

The Artios Home Companion Series

Unit 19: The Constitution and The Bill of Rights

Teacher Overview

The Constitution of the United States is the foundation of our government. It is vital that each American read and understand the Constitution so that they understand and can make decisions regarding their government based on the contents of the Constitution.

“Numerous steps marked the creation of the Constitution and the movement toward union: the establishment of the United Colonies of New England in 1643, Franklin’s Plan of Union proposed at Albany in 1754, the Stamp Act Congress in 1765, the First Continental Congress in 1774, the Second Continental Congress in 1775, the Declaration of Independence in 1776, the adoption of new state constitutions by the several states from 1776 to 1980, the Articles of Confederation in 1781, the Annapolis Trade Convention in 1786, and finally the Constitutional Convention in 1787...Within two years after the inauguration of Washington, the first ten amendments to the constitution were adopted (1791). These became known as ‘The Bill of Rights.’ ...”

- William M. Davidson



The Signing of the Constitution by John Trumbull

Vocabulary

Lesson 1:
dissension
ratify

Lesson 2:
None

Lesson 3:
None

Key People and Events

Articles of Confederation - 1781
The Annapolis Trade Convention
The Constitutional Convention - 1787
The Signers of the Constitution

Shays’ Rebellion
The Ordinance of 1787
The Bill of Rights - 1791

Reading and Assignments

In this unit, students will:

- Complete three lessons in which they will learn about **the development of the U. S. Constitution** and **The Bill of Rights**, journaling and answering discussion questions as they read.
- Define vocabulary words.
- Read the Constitution of the United States and the Bill of Rights and conduct further research on each.
- Read selected chapters from *A Tale of Two Cities*, journaling as they read.
- Learn about **Writing a Character Analysis**.
- Explore the following websites:
 - Learn about Shay's Rebellion
<http://shaysrebellion.stcc.edu/http://shaysrebellion.stcc.edu/http://www.history.com/topics/shays-rebellion>
<http://www.u-s-history.com/pages/h363.html>
 - The Signers of the Constitution and Biographies of the Founding Fathers
<http://www.archives.gov/education/lessons/constitution-day/signers.html>
 - The Heritage Foundation – Signers of the Constitution
<http://www.heritage.org/research/reports/2001/06/the-225th-anniversary-of-the-4th-of-july>
- Visit www.ArtiosHCS.com for additional resources.

Leading Ideas

God's providential hand governs and times all events and provides for his Creation according to His plan and purposes.

The God who made the world and everything in it is the Lord of heaven and earth and does not live in temples built by human hands. And he is not served by human hands, as if he needed anything. Rather, he himself gives everyone life and breath and everything else. From one man he made all the nations, that they should inhabit the whole earth; and he marked out their appointed times in history and the boundaries of their lands. God did this so that they would seek him and perhaps reach out for him and find him, though he is not far from any one of us.

— Acts 17:24-27

Godly leadership and servanthood are necessary for one to be a true reforming influence.

Whoever wants to become great among you must be your servant, and whoever wants to be first must be your slave—just as the Son of Man did not come to be served, but to serve, and to give his life as a ransom for many.

— Matthew 20:26-28

Additional Material for Parent or Teacher:

Read about The Heritage Foundation's Guide to the Constitution, and the Purpose and Importance of the Bill of Rights at this website:

<http://www.heritage.org/constitution/#!/>

Literature and Composition

Introduction to Units 19-23

Character Study - Writing a Character Analysis

A Tale of Two Cities

by Charles Dickens

Literature for Units 19 - 23

<http://www.gutenberg.org/files/98/98-h/98-h.htm>

For Units 19-23, we will again work on completing a literary analysis. Our focus will be on the characters and determining how well the author describes the characters using both indirect and direct characterization. We will also focus on learning about the types of characters and how these characters help tell the story.

