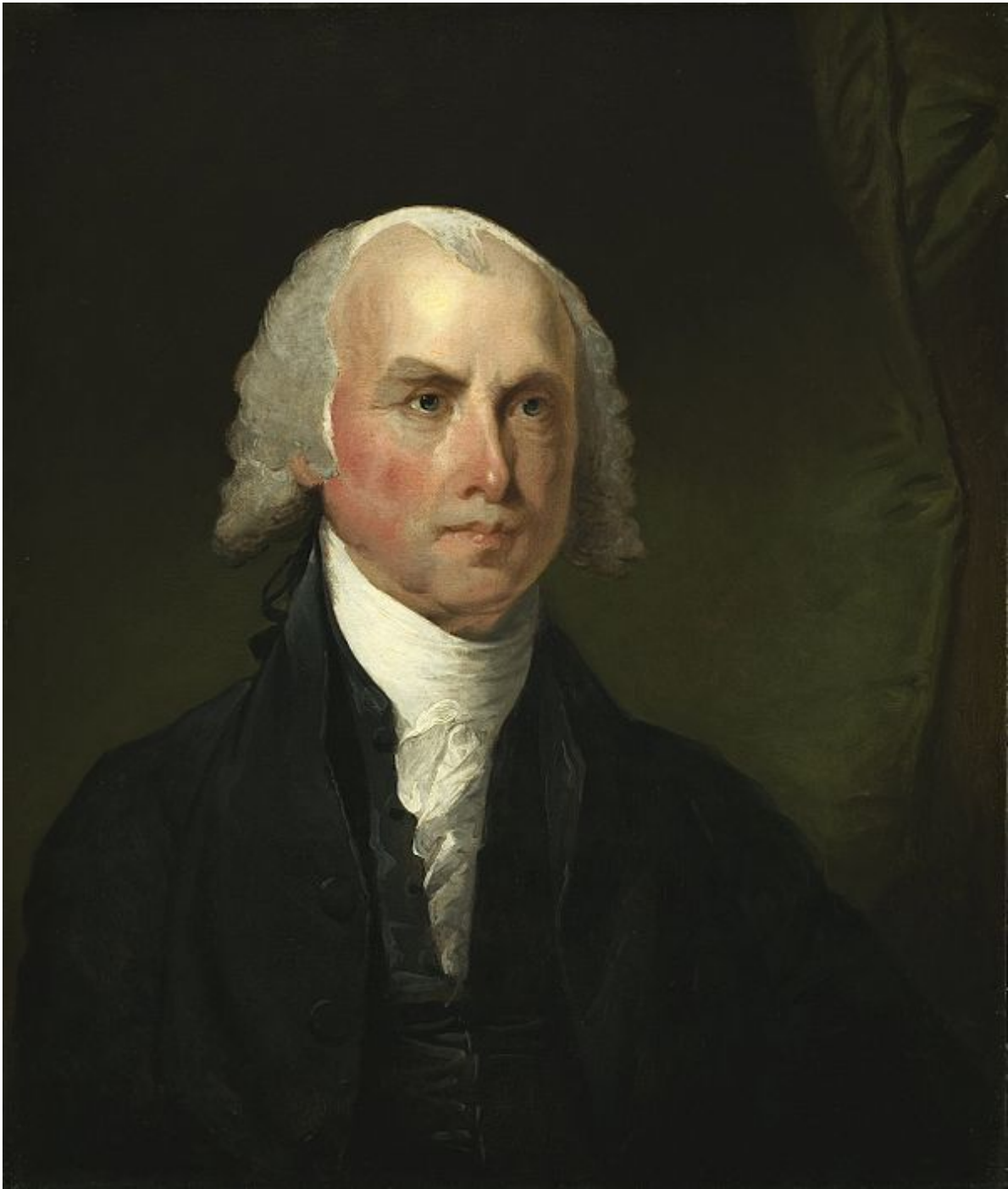
In the Press,
and speedily will be published,
THE
FEDERALIST,
A Collection of Essays written in fa-
vor of the New Constitution.
By a Citizen of New-York.
Corrected by the Author, with Additions
and Alterations.

This work will be printed on a fine Paper
and good Type, in one handsome Volume duo-
decimo, and delivered to subscribers at the
moderate price of one dollar. A few copies
will be printed on superfine royal writing pa-
per, price ten shillings.

No money required till delivery.
To render this work more complete, will be
added, without any additional expence,

PHILO-PUBLIUS,
AND THE
Articles of the Convention,
As agreed upon at Philadelphia, Septem-
ber 17th, 1787.

