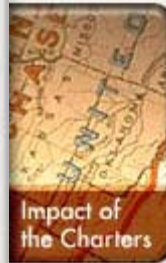
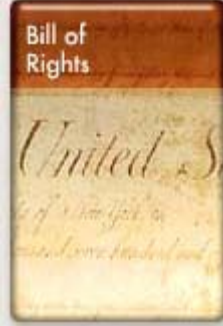
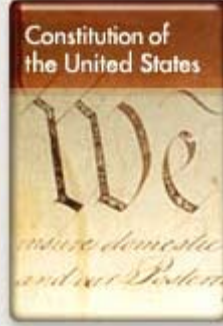


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### From Loyal Subjects to Traitorous Rebels ~ A Royal Proclamation

*When the last dutiful & humble petition from Congress received no other Answer than declaring us Rebels, and out of the King's protection, I from that Moment look'd forward to a Revolution & Independence, as the only means of Salvation; and will risque the last Penny of my Fortune, & the last Drop of my Blood upon the Issue.*

George Mason, October 2, 1778

In 1761, fifteen years before the United States of America burst onto the world stage with the Declaration of Independence, the American colonists were loyal British subjects who celebrated the coronation of their new King, George III. The colonies that stretched from present-day Maine to Georgia were distinctly English in character although they had been settled by Scots, Welsh, Irish, Dutch, Swedes, Finns, Africans, French, Germans, and Swiss, as well as English.

As English men and women, the American colonists were heirs to the thirteenth-century English document, the Magna Carta, which established the principles that no one is above the law (not even the King), and that no one can take away certain rights. So in 1763, when the King began to assert his authority over the colonies to make them share the cost of the Seven Years' War England had just fought and won, the English colonists protested by invoking their rights as free men and loyal subjects. It was only after a decade of repeated efforts on the part of the colonists to defend their rights that they resorted to armed conflict and, eventually, to the unthinkable—separation from the motherland.



A Proclamation by the King for Suppressing Rebellion and Sedition, August 23, 1775 [learn more...](#)



Pulling Down the Statue of George III at Bowling Green in Lower Manhattan, oil painting (reproduction) by William Walcutt, 1857 [learn more...](#)

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## Declaration of Independence

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Drafted by Thomas Jefferson between June 11 and June 28, 1776, the Declaration of Independence is at once the nation's most cherished symbol of liberty and Jefferson's most enduring monument. Here, in exalted and unforgettable phrases, Jefferson expressed the convictions in the minds and hearts of the American people. The political philosophy of the Declaration was not new; its ideals of individual liberty had already been expressed by John Locke and the Continental philosophers. What Jefferson did was to summarize this philosophy in "self-evident truths" and set forth a list of grievances against the King in order to justify before the world the breaking of ties between the colonies and the mother country. We invite you to [read a transcription](#) of the complete text of the Declaration.

visit the declaration in person ▶

### Learn More About the Declaration

The article "[The Declaration of Independence: A History](#)," provides a detailed account of the Declaration, from its drafting through its preservation today at the National Archives.

"[The Stylistic Artistry of the Declaration of Independence](#)" by Stephen Lucas. By closely examining its language, this perceptive article sheds light on the Declaration as a work of literature and of persuasion. From Prologue, Spring 1990.

The [Virginia Declaration of Rights](#) strongly influenced Thomas Jefferson in writing the first part of the Declaration of Independence. It later provided the foundation for the Bill of Rights.

Learn about [Our National Treasure](#), interesting and



[\(Click Image to Enlarge\)](#)

Note: The above image of the Declaration is taken from the engraving made by printer William J. Stone in 1823 and is the most frequently reproduced version of the document. The original Declaration (pictured below), now [exhibited in the Rotunda for the Charters of Freedom](#) in Washington, DC, has faded badly—largely because of poor preservation techniques during the 19th century. Today, this priceless document is maintained under the most exacting archival conditions possible.

informative facts about the Declaration and its history.

*...and on other web sites...*

Learn more about the [Writing and Publicizing of the Declaration of Independence, the Articles of Confederation, and the Constitution of the United States](#) by visiting the Independence National Historical Park (Philadelphia, Pennsylvania) web site.