Unit 19 – Assignments

Literature

- Read the background information about types of characters.
- Read all of “Book the First,” in *A Tale of Two Cities*.
- Using 5 x 7 index cards, make one card for each character listed by writing their name on the front of the card.

Unit 19 – Assignment Background

Characters

Characters are important elements to a story. What the characters think, say, and do can help the reader get a deeper understanding of the novel and the theme the author is presenting in the story.

There are several types of characters within a story, each playing an important role in drawing the reader into the imaginary world the author has created.

Types of Characters:

Protagonist - The protagonist is the main character of the novel. Sometimes the protagonist is hard spot because we often think that the protagonist should be the most likeable character. This is not always the case. Oftentimes, authors will make the protagonist someone we do not admire. When looking for the protagonist of the story, find the character whose life and thoughts you know the most about and whose actions are followed the most closely. A good example of a protagonist is Bilbo Baggins from *The Hobbit*.

Antagonist - The antagonist is the character in the novel who opposes the protagonist. Sometimes the antagonist is not even a person. To find the antagonist, look for the person or thing that causes conflict for the protagonist or keeps the protagonist from reaching their goal. A good example of an antagonist is the White Witch from *The Chronicles of Narnia: The Lion, the Witch, and the Wardrobe*.

Foil - A foil character is one who is placed in the story to highlight the attributes or lack thereof in our protagonist or in another character in the novel. If our protagonist is fearful, the foil will be brave; if our protagonist is humble, the foil will be proud. While reading the novel, look for characters who have characteristics that are in direct contrast to another character. A good example of a foil is Dickon, the foil for Colin in *The Secret Garden*.

Round (Dynamic) - Typically in a novel, characters experience growth and change through each of their trials. When a character confronts an opposing force and shows change through this interaction, we say that the character is round. A good example of a round character is Bilbo Baggins from *The Hobbit*. In the beginning of the story, Bilbo is afraid of traveling and wants nothing to do with adventures. By the time the novel ends, Bilbo has proven himself to be a smart, brave adventurer who dreams of traveling to the mountains.

Flat (Static) - When our protagonist does not change throughout the story, we consider him/her to be a flat character. There are many reasons an author will choose to have the protagonist remain consistent throughout the story. In *Oliver Twist*, Dickens kept the protagonist, Oliver, consistent throughout the novel in order to prove to his readers that a good person can remain good even through conflict.

Stereotype (Stock) - This type of character is an ancillary character who may not be directly involved in the action of the story. However, this type of character plays a part in helping the reader identify with the social mores of the time, as they represent commonly held beliefs about certain races, religions, etc. They are easy to identify and the same type of stereotype character can be found in many pieces of the same literary time or genre. An example of a stereotype character is Fagin in *Oliver Twist*. He represented the ideas people during Dickens' time held about Jewish people.

List of Characters in *A Tale of Two Cities*

Jarvis Lorry

Miss Pross

Marquis St. Evermonde

Ernest Defarge

Vengeance

Jerry Cruncher

Dr. Manette

Sydney Carton

Madame Defarge

Roger Cly

Lucie Manette

Charles Darnay

Mr. Stryver

Jacques I, II, III

Gabelle

Lesson One

History Overview and Assignments

The Development of the Constitution

Numerous steps marked the creation of the Constitution and the movement toward union: the establishment of the United Colonies of New England in 1643, Franklin's Plan of Union proposed at Albany in 1754, the Stamp Act Congress in 1765, the First Continental Congress in 1774, the Second Continental Congress in 1775, the Declaration of Independence in 1776, the adoption of new state constitutions by the several states from 1776 to 1980, the Articles of Confederation in 1781, the Annapolis Trade Convention in 1786, and finally the Constitutional Convention in 1787.