A
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S



*James Madison, Hamilton's major collaborator, later President of the United States, "Father of the *Constitution*" and first author of the *Bill of Rights**



John Jay, author of five of the Federalist Papers

Chapter 13

The 13 Colonies

The **Thirteen Colonies** were part of what became known as British America, a name that was used by Great Britain until the Treaty of Paris recognized the independence of the original thirteen United States of America in 1783. These British colonies in North America rebelled against British rule in 1775, in what is called the American Revolution in the United States and the American War of Independence in other countries. A provisional government was formed which proclaimed their independence, which is now celebrated as having occurred on July 4, 1776 (Independence Day), and subsequently became the original thirteen United States of America. The colonies were founded between 1607 (Virginia), and 1733 (Georgia), although Great Britain held several other colonies in North America and the West Indies that did not join the rebellion in 1775.

The Thirteen Colonies gave rise to eighteen present-day states: the original thirteen states (in chronological order of their ratification of the United States Constitution: Delaware, Pennsylvania, New Jersey, Georgia, Connecticut, Massachusetts, Maryland, South Carolina, New Hampshire, Virginia, New York, North Carolina, Rhode Island), Vermont (which had been disputed between New Hampshire and New York, and was an independent republic from 1777 to 1791), Kentucky (which had been part of Virginia until 1792), Tennessee (which had been part of North Carolina until 1790 and then the federally administrated Southwest Territory until 1796), Maine (formerly part of Massachusetts until 1820), and West Virginia (part of Virginia until 1863).

13.1 List of colonies

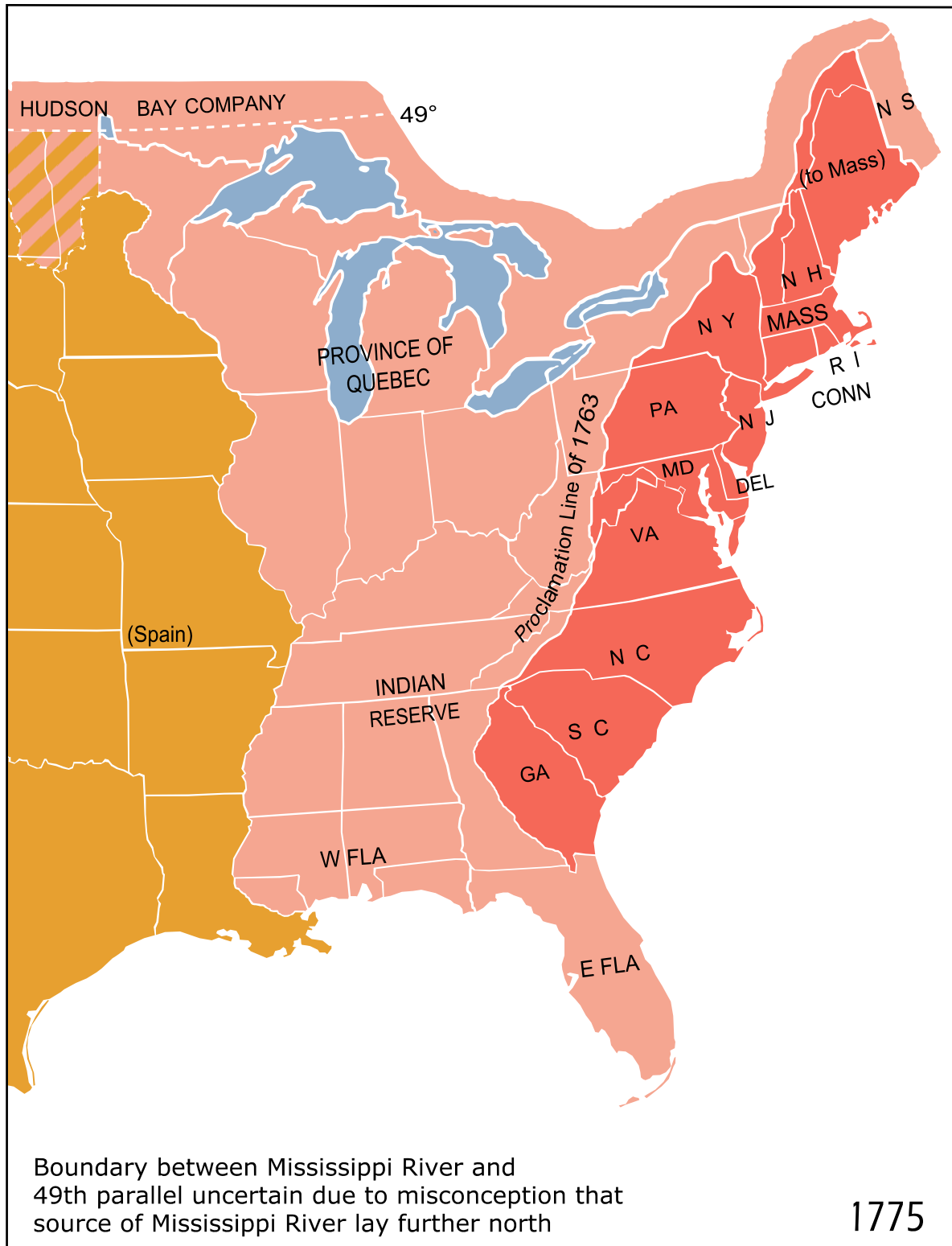
Contemporaneous documents usually list the thirteen revolutionary colonies of British North America in geographical order, from the north to the south.

