

# Constitution of the United States of America

(circa 1787)

While meeting to revise the Articles of Confederation, it became evident that an entirely new document would need to be drafted. The various States argued for days about how much power the new government should have, the number of representatives each State should be delegated and how those representatives should be elected. The Constitution is the result of the founding fathers' superior statesmanship and the art of compromise.

The U.S. Constitution remains unmodified from its original form. Instead, the founding fathers decided to add Amendments rather than delete words from the original document. As an example, the law of Prohibition was added as the XVII Amendment and repealed years later as the XXI Amendment. In this way, the original document and each Amendment, once added, will always remain part of the document.

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## 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 defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

## Article I

**Section 1.** All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

**Section 2.** The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons.<sup>1</sup> 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.

fn1 - Portions of the above paragraph were later affected by the XIV Amendment

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,<sup>2</sup> for six Years; and each Senator shall have one Vote.

fn2 - Portions of the above paragraph were later affected by the XVII Amendment

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.<sup>3</sup>

fn3 - Portions of the above paragraph were later affected by the XVIII Amendment

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Senate shall chuse their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to law.

**Section 4.** The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.

The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December,<sup>4</sup> unless they shall by Law appoint a different Day.

fn4 - Portions of the above paragraph were later affected by the XX Amendment

**Section 5.** Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

**Section 6.** The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States.<sup>5</sup> 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.

fn5 - Portions of the above paragraph were later affected by the XXVII Amendment

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 Defense 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.<sup>6</sup>

fn6 - Portions of the above paragraph were later affected by the XVI Amendment

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 Control of the Congress.

No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

## Article II

**Section 1.** The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same term, be elected, as follows

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of 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.<sup>7</sup>

fn7 - Portions of the above paragraph were later affected by the [XII Amendment](#)

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,<sup>8</sup> 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.

fn8 - Portions of the above paragraph were later affected by the [XXV Amendment](#)

The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be increased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation: "I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

**Section 2.** The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

**Section 3.** He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

**Section 4.** The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other High Crimes and Misdemeanors.

### Article III

**Section 1.** The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

**Section 2.** The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority; to all Cases affecting Ambassadors, other public Ministers and Consuls; to all Cases of admiralty and maritime jurisdiction; to Controversies to which the United States shall be a Party; to Controversies between two or more States; between a State and Citizens of another State;<sup>9</sup> 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.

fn9 - Portions of the above paragraph were later affected by the [XI Amendment](#)

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

**Section 3.** Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the person Attainted.

## Article IV

**Section 1.** Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records, and Proceedings shall be proved, and the Effect thereof.

**Section 2.** The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.<sup>10</sup>

fn10 - Portions of the above paragraph were later affected by the [XIII Amendment](#)

**Section 3.** New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

**Section 4.** The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

## Article V

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

## Article VI

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

## Article VII

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

## Signators

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:

/s/ G. Washington - President  
and deputy from Virginia

**Delaware :**

/s/ Geo. Read  
/s/ Gunning Bedford jun  
/s/ John Dickinson  
/s/ Richard Bassett  
/s/ Jaco. Broom

**Maryland :**

/s/ James McHenry  
/s/ Dan. of St. Thos. Jenifer  
/s/ Danl. Carroll

**Virginia :**

/s/ John Blair  
/s/ James Madison, Jr.

**North Carolina :**

/s/ Wm. Blount  
/s/ Richd. Dobbs Spaight  
/s/ Hu. Williamson

**South Carolina :**

/s/ J. Rutledge  
/s/ Charles Cotesworth Pinckney  
/s/ Charles Pinckney  
/s/ Pierce Butler

**Georgia :**

/s/ William Few  
/s/ Abr. Baldwin

Attest :

/s/ William Jackson, Secretary

**New Hampshire :**

/s/ John Langdon  
/s/ Nicholas Gilman

**Massachusetts :**

/s/ Nathaniel Gorham  
/s/ Rufus King

**Connecticut :**

/s/ Wm. Saml. Johnson  
/s/ Roger Sherman

**New York :**

/s/ Alexander Hamilton

**New Jersey :**

/s/ Wil. Livingston  
/s/ David Brearly  
/s/ Wm. Paterson  
/s/ Jona. Dayton

**Pennsylvania :**

/s/ B. Franklin  
/s/ Thomas Mifflin  
/s/ Robt. Morris  
/s/ Geo. Clymer  
/s/ Thos. FitzSimons  
/s/ Jared Ingersoll  
/s/ James Wilson  
/s/ Gouv. Morris