- William M. Davidson



Howard Chandler Christy's
Scene at the Signing of the Constitution of the United States

Vocabulary

dissension ratify

Key Events

Articles of Confederation -
1781
Shays' Rebellion
The Annapolis Trade
Convention
The Ordinance of 1787
The Constitutional
Convention - 1787
The Bill of Rights - 1791

Reading and Assignments

- Review the discussion questions and vocabulary, then read the article: *The Development of the Constitution*, pages 6-12.
- Narrate about today's reading using the appropriate notebook page. Be sure to answer the discussion questions and include key people, events, and dates within the narration.
- Define the vocabulary words in the context of the reading and put the word and its definition in the vocabulary section of your history notebook.
- Conduct additional research on Shay's Rebellion. Based on your research, do you believe Shay's Rebellion was right or wrong? Why? Be willing to present and defend your position in class. Remember to base your position on principle and not emotion.
<http://shaysrebellion.stcc.edu/>
<http://www.history.com/topics/shays-rebellion>
<http://www.u-s-history.com/pages/h363.html>
- Be sure to visit www.ArtiosHCS.com for additional resources.

Discussion Questions

1. List and describe the steps that led to the development of a national constitution.
2. Describe the national government during the Revolution.
3. Describe the states government during the Revolution.
4. Which state was the first to abolish slavery?
5. What was the purpose of the Articles of Confederation? Why did they work during the Revolution and then lose their effectiveness afterwards?
6. List and describe the weaknesses inherent in the Articles of Confederation.
7. What was The Ordinance of 1787?
8. What was its significance?
9. Where did the Constitutional Convention take place?
10. What were the three great areas of compromise made in the Constitution so that it could be ratified?
11. Who were two notable individuals who were against the ratification of the Constitution?

Adapted from the book:

A History of the United States

by William M. Davidson

The Development of the Constitution

Steps in the Development of the Constitution

Numerous steps marked the creation of the Constitution and the movement toward union: the establishment of the United Colonies of New England in 1643, Franklin's Plan of Union proposed at Albany in 1754, the Stamp Act Congress in 1765, the First Continental Congress in 1774, the Second Continental Congress in 1775, the Declaration of Independence in 1776, the adoption of new state constitutions by the several states from 1776 to 1780, the Articles of Confederation in 1781, the Annapolis Trade Convention in 1786, and finally the Constitutional Convention in 1787.

Government during the Revolution

The First Continental Congress was not a governing body. It was called together to demand of the king and Parliament a redress of grievances. The Second met primarily to consider the answer of the king to this address. By force of circumstance, however, the Second Continental Congress immediately assumed the power of a governing body and continued as such from May 10, 1775, until March 2, 1789. Two days later, the First National Congress convened in Federal Hall, New York City, which since 1785 had been the seat of government.

The States Adopt New Constitutions

During the progress of the Revolution all the states declared their independence

from King George, and on the advice of Congress, all except for Rhode Island and Connecticut (their liberal charters sufficing) adopted new constitutions.

The machinery of government corresponded to that of the colonial days – providing for a governor, a legislature of two houses, judges, and other officers. Both a religious and a property test were required of voters in nearly all the colonies, and Sunday laws were maintained. While Massachusetts provided for laws against theaters and extravagance in dress, still to her belongs the glory of being the first of the thirteen original states to abolish slavery. Vermont three years before (1777) had adopted a constitution prohibiting slavery, but when she applied to Congress for admission as a state, Congress refused her. She was the first state to be admitted after the adoption of the Constitution.

These new state constitutions carried the states safely through the prolonged struggle of the Revolution and proved a source of strength to the central governing body – the Second Continental Congress.

Articles of Confederation – 1781

In the first burst of enthusiasm, few questioned the authority of Congress, resulting in little contention among the colonies. But as time passed, great dissensions arose. The necessity was thus felt for a national constitution, fixing the powers of the general government. Accordingly, in November of 1777, Congress submitted to the states for their ratification the “Articles of Confederation and Perpetual Union” – the same to become binding only when approved by the unanimous vote of the thirteen states.