New England Colonies

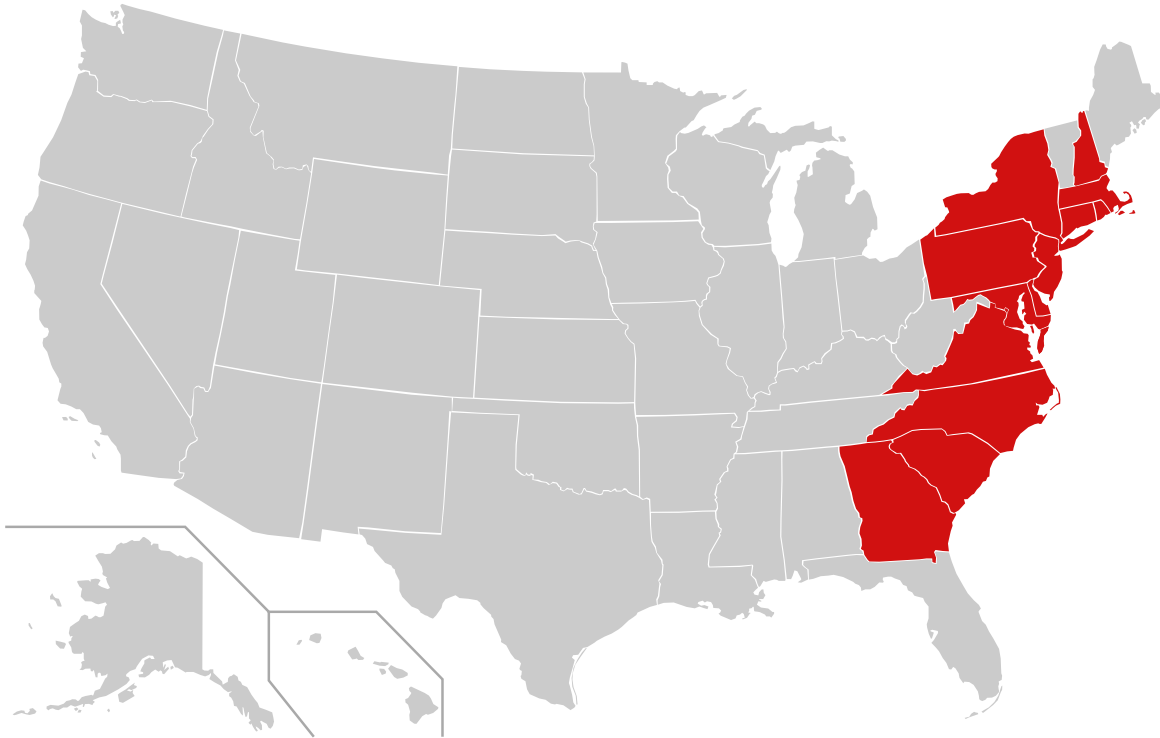
- Province of New Hampshire, later New Hampshire
- Province of Massachusetts Bay, later Massachusetts and Maine
- Colony of Rhode Island and Providence Plantations, later Rhode Island and Providence Plantations
- Connecticut Colony, later Connecticut

Middle Colonies

- Province of New York, later New York and Vermont.
- Province of New Jersey, later New Jersey
- Province of Pennsylvania, later Pennsylvania



In 1775, the British claimed authority over the red and pink areas on this map and Spain ruled the orange. The red area is the area of the thirteen colonies open to settlement after the Proclamation of 1763



The original 13 states today



The flag of the 13 colonies

- Delaware Colony (before 1776, the Lower Counties on Delaware), later Delaware

Southern Colonies

(depending on the subject under discussion, Virginia and Maryland may be grouped as the Chesapeake Colonies)

- Province of Maryland, later Maryland
- Colony and Dominion of Virginia, later Virginia, Kentucky and West Virginia
- Province of North Carolina, later North Carolina and Tennessee
- Province of South Carolina, later South Carolina
- Province of Georgia, later Georgia

13.2 Source

Basically a junior version of the [Wikipedia](#) article.