View documents from the [Continental Congress and the Constitutional Convention](#), part of the Library of Congress' American Memory web site. This site also provides related manuscript, printed, and iconographic materials.



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## Constitution of the United States

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The Federal Convention convened in the State House (Independence Hall) in Philadelphia on May 14, 1787, to revise the Articles of Confederation. Because the delegations from only two states were at first present, the members adjourned from day to day until a quorum of seven states was obtained on May 25. Through discussion and debate it became clear by mid-June that, rather than amend the existing Articles, the Convention would draft an entirely new frame of government. All through the summer, in closed sessions, the delegates debated, and redrafted the articles of the new Constitution. Among the chief points at issue were how much power to allow the central government, how many representatives in Congress to allow each state, and how these representatives should be elected--directly by the people or by the state legislators. The work of many minds, the Constitution stands as a model of cooperative statesmanship and the art of compromise.



[\(Click Image to Enlarge\)](#)

constitution

visit the constitution in person ▶

### Learn More About the Constitution

The article "[A More Perfect Union](#)" is an in-depth look at the Constitutional Convention and the ratification process.

"[Questions and Answers Pertaining to the Constitution](#)" presents dozens of fascinating facts about the Constitution.

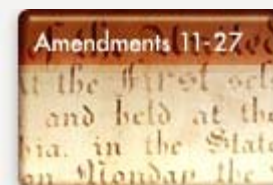
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Page two of the U.S. Constitution was unveiled in its new encasement on September 15, 2000. Read remarks issued at the ceremony by [John W. Carlin](#).

### Constitutional Amendments



Amendments 1-10 constitute what is known as the [Bill of Rights](#).



Discover the other [changes and additions](#) that have been made to the Constitution over the past 200+ years.

Archivist of the United States, and Dr. Michael Beschloss.

Meet America's  
Founding Fathers

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Murals Restored

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### Bill of Rights

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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.



[\(Click Image to Enlarge\)](#)

[visit the bill of rights in person ▶](#)

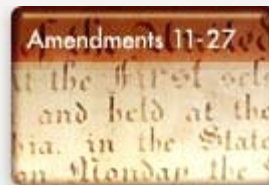
#### Learn More About the Bill of Rights

The article "[A More Perfect Union](#)" provides an in-depth look at the Constitutional Convention, the ratification process, and the adoption of the Bill of Rights.

#### A Voice of Dissent: George Mason

As the delegates gathered at the Pennsylvania State House in May 1787 to "revise" the

#### More Constitutional Amendments



Amendments 1-10 constitute what is known as the Bill of Rights. Discover the other [changes and additions](#) that have been made to the Constitution over the past 200+ years.



**Articles of Confederation.**

Virginia delegate George Mason wrote, "The Eyes of the United States are turned upon this Assembly and their Expectations raised to a very anxious

Degree." Mason had earlier written the **Virginia Declaration of Rights** that strongly influenced Thomas Jefferson in writing the first part of the **Declaration of Independence**. He left the convention bitterly disappointed, however, and became one of the Constitution's most vocal opponents. "**It has no declaration of rights,**" he was to state. Ultimately, George Mason's views prevailed. When James Madison drafted the amendments to the Constitution that were to become the Bill of Rights, he drew heavily upon the ideas put forth in the **Virginia Declaration of Rights**.

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MAKING OF THE CHARTERS



IMPACT OF THE CHARTERS



### The Power of the Courts ~ Marbury v. Madison, 1803

*The people made the Constitution, and the people can unmake it.  
It is the creature of their will, and lives only by their will.*

Chief Justice John Marshall, 1821

Although most of the Framers of the Constitution anticipated that the Federal judiciary would be the weakest branch of Government, the U.S. Supreme Court has come to wield enormous power with decisions that have reached into the lives of every citizen and resolved some of the most dramatic confrontations in U.S. history. The word of the Supreme Court is final. Overturning its decisions often requires an amendment to the Constitution or a revision of Federal law.