The government instituted under the

Articles of Confederation, while not satisfactory, was probably the best that could have obtained ratification at the time. As it was, great difficulty was encountered in securing the adoption of the Articles – the consent of Maryland not having been obtained until March 1, 1781. The vote of Maryland made the adoption unanimous, and the Articles went into operation as the first constitution of the new republic.

Weakness of the Articles

The Articles provided for a congress of the United States composed of delegates from each state, appointed by the state, paid by the state, and entirely under the state’s control. These delegates were chosen annually. No state could have fewer than two or more than seven delegates. Whatever the number of delegates, each state could have but one vote, and the vote of nine of the states was necessary for the passage of important laws. Congress had power, though limited, over postal regulations, Native American affairs, coin, weights and measurements, war and peace.

The chief defects in the Articles lay in the facts that:

(1) Congress could not collect revenue. It could not levy taxes. It could deal with the states, but not with the people. It could request, but could not compel a state to furnish money for the support of the general government. It was at the mercy of the states, which, in more than one instance, refused its requests. Thus, while Congress had power to raise armies, it did not have power to raise money with which to pay the armies. While it could incur debts, it had no power to raise money to cancel them.

(2) Congress had no power to enforce its own laws. It could make treaties, but could not prevent the violation of treaty obligations by the states. Thus the general government could neither preserve order at home nor command respect abroad. Five of the states refused to comply with the provision of the treaty of 1783 for the payment of private debts.

(3) Congress had no power to regulate commerce between the states.

Foreign commerce was practically destroyed at the close of the war, when Great Britain laid heavy tariffs on all American exports and later forbade American ships to trade with the British West Indies – a trade which had always been a source of wealth to the American colonies. Congress could not retaliate because the states could not unite in a uniform law. Thus each state was soon engaged in an attempt to build itself up at the expense of other states by placing high tariffs on productions both from foreign countries and from sister states. Instead of retaliating against Great Britain, the states retaliated against each other. One port would often bid against another for foreign goods – admitting the goods duty free – even after agreeing not to do so. Thus bad faith was practiced, and strife and bitterness followed.

The condition of trade and the disturbed state of business in every state of the union perhaps did more than all else toward leading the whole country to recognize the immediate necessity for a stronger government than the Articles afforded.

(4) The Articles could not be amended, save by a vote of all the states. All efforts to amend the Articles failed – a unanimous

vote of the thirteen states could not be secured.

(5) The fact that each state could have but one vote was felt to be unjust in the extreme. Thus Massachusetts, with its 370,000, and Virginia, with its more than half million populations, had no more voice than Georgia, Rhode Island, and Delaware, each with a population of less than 70,000.

State Pride

At best, the “union” under the Articles of Confederation was but a confederation of separate states. The idea of the government of the United States being a government “of the people, by the people, and for the people” and “of one common country” had not yet laid hold upon the public mind. There was much local pride and much jealousy between the states. To be a citizen of any state was a prouder distinction than to be a citizen of the republic. It was the day in which “my state” was much spoken of, and “our country” but little.

Shays’ Rebellion

Even states which attempted to carry out their own measures or the requests of the national government were challenged by their own citizens. A serious uprising took place in Massachusetts at the close of the year 1786, in which one thousand armed men under Daniel Shays attempted to interfere with the authority of the state government. This rebellion provoked the sympathy of many citizens of Massachusetts as well as adjoining states. It was promptly suppressed by the firm action of the governor.

This disturbance in staid old Massachusetts excited comment in all the

colonies. Shays and his followers opposed the collection of taxes and the forced payment of private debts, and they insisted on the issuance of paper money by the state.