**Adoption**

The U.S. Constitution was formally adopted on September 17, 1787, and thereafter ratified by the individual States, on the following dates:

<u>State</u>	<u>Date Ratified</u>
Delaware	December 7, 1787
Pennsylvania	December 12, 1787
New Jersey	December 18, 1787
Georgia	January 2, 1788

Connecticut	January 9, 1788
Massachusetts	February 6, 1788
Maryland	April 28, 1788
South Carolina	May 23, 1788
New Hampshire	June 21, 1788 <sup>11</sup>
Virginia	June 25, 1788
New York	July 26, 1788
North Carolina	November 21, 1789
Rhode Island	May 29, 1790
Vermont	January 10, 1791

fn11 - Ratification and adoption completed on June 21, 1788; see also Article VII above

[http://en.wikipedia.org/wiki/List\\_of\\_amendments\\_to\\_the\\_United\\_States\\_Constitution](http://en.wikipedia.org/wiki/List_of_amendments_to_the_United_States_Constitution)

## **Amendments to the Constitution**

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 (*See Note 12*)

### **Article [I.] (*See Note 13*)**

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

### **Article [II.]**

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

### **Article [III.]**

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

### **Article [IV.]**

The right of the people to be secure in their persons, houses<sup>11</sup>, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

### **Article [V.]**

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or

in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

#### **Article [VI.]**

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

#### **Article [VII.]**

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

#### **Article [VIII.]**

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

#### **Article [IX.]**

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

#### **Article [X.]**

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

#### **NOTES**

Note 12: The first ten amendments to the Constitution of the United States (and two others, one of which failed of ratification and the other which later became the 27th amendment) were proposed to the legislatures of the several States by the First Congress on September 25, 1789. The first ten amendments were ratified by the following States, and the notifications of ratification by the Governors thereof were successively communicated by the President to Congress: New Jersey, November 20, 1789; Maryland, December 19, 1789; North Carolina, December 22, 1789; South Carolina, January 19, 1790; New Hampshire, January 25, 1790; Delaware, January 28, 1790; New York, February 24, 1790; Pennsylvania, March 10, 1790; Rhode Island, June 7, 1790; Vermont, November 3, 1791; and Virginia, December 15, 1791.

Ratification was completed on December 15, 1791.

The amendments were subsequently ratified by the legislatures of Massachusetts, March 2, 1939; Georgia, March 18, 1939; and Connecticut, April 19, 1939.

Note 13: Only the 13th, 14th, 15th, and 16th articles of amendment had numbers assigned to them at the time of ratification.

Note 14: This sentence has been superseded by section 3 of amendment XX.

Note 15: See amendment XIX and section 1 of amendment XXVI.

Note 16: Repealed by section 1 of amendment XXI.

This information has been compiled from the U.S. Code. The U.S. Code is published by the Law Revision Counsel of the U.S. House of Representatives.

Updated September 20, 2004

### **[Article XI.]**

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.

#### Proposal and Ratification

The eleventh amendment to the Constitution of the United States was proposed to the legislatures of the several States by the Third Congress, on the 4th of March 1794; and was declared in a message from the President to Congress, dated the 8th of January, 1798, to have been ratified by the legislatures of three-fourths of the States. The dates of ratification were: New York, March 27, 1794; Rhode Island, March 31, 1794; Connecticut, May 8, 1794; New Hampshire, June 16, 1794; Massachusetts, June 26, 1794; Vermont, between October 9, 1794 and November 9, 1794; Virginia, November 18, 1794; Georgia, November 29, 1794; Kentucky, December 7, 1794; Maryland, December 26, 1794; Delaware, January 23, 1795; North Carolina, February 7, 1795.

Ratification was completed on February 7, 1795.

The amendment was subsequently ratified by South Carolina on December 4, 1797. New Jersey and Pennsylvania did not take action on the amendment.

### **[Article XII.]**

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. (*See Note 14*)--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.