The power of the Supreme Court has evolved over time, through a series of milestone court cases. One of the Court's most fundamental powers is judicial review—the power to judge the constitutionality of any act or law of the executive or legislative branch. Some of the Framers expected the Supreme Court to take on the role of determining the constitutionality of Congress's laws, but the Constitution did not explicitly assign it to the Court. Marbury v. Madison, the 1803 landmark Supreme Court case, established the power of judicial review. From the modest claim of William Marbury, who sought a low-paying appointment as a District of Columbia Justice of the Peace, emerged a Supreme Court decision that established one of the cornerstones of the American constitutional system.



Order served on Secretary of State James Madison by the U.S. Supreme Court, March 22, 1802 [learn more...](#)



John Marshall, oil painting (reproduction) by Rembrandt Peale, 1826 [learn more...](#)

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## the Charters of Freedom

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## High-Resolution Downloads

### LARGE CHARTERS OF FREEDOM IMAGES

This page provides access to high-res images of the Charters of Freedom documents.

These images will print at up to approximately 24" wide by 29" high at 150dpi (publication quality). To view smaller versions of these files on-screen, click the preview images below. These files are in JPEG format with the maximum quality setting possible.

For graphic designers, each file also contains "clipping paths" for easy mask creation with most professional graphics software.

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#### THE DECLARATION OF INDEPENDENCE (1 page, 2 Versions)



##### High-Resolution Declaration Image (1.43 MB)

This image is of the actual Declaration of Independence parchment.




##### High-Resolution Declaration Stone Engraving Image (1.88 MB)



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#### THE CONSTITUTION OF THE UNITED STATES (4 pages)



##### High-Resolution Constitution Page 1 Image: Article I (1.60 MB)




##### High-Resolution Constitution Page 2 Image: Article II (1.50 MB)

##### High-Resolution Constitution Page 3 Image: Articles III-IV (1.65 MB)



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High-Resolution Constitution Page 4 Image: Articles V-VII (1.44 MB)

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## THE BILL OF RIGHTS (1 page)



High-Resolution Bill of Rights Image (1.46 MB)

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Amendment 14, Page 2 (510 KB)  
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## America's Founding Fathers

### DELEGATES TO THE CONSTITUTIONAL CONVENTION

#### The Founding Fathers

#### Delegates to the Constitutional Convention

On February 21, 1787, the Continental Congress resolved that:

*...it is expedient that on the second Monday in May next a Convention of delegates who shall have been appointed by the several States be held at Philladelphia for the sole and express purpose of revising the Articles of Confederation...*

The original states, except Rhode Island, collectively appointed 70 individuals to the Constitutional Convention, but a number did not accept or could not attend. Those who did not attend included Richard Henry Lee, Patrick Henry, Thomas Jefferson, John Adams, Samuel Adams and, John Hancock.

In all, 55 delegates attended the Constitutional Convention sessions, but only 39 actually signed the Constitution. The delegates ranged in age from Jonathan Dayton, aged 26, to Benjamin Franklin, aged 81, who was so infirm that he had to be carried to sessions in a sedan chair.

[biographical overview of all the delegates](#)

### Biographical Index of America's Founding Fathers

For brief biographies of each of the Founding Fathers who were delegates to the Constitutional Convention, select the names or the states below.  
(\* indicates delegates who did not sign the Constitution)

#### Connecticut

[William Samuel Johnson](#)

[Roger Sherman](#)  
[Oliver Ellsworth \(Ellsworth\)\\*](#)

#### Delaware

[George Read](#)  
[Gunning Bedford, Jr.](#)

[John Dickinson](#)  
[Richard Bassett](#)  
[Jacob Broom](#)

#### Georgia

[William Few](#)

#### Maryland

[James McHenry](#)



Assembly Room, Pennsylvania State House, later named Independence Hall, meeting place of Congress [learn more...](#)



The Scene at the Signing of the Constitution, oil painting (reproduction) by Howard Chandler Christy, 1940 [learn more...](#)