Movement Toward a Stronger Government

While the Articles were defective, still they served to keep before the public mind the idea of a union of the states and of the need for a national authority. Though the Articles had not been put into effect until March 1, 1781, nevertheless the principles embodied within them had been followed from the first by the Second Continental Congress. While the struggle against the common foe was in progress, patriotism made up for the defects of the Articles; but when that support was removed, each succeeding year made more evident their total inadequacy to meet the object for which they had been brought into existence. Wise men in every section recognized the necessity of a radical change in the method of government. Just how this change should be accomplished was the question which confronted all. Suggestions were made by Alexander Hamilton of New York as well as by leaders in Massachusetts and in Pennsylvania. Finally, the legislatures of Connecticut, Maryland, and Virginia adopted resolutions inviting all the states to send delegates to Annapolis, Maryland, for the purpose of considering the state of American trade and all questions relating thereto.

The Annapolis Trade Convention 1786

Five states, however - New York, New

Jersey, Pennsylvania, Delaware, and Virginia - sent delegates. These met on September 11, 1786. As a majority of the states were not represented, these delegates deferred action and at the same time proposed another convention. Congress, during the following February, endorsed this proposal by requesting that a convention meet in Philadelphia in May of 1787 for the "sole purpose of revising the Articles of Confederation."

The Northwest Territory

In the meantime, Congress enacted an important piece of legislation – the organization of the Northwest Territory under the Ordinance of 1787. The reason Maryland had refused to ratify the Articles of Confederation until 1781 (four years after Congress had passed them) was due to the fact that Virginia, New York, Massachusetts, and Connecticut had at first refused to relinquish their claim on the territory lying north of the Ohio River and extending from the western limits of New York and Pennsylvania to the Mississippi River – the whole known as the Northwest Territory. These states based their claim on the wording of their charters – that of Virginia reading "from the west by the northwest"; that of the others, "from sea to sea."

Maryland and the smaller states, whose charters gave them no claim to the western territory, feared that under the Articles the larger states, with their vast wealth of public land, would take to themselves greater powers; and thus the smaller would receive fewer of the benefits of union. In the contention, Maryland won out – the four states concerned agreeing to cede all their public land to the general

government. By 1786, the terms of this agreement were carried out.

The Ordinance of 1787

This land grant became known as “the public domain” and was organized as a territory by Congress under the “Ordinance of 1787.” This ordinance separated the territory into three divisions. When the inhabitants in any one of these divisions should reach 60,000, it was to be admitted as a new state. No land was to be taken until the government had purchased it from the Native Americans and had announced it open to settlement.

A governor was to be appointed until such time as the inhabitants could set up a government of their own – the same to be republican in form. No property ownership or religious qualification was required of voters. A delegate could be sent to Congress, who could debate on all questions but not vote.

Education was liberally provided for through granting proceeds from sales of certain sections of the public lands to the public school fund.

Slavery was forever prohibited from the territory of any state which should be organized out of any portion thereof.

This ordinance became the model upon which all subsequent territories of the United States have been organized. A piece of wise legislation, it was far-reaching in its effect on the future history of the country.

The Constitutional Convention (1787)

With the exception of Rhode Island and New Hampshire, all the states promptly responded to the suggestion of Congress and the Annapolis Trade Convention. The

latter part of May saw the delegates of eleven states in session at Philadelphia, with George Washington as President, and William Jackson as Secretary, of the convention.

Edmund Randolph, governor of Virginia, made the opening address, in which he proposed that a national government be established consisting of a legislative, an executive, and a judicial department.

This was a wide departure from the government under the Articles, which provided only for a legislative department – the Congress. The convention had not proceeded far when it became evident that any attempt to revise the Articles of Confederation would be useless. The Articles were therefore thrown aside, and the convention proceeded to the formation of an entirely new constitution. The sessions of the convention, which consumed a period of nearly four months, took place behind closed doors.

The Men Who Comprised the Convention

Among its delegates were some of the ablest men in the country. Some had been members of both the First and Second Continental Congresses and had signed the Declaration of Independence. From Connecticut came Roger Sherman, from Massachusetts Rufus King, from New York Alexander Hamilton, from Pennsylvania the venerable Franklin and Robert Morris, from South Carolina John Rutledge and the two Pinckneys, from Delaware John Dickinson; while from Virginia came Washington and Edmund Randolph and James Madison.