**Proposal and Ratification** The twelfth amendment to the Constitution of the United States was proposed to the legislatures of the several States by the Eighth Congress, on the 9th of December, 1803, in lieu of the original third paragraph of the first section of the second article; and was declared in a proclamation of the Secretary of State, dated the 25th of September, 1804, to have been ratified by the legislatures of 13 of the 17 States. The dates of ratification were: North Carolina, December 21, 1803; Maryland, December 24, 1803; Kentucky, December 27, 1803; Ohio, December 30, 1803; Pennsylvania, January 5, 1804; Vermont, January 30, 1804; Virginia, February 3, 1804; New York, February 10, 1804; New Jersey, February 22, 1804; Rhode Island, March 12, 1804; South Carolina, May 15, 1804; Georgia, May 19, 1804; New Hampshire, June 15, 1804.

Ratification was completed on June 15, 1804.

The amendment was subsequently ratified by Tennessee, July 27, 1804.

The amendment was rejected by Delaware, January 18, 1804; Massachusetts, February 3, 1804; Connecticut, at its session begun May 10, 1804.

### **[Amendment XIII "Title of Nobility Act"]**

"If any citizen of the United States shall accept, claim, receive, or retain any title of nobility or honour, or shall without the consent of Congress, accept and retain any present, pension, office, or emolument of any kind whatever, from any Emperor, King, Prince, or foreign Power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them."

In January, 1810, Senator Reed proposed the "Title of Nobility" Amendment (History of Congress, Proceedings of the Senate, p. 529-530). On April 27, 1810, the Senate voted to pass this 13th Amendment by a vote of 26 to 1; the House resolved in the affirmative 87 to 3; and the resolve was sent to the States for ratification: By Dec. 10, 1812, twelve of the required thirteen States had ratified as follows: Maryland, Dec. 25, 1810; Kentucky, Jan. 31, 1811; Ohio, Jan. 31, 1811; Delaware, Feb. 2, 1811; Pennsylvania, Feb. 6, 1811; New Jersey, Feb. 13, 1811; Vermont, Oct. 24, 1811; Tennessee, Nov. 21, 1811; Georgia, Dec. 13, 1811; North Carolina, Dec. 23, 1811; Massachusetts, Feb. 27, 1812; New Hampshire, Dec. 10, 1812. Before a thirteenth State could ratify, the War of 1812 broke out and interrupted this very rapid move for ratification.

No record has been found that the State of Connecticut ever acted to either accept or reject this

original 13th Amendment. Yet, it was published in three separate editions of "The Public Statute Laws of the State of Connecticut" as a part of the U.S. Constitution in 1821, 1824 and 1835. Then, without record or explanation, it mysteriously disappeared from subsequent editions prior to the Civil War between the states. However, printing by a legislature is prima facie evidence of ratification, and it has been found to have been printed as part of the Constitution in this and many other states until around the Civil War period - when it mysteriously disappeared from subsequent printings. It was found to have been printed by the legislature of this State in the following: 1821 - The Public Statute Laws of the State of Connecticut, as revised and enacted by the General Assembly in May, 1821 pg. 19 1824 - The Public Statute Laws of the State of Connecticut, as revised and enacted by the General Assembly in May, 1824 pg.18-19 1835 - The Public Statute Laws of the State of Connecticut, compiled in obedience to a resolve of the General Assembly passed May, 1835, to which is prefixed the Declaration of Independence & Constitution of the United States and the State of Connecticut, published by the authority of the State of Connecticut. The Marginal note in all three publications reads: "Citizenship forfeited by the acceptance, from a foreign power, of any title of nobility, office or emolument of any kind, &c." The prima facie evidence of ratification of this Amendment is overwhelming. Since the creditors of this bankruptcy are foreign powers and this "unaccountable committee of lawyers" spoken of by Robert H. Bork have accepted and retained the "office of trustee" for these creditors and foreign powers, their Citizenship has been forfeited by this acceptance.

END circa 1787 as amended through December 19, 1860

Secession of South Carolina December 20, 1860

- **December 20, 1860** - South Carolina is the 1st state to secede from the Union.
- **January 9, 1861** - Mississippi is the 2nd state to secede from the Union.
- **January 10, 1861** - Florida is the 3rd state to secede from the Union.
- **January 11, 1861** - Alabama is the 4th state to secede from the Union.
- **January 19, 1861** - Georgia is the 5th state to secede from the Union.
- **January 26, 1861** - Louisiana is the 6th state to secede from the Union.
- **January 29, 1861** - Kansas is the 34th state admitted to the Union. Kansas became a free state on January 29, 1861, after seven years of bloody feuding between residents over whether to be admitted as a slave or free state.