Chapter 14

Freedom Train

The United States has seen two Freedom Trains. The 1947–49 **Freedom Train** was a special exhibit train that toured the United States in the later half of the 1940s. A similar train called the **American Freedom Train** toured the country for the United States Bicentennial celebration in 1975–76. Both trains were painted in special red, white and blue paint schemes, and both toured the 48 contiguous states with displays of Americana and related historical artifacts. The two trains took different routes around the 48 states, but they both stopped for public displays in each of them.

14.1 The 1947-1949 *Freedom Train*

The 1947–1949 **Freedom Train** was proposed by Attorney General Tom C. Clark as a way to reawaken Americans to their taken-for-granted principles of liberty in the post-war years. The idea soon got the approval of President Harry S. Truman and everything else fell into place. Top Marines were selected to attend to the train and its famous documents. The Marine contingent was led by Col. Robert F. Scott.

The train carried the original versions of the Declaration of Independence, Constitution and the Bill of Rights on its tour of more than 300 cities in all 48 states. As Alaska and Hawaii didn't gain statehood until 1959, this train toured all of the US States that existed at the time.

The 127 documents carried by the train included a copy of the Magna Carta, the Emancipation Proclamation, the Gettysburg Address, the Iwo Jima flag, the German and Japanese surrender documents that ended **World War II**, and six historic flags.

The Freedom Train even had an official song, written by Irving Berlin and performed by Bing Crosby and the Andrews Sisters.

The train's first public display stop occurred in Philadelphia, Pennsylvania, on September 17, 1947. From there, the train traveled in a route that took it up to New England, down the Atlantic coast to Florida, across the nation's southern states to California, up the Pacific coast to Washington, then across the northern states to Minnesota. After touring the perimeter of the nation, the train moved inland from Minnesota to Colorado then Kansas and Missouri, north to Wisconsin, then south to the Ohio River valley, north again to Michigan and finally east to New Jersey. The train's official tour end occurred on January 22, 1949 in Washington, DC, nearly three months after its last public display October 26, 1948 in Havre de Grace, Maryland. It was the first train to visit all 48 contiguous states.

14.2 The 1975–1976 *American Freedom Train*

A second Freedom Train, The **American Freedom Train**, toured the country in 1975–1976 to commemorate the United States Bicentennial. This 26-car train was powered by three newly restored steam locomotives. The first to pull the train was former Reading Company 4-8-4 #2101. The second was former Southern Pacific 4449, a large 4-8-4 steam

locomotive that is still operating in special excursion service today. The third was former Texas & Pacific 2-10-4 #610, which pulled the train in Texas.

Within the train's 10 display cars were over 500 precious treasures of Americana. Included in these diverse artifacts were George Washington's copy of the [Constitution](#), the Louisiana Purchase, Judy Garland's dress from *The Wizard of Oz*, Joe Frazier's boxing trunks, Martin Luther King's pulpit and robes, and even a rock from the moon.

Over a 21 month period from April 1, 1975 to December 31, 1976 more than 7 million Americans visited the train during its tour of all 48 contiguous states. Millions more stood trackside to see it go by.

The train's tour began April 1, 1975, in Wilmington, Delaware. The train then traveled northeast to New England, west through Pennsylvania, Ohio to Michigan, then around Lake Michigan to Illinois and Wisconsin. From the Midwest, the tour continued westward, zigzagging across the plains to Utah and then up to the Pacific Northwest. From Seattle, Washington, the tour then traveled south along the Pacific coast to southern California. The train and crew spent Christmas 1975 in Pomona, California, decorating the locomotive with a large profile of Santa Claus on the front of the smokebox above the front coupler. For 1976, the tour continued from southern California eastward through Arizona, New Mexico and Texas, then turned north to visit Kansas and Missouri before traveling through the Gulf Coast states and then north again to Pennsylvania. The tour continued southeast to New Jersey then south along the Atlantic coast before finally ending December 26, 1976 in Miami, Florida. The last visitor went through the train December 31, 1976.

14.3 See also

- [Station stops](#)

14.4 Source

Basically a junior version of the [Wikipedia](#) article.

14.5 Text and image sources, contributors, and licenses

14.5.1 Text

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