The Constitution

The Result of Compromise

The Constitution as it stands today does not set forth the ideas of government as held by any one member of the convention. Each article, each section, and each clause was passed only after the most severe scrutiny. On certain questions it seemed almost impossible for the convention to agree. "Compromise" is written in every line.

The Three Great Compromises

It was agreed there should be two houses of Congress. The larger states wished the number of members in each house to be based on the population of the several states. The smaller states insisted upon a plan of equal representation. It was conceded to the smaller states that the Senate should be composed of two senators from each state; and to the larger the number of members in the House of Representatives should be based on population.

The second compromise arose over the question as to whether slaves should be included within the population count in apportioning representatives to each state. The northern and middle states, with less than 60,000 slaves, opposed counting the slaves unless they were also counted when direct taxes were levied; some of the states in the south, where the number of slaves exceeded 600,000, insisted upon counting all in the determining representation, but not for taxation. The compromise provided that three-fifths of the slaves should be counted, both in apportioning representatives and in levying direct taxes.

The third compromise concerned the regulation of commerce, but indirectly

involved the question of slavery. The north wished Congress to have power over commerce. The south objected. At the same time, some of the southerners pressed for permission to continue the slave trade, to which the north objected. The compromise provided that Congress should have control over commerce, and that the importation of slaves should not be prohibited prior to 1808.

The Constitution Before the People for Adoption

When the convention adjourned on September 17, 1787, it submitted the new constitution to Congress, which in turn submitted it to the state legislatures, and these submitted it to the people of the several states for their ratification. It was a season of peril for the young republic. Should the constitution not receive the votes of nine of the thirteen states, all the labor of the convention would be for naught. So bitter had been the contest in the convention that a number of the delegates had gone home dissatisfied with the result. These as a rule threw their influence against ratification. For various reasons, some of the strongest men in the colonies opposed its adoption, of whom Samuel Adams of Massachusetts and Patrick Henry of Virginia were notable examples. But happily, the counsel of such men as Washington, Madison, Franklin, and Hamilton prevailed. Delaware was the first to ratify, and on June 9, 1788, New Hampshire gave its votes as the ninth state. Virginia soon followed, and on the 26th of July New York gave its assent after a prolonged struggle. Rhode Island and North Carolina failed to ratify until after the inauguration of Washington.

“The Federalist”

While the constitution was before the people of New York, Hamilton, Madison, and Jay greatly aided its adoption by issuing a series of essays explaining its provisions. These were published in a newspaper over the common signature of “Publius.” They were afterwards collected and published in a volume called “The Federalist.” So clearly were the principles of federal government discussed that “The Federalist” immediately took rank as a classic in the political literature of the republic.

The First Two Political Parties – Federalists and Anti-Federalists

When the constitution was before the people for ratification, those in favor of its adoption were known as Federalists, while those who opposed were known as Anti-Federalists.

While the Federalist party, with Washington as President, organized the government under the new Constitution, party lines were not clearly drawn during Washington’s first administration. A division soon occurred, however, with Hamilton as leader of the Federalist party and Jefferson as leader of the Democratic-Republic party – that name taking the place of Anti-Federalist.