[Abraham Baldwin](#)      [Daniel of St. Thomas Jenifer](#)  
[William Houston\\*](#)      [Daniel Carroll](#)  
[William L. Pierce\\*](#)      [Luther Martin\\*](#)  
   [John F. Mercer\\*](#)

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**[Massachusetts](#)**      **[New Hampshire](#)**  
[Nathaniel Gorham](#)      [John Langdon](#)  
[Rufus King](#)              [Nicholas Gilman](#)  
[Elbridge Gerry\\*](#)  
[Caleb Strong\\*](#)

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**[New Jersey](#)**              **[New York](#)**  
[William Livingston](#)      [Alexander Hamilton](#)  
[David Brearly](#)              [John Lansing, Jr.\\*](#)  
[\(Brearley\)](#)                  [Robert Yates\\*](#)  
[William Paterson](#)  
[\(Patterson\)](#)  
[Jonathan Dayton](#)  
[William C.](#)  
[Houston\\*](#)

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**[North Carolina](#)**      **[Pennsylvania](#)**  
[William Blount](#)              [Benjamin Franklin](#)  
[Richard Dobbs](#)              [Thomas Mifflin](#)  
[Spaight](#)                      [Robert Morris](#)  
[Hugh Williamson](#)          [George Clymer](#)  
[William R. Davie\\*](#)          [Thomas Fitzsimons \(FitzSimons; Fitzsimmons\)](#)  
[Alexander Martin\\*](#)          [Jared Ingersoll](#)  
   [James Wilson](#)  
   [Gouverneur Morris](#)

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**[South Carolina](#)**      **[Rhode Island](#)**  
[John Rutledge](#)              *Rhode Island did not send any delegates to the*  
[Charles Cotesworth](#)      *Constitutional Convention.*  
[Pinckney](#)  
[Charles Pinckney](#)  
[Pierce Butler](#)

---

**[Virginia](#)**  
[John Blair](#)  
[James Madison Jr.](#)  
[George Washington](#)  
[George Mason\\*](#)  
[James McClurg\\*](#)  
[Edmund J.](#)  
[Randolph\\*](#)  
[George Wythe\\*](#)

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## 1936 Faulkner Murals

### MURALS IN THE ROTUNDA FOR THE CHARTERS OF FREEDOM

Two large-scale murals in the Rotunda for the Charters of Freedom at the National Archives Building in Washington D.C. depict fictional scenes of the presentation of the Declaration of Independence and the Constitution. The murals were [recently restored](#) to their original beauty and are now also interactive on this web site! Please choose either the Flash or HTML versions by clicking the appropriate button underneath each mural image.



[view declaration mural](#)



[view constitution mural](#)

[visit the murals and the charters of freedom in person](#)

These large-scale Faulkner murals, now on display in the Rotunda for the Charters of Freedom, have been painstakingly cleaned and conserved. Read the feature article "[Restoring the Historic Murals in the National Archives Building](#)" by Richard Blondo, Archives Specialist to learn about how it was done.

[details of the mural restoration process](#)



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## *Declaration of Independence*

### JOIN THE SIGNERS OF THE DECLARATION

[sign the declaration ▶](#)

Choose a pen and add your name to the Declaration of Independence alongside our Forefathers.  
(This interactive exhibit requires the Macromedia Flash Player. Instructions and a link are provided.)

[creating the declaration ▶](#)

View the time line for the creation of the Declaration of Independence beginning with the Lee Resolution and ending on August 2, 1776 when the document was signed by most members of Congress.

[the signer's gallery ▶](#)

Who was the oldest Signer of the Declaration of Independence?  
Which Signer was also a musician? Learn the answers to these and other questions, and get our fact sheet about the Signers of the Declaration of Independence.

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Learn about [Our National Treasure](#), interesting and informative facts about the Declaration and its history.