Beginning of the Civil War May 6, 1861

**May 6, 1861** - President Abraham Lincoln declares a state of insurrection in the southern states.

For more information:

[http://en.wikipedia.org/wiki/Slave\\_state](http://en.wikipedia.org/wiki/Slave_state)

<http://www.shgresources.com/us/timeline/>

Timeline for the Making of the Constitution (1787-1860)

1787. Ordinance of 1787 adopted.  
May 14. Constitutional Convention meets at Philadelphia.  
Sept 17. Constitution finished and signed by the delegates.
1788. Rufus Putnam plants first settlement in Ohio.  
June 21. New Hampshire becomes the ninth state to ratify the Constitution, securing its adoption.
1789. March 4. New government goes into operation.  
April 30. Washington inaugurated first President.
1790. First census. Population 3,929,214.
1791. Vermont admitted to the Union. St. Clair defeated by the Indians
1792. Kentucky admitted to the Union.
1793. Thomas Jefferson founds Republican (Democratic) party.
1794. Wayne defeats the Indians in Battle of Fallen Timbers.
1795. Jay's treaty ratified.
1796. Tennessee admitted to the Union.
1797. John Adams inaugurated President.
1798. Alien and sedition laws enacted. Navy department established.
- 1798-1799. Kentucky and Virginia resolutions.
- 1798-1800. Serious trouble with France.
1799. December 14. Washington dies at Mt. Vernon.
1800. Overthrow of the Federal party.  
Capital removed to Washington, D.C.
1801. Jefferson becomes President.
1802. Ohio joins the Union.

- 1801-1805. War with the Barbary States, North Africa.
1803. Purchase of Louisiana.
1804. Burr kills Hamilton in a duel.
- 1805-1807. Lewis and Clarke expedition.
- 1806-1807. Burr's conspiracy, trial, and acquittal.
1807. Fulton succeeds with the steamboat.  
June 22. The *Leopard* fires on the *Chesapeake*.  
December. Jefferson's embargo enacted.
1808. Prohibition of the foreign slave trade.
1809. James Madison inaugurated President.
1811. November 7. Battle of Tippecanoe.
1812. June 18. War declared against England.  
August 16. Hull surrenders Detroit.  
August 19. The *Constitution* defeats the *Guerriere*.  
October 13. Battle of Queenstown Heights.
1813. September 10. Perry's victory on Lake Erie.  
October 5. Battle of the Thames.  
November 9. Battle of Talladega.
1814. July 25. Battle of Lundy's Lane.  
August 25. The British capture Washington.  
September 11. Battle at Plattsburg and defeat of the British on Lake Champlain.  
December. Hartford Convention.  
December 24. Treaty of Ghent.
1815. January 8. Battle of New Orleans.  
America secures indemnity and treaties from Algiers, Tunis, and Tripoli.

1816. Indiana admitted to the Union. Admission of Mississippi, 1817; of Illinois, 1818; of Alabama, 1819; of Maine, 1820; of Missouri, 1821.
1817. James Monroe becomes President.
1818. War with the Seminole Indians.
1819. Purchase of Florida from Spain.  
First steamship, the Savannah, crosses the Atlantic.
1820. The Missouri Compromise.
1823. December 2. Monroe Doctrine promulgated.
1825. Inauguration of John Quincy Adams. Opening of the Erie Canal.  
June 17. Lafayette lays corner stone of Bunker Hill Monument.
1826. July 4. Death of John Adams and Thomas Jefferson.  
Panama Congress.
1828. Building of the first passenger railway begun at Baltimore.
1829. Andrew Jackson becomes President.
1830. Fifth census. Population 12,566,020.
1832. November 19. Nullification by South Carolina. Jackson vetoes bank charter. Black Hawk War.
1833. Jackson removes bank deposits. Compromise tariff adopted.
1836. April 21. Battle of San Jacinto.  
Wilkes's Antarctic expedition.  
Admission of Arkansas.
1837. Inauguration of Van Buren.  
Patent of the telegraph by Morse.  
Great panic. Admission of Michigan. Burning of the *Caroline*.
1841. March 4. William Henry Harrison inaugurated President; dies April 4, and John Tyler becomes President.  
Howe invents the sewing machine.