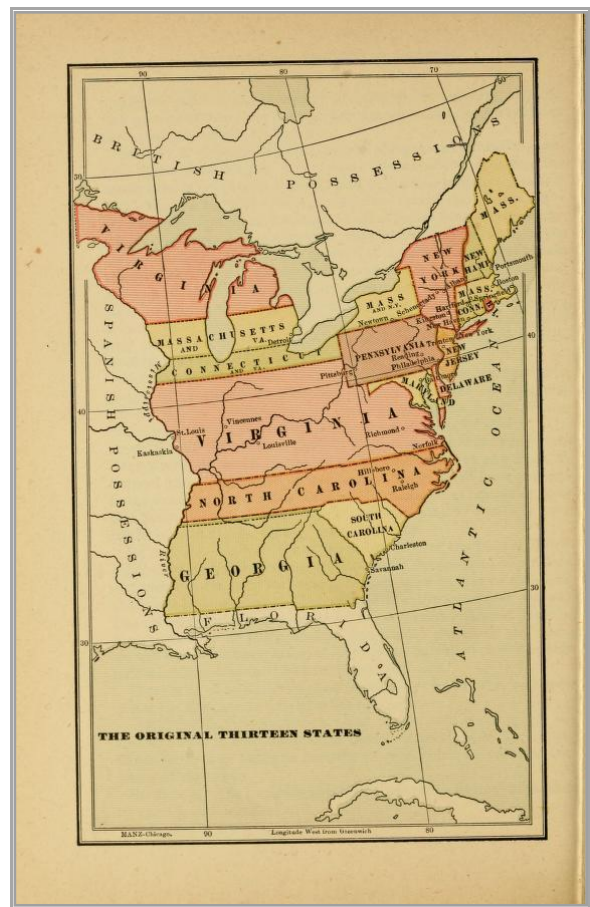
Amendments to the Constitution

At the time of its ratification, many Anti-Federalists had voted for the constitution on the strength of a promise

from the leading Federalists that they would vote for certain amendments after the government should be instituted. A few of the states had cast their votes for ratification with this express understanding.

Within two years after the inauguration of Washington, the first ten amendments to the constitution were adopted (1791). These became known as “The Bill of Rights.”

The Eleventh Amendment was added in 1798, the Twelfth in 1804, the Thirteenth in 1865, the Fourteenth in 1868, and the Fifteenth in 1870.



Map of the Original Thirteen States

Lesson Two

History Overview and Assignments

The Constitution of the United States

The Constitution of the United States is the foundation of our government. It is vital that each American read and understand the Constitution so that they understand and can make decisions regarding their government based on the contents of the Constitution.

“The work of many minds, the U. S. Constitution stands as a model of cooperative statesmanship and the art of compromise.”

– taken from <http://www.archives.gov/exhibits/charters/constitution.html>



The United States Constitution

Reading and Assignments

- Read the article: *The Constitution of the United States*, pages 14-23.
- Read through the entire Constitution of the United States and highlight anything that you do not understand.
- Choose one of the signers of the Constitution that you (or your class) did not research for the Declaration of Independence and research that individual. Be sure to include information about their background, character, involvement in the Constitution, public life and life after the Constitution was ratified.
 - The Signers of the Constitution and Biographies of the Founding Fathers
<http://www.archives.gov/education/lessons/constitution-day/signers.html>
 - The Heritage Foundation – Signers of the Constitution
<http://www.heritage.org/research/reports/2001/06/the-225th-anniversary-of-the-4th-of-july>
- Be sure to visit www.ArtiosHCS.com for additional resources.

Constitution of the United States

by Founding Fathers

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. 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 choose 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 choose 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 choose 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 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.

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 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 an uniform Rule of Naturalization, and uniform laws on the

subject of bankruptcies throughout the United States;

To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;

To provide for the punishment of counterfeiting the securities and current coin of the United States;

To establish post offices and post roads;

To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries;

To constitute tribunals inferior to the Supreme Court;

To define and punish piracies and felonies committed on the high seas, and offences against the law of nations;

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years;

To provide and maintain a Navy;

To make rules for the government and regulation of the land and naval forces;

To provide for calling forth the Militia to execute the laws of the union, suppress Insurrections and repel invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular states, and the

acceptance of congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings; and

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.

Section. 9.

The migration or 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 anything 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 its 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 choose by ballot one of them for President; and if no person have a majority, then from the five highest on the list then said House

shall in like manner choose 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. 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 choose from them by ballot the Vice President.