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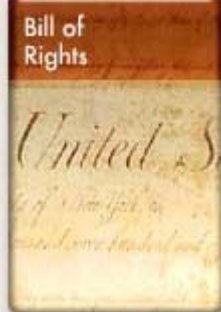
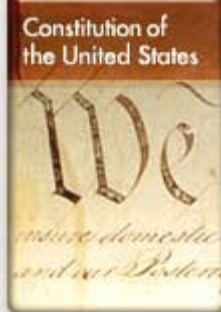
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### Courage of the Founders ~ The Perilous Road to Independence

*Perhaps our Congress will be Exalted on a high Gallows.*

Abraham Clark, signer of the Declaration of Independence, August 6, 1776

The sole governing authority presiding over the tumultuous events of the American Revolution between 1774 and 1789 was a body known as Congress. With no power to regulate commerce or lay taxes, and with little ability to enforce any of its decisions, this group, representing the thirteen colonies, declared independence, conducted a war that defeated one of the greatest military powers of its day, and invented a new political entity that became a sovereign independent nation. Its members pondered everything from the rightness of independence to the number of flints needed by the armies—sometimes with the enemy not far from their doorstep. Asserting their rights, they found themselves labeled as traitors.

The fifty-four men who composed the First Continental Congress represented different interests, religions, and regions; they held conflicting opinions as to how best restore their rights. Most did not know each other; some did not like each other. With no history of successful cooperation, they struggled to overcome their differences and, without any way of knowing if the future held success or nooses for them all, they started down a long and perilous road toward independence.



The Agreement of Secrecy, November 9, 1775 [learn more...](#)



In the Old Raleigh Tavern, a correspondence committee at work, hand-colored engraving (reproduction) after illustration by Howard Pyle, ca. 1896 [learn more...](#)

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### Global Impact of the Charters of Freedom

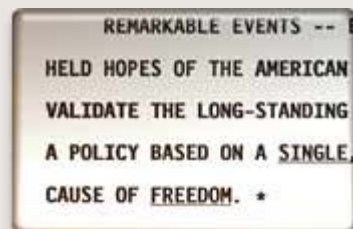
*The flames kindled on the Fourth of July, 1776, have spread over too much of the globe to be extinguished by the feeble engines of despotism; on the contrary, they will consume these engines and all who work them.*

Thomas Jefferson to John Adams, 1821

From the earliest days of the Republic, this nation's Founders believed that the United States had a special mission in the world. George Washington spoke of it on April 30, 1789, moments after taking the oath of office as first President of the United States. "The preservation of the sacred fire of liberty, and the destiny of the Republican model of Government, are justly considered as deeply, perhaps as finally staked, on the experiment entrusted to the hands of the American people." The success of their experiment, these early Americans hoped, would hasten the spread of liberty around the globe.

In the first century following the Declaration of Independence, movements in France, Belgium, Poland, Norway, Switzerland, as well as in Venezuela, Mexico, and Argentina drew both inspiration and practical lessons from the American Revolution and its landmark documents. During the nineteenth century, the adoption of written constitutions often accompanied changes in governments in Europe and Latin America.

In 1917, there were approximately a dozen democracies in the world. Today, there are more than one hundred, and most of them have written constitutions. While the charters of many of these nations vary greatly from the U.S. Constitution, its endurance and stability has surely lent encouragement and credibility to the cause of freedom-loving people everywhere who have labored to throw off tyrannical regimes and devise for themselves a system of self-determination and government based on the consent of the governed.



President George Bush's State of the Union Address, January 31, 1990, selected pages [learn more...](#)

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### Expansion of Rights and Liberties ~ The Right of Suffrage

*It was we, the people, not we, the white male citizens, nor yet we, the male citizens;  
but we, the whole people, who formed this Union.*

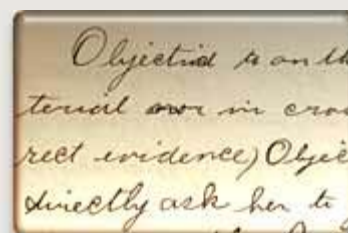
Susan B. Anthony, 1873, "Is It a Crime for a U.S. Citizen to Vote?" speech delivered following her arrest for voting in the election of 1872

When the Constitution took effect in 1789, it did not "secure the blessings of liberty" to all people. The expansion of rights and liberties has been achieved over time, as people once excluded from the protections of the Constitution asserted their rights set forth in the Declaration of Independence. These Americans have fostered movements resulting in laws, Supreme Court decisions, and constitutional amendments that have narrowed the gap between the ideal and the reality of American freedom.