1844. First telegraph line in America, between Baltimore and Washington.
1845. James K. Polk becomes President. Florida and Texas admitted into the Union. Death of Andrew Jackson. 1846. Beginning of the Mexican War. Fight at Palo Alto.  
Admission of Iowa. Walker tariff enacted. Wilmot Proviso introduced in Congress.
1847. February 23. Battle of Buena Vista.  
March 29. Capture of Vera Cruz by General Scott.  
Conquest of California.  
September. Fall of the City of Mexico.
1848. February. Treaty of Guadalupe Hidalgo.  
Discovery of gold in California.  
Wisconsin enters the Union.
1849. Zachary Taylor inaugurated President. 1850. Admission of California. Death of Calhoun.  
July 9. Death of President Taylor. Millard Fillmore President.  
Clay Compromise enacted.  
Census shows population of 23,191,876.
1852. Death of Clay and Webster.
1853. Inauguration of Franklin Pierce.
1854. May. Kansas-Nebraska bill enacted.
1854. Commercial treaty with Japan.
1857. Inauguration of Buchanan.  
March 6. Dred Scott decision.
1858. Admission of Minnesota.  
First Atlantic cable laid.  
Lincoln-Douglas debates.  
September 18. Mountain Meadow Massacre, Utah.
1860. Secession of South Carolina December 20, 1860  
Population 31,443,321.

1861. Civil War May 6, 1861

The first twelve amendments were adopted within fifteen years of the Constitution's adoption. The first ten (the [Bill of Rights](#)) were adopted in 1791, the [Eleventh Amendment](#) in 1795 and the [Twelfth Amendment](#) in 1804. When the Thirteenth Amendment was proposed there had been no new amendments adopted in more than sixty years.

During the [secession](#) crisis, but prior to the outbreak of the [Civil War](#), the majority of slavery-related bills had protected slavery. The United States had ceased slave importation and intervened militarily against the Atlantic slave trade, but had made few proposals to abolish domestic slavery. [Representative John Quincy Adams](#) had made a proposal in 1839, but there were no new proposals until December 14, 1863, when a bill to support an amendment to abolish slavery throughout the entire United States was introduced by [Representative James Mitchell Ashley](#) ([Republican](#), [Ohio](#)). This was soon followed by a similar proposal made by [Representative James F. Wilson](#) ([Republican](#), [Iowa](#)).

Eventually the Congress and the public began to take notice and a number of additional legislative proposals were brought forward. [Senator John B. Henderson](#) of [Missouri](#) submitted a [joint resolution](#) for a constitutional amendment abolishing slavery, January 11, 1864. The abolition of slavery had, historically, been associated with Republicans, but Henderson was one of the [War Democrats](#). The [Senate Judiciary Committee](#), chaired by [Lyman Trumbull](#) ([Republican](#), [Illinois](#)), became involved in merging different proposals for an amendment. Another Republican, [Senator Charles Sumner](#) ([Radical Republican](#), [Massachusetts](#)), submitted a constitutional amendment to abolish slavery as well as guarantee equality on February 8 the same year. As the number of proposals and the extent of their scope began to grow, the Senate Judiciary Committee presented the Senate with an amendment proposal combining the drafts of Ashley, Wilson and Henderson.<sup>[2]</sup>

Originally the amendment was co-authored and sponsored by [Representatives James Mitchell Ashley](#) ([Republican](#), [Ohio](#)) and [James F. Wilson](#) ([Republican](#), [Iowa](#)) and [Senator John B. Henderson](#) ([Democrat](#), [Missouri](#)).

While the Senate did pass the amendment in April 1864, by a vote of 38 to 6, the House declined to do so. After it was reintroduced by [Representative James Mitchell Ashley](#), President Lincoln took an active role to ensure its passage through the House by ensuring the amendment was added to the Republican Party platform for the upcoming Presidential elections. His efforts came to fruition when the House passed the bill in January 1865, by a vote of 119 to 56. The Thirteenth Amendment's archival copy bears an apparent Presidential signature, under the usual ones of the Speaker of the House and the [President of the Senate](#), after the words "Approved February 1, 1865".<sup>[3]</sup>

The Thirteenth Amendment completed the [abolition of slavery](#), which had begun with the [Emancipation Proclamation](#) issued by President [Abraham Lincoln](#) in 1863.<sup>[4]</sup>

The Thirteenth Amendment was followed by the [Fourteenth Amendment](#) (civil rights in the states), in 1868, and the [Fifteenth Amendment](#) (which bans racial voting restrictions), in 1870.