The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

No person except a natural born citizen, or a citizen of the United States, at the time of the adoption of this constitution, shall be eligible to the Office of President; neither shall any person be eligible to that office who shall not have attained to the age of thirty five years, and been fourteen years a resident within the United States.

In case of the removal of the President from Office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President, and the Congress may by law provide for the case of removal, death, resignation or inability, both of the President and Vice President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

The President shall, at stated times, receive for his services, a compensation,

which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

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

Section. 2.

The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several states, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment.

He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law: but the Congress may by law vest the appointment of such inferior officers, as they think proper, in

the President alone, in the courts of law, or in the heads of departments.

The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

Section. 3.

He shall from time to time give to the Congress information of the State of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both Houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the Officers of the United States.

Section. 4.

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

Article III.

Section. 1.

The judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good 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.

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 labor 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 labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

Section. 3.

New States may be admitted by the Congress into this Union; but no new State

shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular State.

Section. 4.

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

Article. V.

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the application of the Legislatures of two thirds of the several States, shall call a convention for proposing Amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the Ninth Section of the first

Article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

Article. VI.

All debts contracted and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the Laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything 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.

The word, “the,” being interlined between the seventh and eighth lines of the first page, the word “thirty” being partly written on an Erasure in the fifteenth line of the first page, the words “is tried” being interlined between the thirty second and thirty third lines of the first page and the

word “the” being interlined between the forty third and forty fourth lines of the second page.

Attest William Jackson, *Secretary*

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,

G. Washington
President and deputy from Virginia

Delaware
Geo: Read
Gunning Bedford
John Dickinson
Richard Bassett
Jaco: Broom

Maryland
James McHenry
Dan of St Thos. Jenifer
Danl. Carroll

Virginia
John Blair
James Madison Jr.

North Carolina
Wm. Blount
Richd. Dobbs Spaight
Hu Williamson

South Carolina
J. Rutledge
Charles Cotesworth Pinckney

Charles Pinckney
Pierce Butler

Georgia
William Few
Abr Baldwin

New Hampshire
John Langdon
Nicholas Gilman

Massachusetts
Nathaniel Gorham
Rufus King

Connecticut
Wm. Saml. Johnson
Roger Sherman

New York
Alexander Hamilton

New Jersey
Wil: Livingston
David Brearley
Wm. Paterson
Jona: Dayton

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

Lesson Three

History Overview and Assignments The Bill of Rights

“Within two years after the inauguration of Washington, the first ten amendments to the constitution were adopted (1791). These became known as ‘The Bill of Rights.’...”

– William M. Davidson

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

On September 25, 1789, the First Congress of the United States therefore proposed to the state legislatures 12 amendments to the Constitution that met arguments most frequently advanced against it. The first two proposed amendments, which concerned the number of constituents for each Representative and the compensation of Congressmen, were not ratified. Articles 3 to 12, however, ratified by three-fourths of the state legislatures, constitute the first 10 amendments of the Constitution, known as the Bill of Rights.”

- taken from http://www.archives.gov/exhibits/charters/bill_of_rights.html



James Madison

Reading and Assignments

- Read the article: *The Bill of Rights*, pages 25-26.
- Read through the entire Bill of Rights and choose one amendment that you would like to do further research on. Be prepared to share the amendment that you have chosen with your parent or teacher so that you can be involved in a special assignment that they have designed for you.
- Be sure to visit www.ArtiosHCS.com for additional resources.

The Bill of Rights

http://www.archives.gov/exhibits/charters/bill_of_rights_transcript.html

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.

Note: The following text is a transcription of the first ten amendments to the Constitution in their original form. These amendments were ratified December 15, 1791, and form what is known as the "Bill of Rights."

THE BILL OF RIGHTS

Amendment I

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

Amendment II

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

Amendment III

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

Amendment IV

The right of the people to be secure in their persons, houses, papers, and effects, against

unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Amendment V

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

Amendment 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.

Amendment VII

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

Amendment VIII

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

Amendment IX

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

Amendment X

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