At the time of the first Presidential election in 1789, only 6 percent of the population—white, male property owners—was eligible to vote. The Fifteenth Amendment extended the right to vote to former male slaves in 1870; American Indians gained the vote under a law passed by Congress in 1924; and women gained the vote with the ratification of the Nineteenth Amendment in 1920.

Susan B. Anthony devoted some fifty years of her life to the cause of woman suffrage. After casting her ballot in the 1872 election in her hometown of Rochester, New York, she was arrested, indicted, tried, and convicted for voting illegally. At her two-day trial in June 1873, which she described as "the greatest judicial outrage history has ever recorded," she was convicted and sentenced to pay a fine of \$100 and court costs.

Anthony took full advantage of the high-profile case to promote the cause of woman suffrage. In a speech delivered repeatedly in 1872–73, she exhorted her listeners to "fight our battle for the ballot—all peaceably, but nevertheless persistently through to complete triumph, when all United States citizens shall be recognized as equals before the law." Women gained the vote with the passage of the Nineteenth Amendment to the Constitution in 1920, fourteen years after Anthony's death.



Transcript of Susan B. Anthony's testimony in a pre-trial hearing before a U.S. Commissioner, November 29, 1872, selected pages [learn more...](#)



Susan B. Anthony, not dated [learn more...](#)

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### United States as a Beacon of Liberty ~ Immigration

*The bosom of America is open to receive not only the Opulent & respectable Stranger,  
but the oppressed & persecuted of all Nations & Religions;  
whom we shall wellcome to a participation of all our rights & privileges.*

George Washington, Address to Irish Immigrants, draft handwritten by David Humphries, December 2, 1783

America's earliest settlers who came in search of religious freedom in the seventeenth century passed on a vision of America as a shining beacon of hope to the world that still shines today. Between 1820 and 2001, more than sixty-seven million people came to the United States from every corner of the globe, lured by the promise of liberty and opportunity. The open-door policies of the early years of the republic eventually gave way in the late-nineteenth century to more restrictive measures driven by concerns for the nation's economy and security. Fear of foreigners and racial prejudice have also influenced policies that excluded rather than welcomed immigrants. But the wish to honor the ideal of America as a safe haven persists. Two-thirds of the seventy million people who have left Europe since 1600 have come to America. Millions more have come from Asia, Africa, and Latin America.

Today, the United States pulses with the energy of a dizzying mix of cultures, races, religions, and languages. The people of the United States are joined together, not by religion, race, or genealogy, but by a shared set of beliefs about freedom. In 1989, the fortieth President of the United States, Ronald Reagan, reflected on the current state of the American Dream: "After 200 years . . . [America's] still a beacon, still a magnet for all who must have freedom, for all the pilgrims from all the lost places who are hurtling through the darkness, toward home."



Deed of Gift, Statue of Liberty, July 4, 1884 [learn more...](#)

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### The End of Slavery in the United States ~ The Thirteenth Amendment

*The more men you make free, the more freedom is strengthened,  
and the . . . greater is the security of the State.*

Frederick Douglass, abolitionist, statesman, and former slave, November 17, 1864

The four years of Civil War that ripped apart the nation from 1861–65 achieved what seventy-five years of compromise could not: it resolved once and for all the question of slavery in the United States. By 1860, there were 4.5 million slaves in the United States. Military necessity and the force of human passion for liberty pushed emancipation to the top of the nation's agenda. Two major milestones marked slavery's final destruction during the war years: the Emancipation Proclamation and the Thirteenth Amendment to the Constitution.

President Abraham Lincoln issued the Emancipation Proclamation on January 1, 1863, declaring that "all persons held as slaves" within the rebellious areas "are and henceforward shall be free." It also announced the acceptance of former slaves into the Union's armed forces. The Constitution grants extended powers to the President during times of war, and although it would not permit the President to interfere with slavery in the states under normal circumstances, it would do so during wartime.

President Lincoln feared that the Emancipation Proclamation would be overturned once the war ended. A constitutional amendment would ensure that slavery could never again resurface. Congress formally proposed the Thirteenth Amendment outlawing slavery on January 31, 1865; it was ratified on December 6, 1865.



Proclamation of the Secretary of State announcing the ratification of the Thirteenth Amendment to the Constitution, December 18, 1865, selected pages [learn more...](#)



"Watch Meeting—Dec. 31st, 1862—Waiting for the Hour," slaves awaiting the moment when the Emancipation Proclamation takes effect, oil painting (reproduction) by William Tolman Carlton, not dated [learn more...](#)

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### The Civil War ~ The Union Sealed in Blood

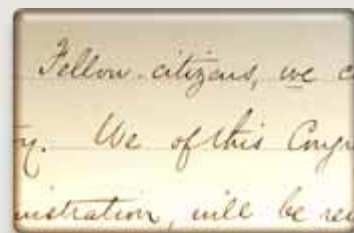
*The fiery trial through which we pass, will light us down, in honor or dishonor, to the latest generation. . . . In giving freedom to the slave, we assure freedom to the free—honorable alike in what we give, and what we preserve. We shall nobly save, or meanly lose, the last best, hope of earth.*

President Abraham Lincoln, December 1, 1862

September 17, 1862, was the bloodiest single day in U.S. history. An estimated 6,300 Union and Confederate soldiers died at Antietam, Maryland, in a savage battle that took place nearly a year and a half into the Civil War. It was one day in a war that raged from 1861–65 and cost some 623,000 lives. In a total national population of twenty-seven million in 1860, that number would be proportionately equivalent to losing more than five million today. That bloody day marked the seventy-fifth anniversary of the signing of the Constitution.

At stake in the Civil War was the survival of the United States of America as a single nation. Eleven Southern states, invoking the spirit of 1776, seceded from the Union in 1861 to form a nation they named the Confederate States of America. The Federal Government refused to allow it. Massive armies representing the Union and the Confederacy squared off in a conflict that tested the experiment in self-government as never before. At the end of the Civil War's carnage, the primacy of the Federal Government over the states was indisputably upheld.

Americans had been wrestling with the fundamental question of nationhood since the earliest days of the Revolution. In 1774, as the British colonists struggled to unite in the cause of American liberty, Patrick Henry rose to address the Continental Congress in one of its earliest sessions: "The distinctions between Virginians, Pennsylvanians and New Englanders are no more. I am not a Virginian, but an American." It took the Civil War to make it so.



President Abraham Lincoln's Message to Congress on the State of the Union, December 1, 1862, selected pages [learn more...](#)



Abraham Lincoln, ca. 1860–65 [learn more...](#)

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### Westward Expansion ~ The Louisiana Purchase

*Let the Land rejoice, for you have bought Louisiana for a Song.*

Gen. Horatio Gates to President Thomas Jefferson, July 18, 1803

In 1803, with one bold move, President Thomas Jefferson's administration doubled the size of the United States. France's offer of the Louisiana Territory—828,000 square miles of land extending west of the Mississippi River, in exchange for \$15 million—was simply too good to resist. The Treaty, dated April 30, 1803, was signed in Paris by Robert Livingston and James Monroe and ratified by Congress on October 20. Fifteen states or parts of states were carved from the vast territory, which was the single largest acquisition of land in U.S. history.

Sixteen years earlier, critics of the Constitution had argued that the original thirteen states already covered too vast a territory to be under a single government. In 1803, some European powers predicted that the huge addition of land would be the death knell of the American experiment and would cause the Union to degenerate into competing and warring factions. Jefferson, however, believed it would provide "a wide-spread field for the blessings of freedom." The Louisiana Territory added to the United States a wealth of natural resources beyond anyone's calculations. Westward expansion was a disaster for the many indigenous peoples who had no say in the sale of lands they had inhabited for generations. But the Louisiana Purchase did not weaken the Union; it strengthened it. The transaction was more than a brilliant act of diplomacy or a shrewd real estate deal. It was a vote of confidence in the future of a fledgling nation.



Louisiana Purchase, April 30, 1803  
[learn more...](#)



Territory of Louisiana ceded by France to the United States by treaty of April 30, 1803, reprinted from the pamphlet "Historical Sketch of Louisiana," published by the General Land Office, 1933  
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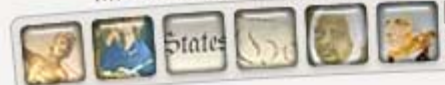
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### The Bill of Rights ~ The First Ten Amendments to the Constitution

*The sacred rights of mankind are not to be rummaged for, among old parchments, or musty records. They are written, as with a sun beam in the whole volume of human nature, by the hand of the divinity itself; and can never be erased or obscured by mortal power.*

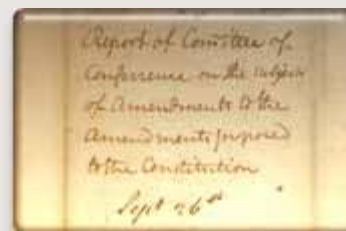
Alexander Hamilton, 1775

Freedom of speech, freedom of the press, freedom of assembly, the right to a fair and speedy trial—the ringing phrases that inventory some of Americans' most treasured personal freedoms—were not initially part of the U.S. Constitution. At the Constitutional Convention, the proposal to include a bill of rights was considered and defeated. The Bill of Rights was added to the Constitution as the first ten amendments on December 15, 1791.

The fact that the Constitution did not include a bill of rights to specifically protect Americans' hard-won rights sparked the most heated debates during the ratification process. To the Federalists, those who favored the Constitution, a bill of rights was unnecessary because the Federal Government was limited in its powers and could not interfere with the rights of the people or the states; also, most states had bills of rights. To the Anti-Federalists, those who opposed the Constitution, the prospect of establishing a strong central government without an explicit list of rights guaranteed to the people was unthinkable. Throughout the ratification process, individuals and state ratification conventions called for the adoption of a bill of rights.

The First Federal Congress took up the question of a bill of rights almost immediately. Congress proposed twelve amendments to the states. Ten of these were added to the Constitution on December 15, 1791.

The Bill of Rights that is on permanent display here is the Joint Resolution passed by Congress on September 25, 1789, proposing twelve—not ten—amendments. The first article, concerning the ratio of constituents to each congressional representative, was never ratified by the states; the second article listed, concerning congressional pay, was ratified in 1992 as the Twenty-seventh Amendment.



Report of the Conference Committee, appointed to settle the differences between the House and Senate versions of the proposed bill of rights, September 24, 1789 [learn more...](#)



"In the Reading Room of an 18th Century New York Coffee House," hand-colored engraving (reproduction) after illustration by Howard Pyle, ca. 1890 [learn more...](#)

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### The Constitutional Convention ~ Creating the Constitution

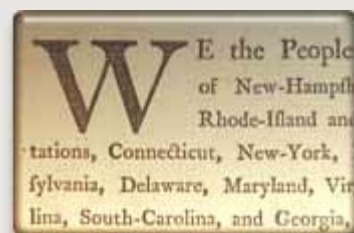
*[The Constitution of the United States] was not, like the fabled Goddess of Wisdom, the offspring of a single brain. It ought to be regarded as the work of many heads and many hands.*

James Madison, March 10, 1834

Eleven years after the Declaration of Independence announced the birth of the United States, the survival of the young country seemed in doubt. The War for Independence had been won, but economic depression, social unrest, interstate rivalries, and foreign intrigue appeared to be unraveling the fragile confederation. In early 1787, Congress called for a special convention of all the states to revise the Articles of Confederation. On September 17, 1787, after four months of secret meetings, the delegates to the Constitutional Convention emerged from their Philadelphia meetingroom with an entirely new plan of government—the U.S. Constitution—that they hoped would ensure the survival of the experiment they had launched in 1776.

They proposed a strong central government made up of three branches: legislative, executive, and judicial; each would be perpetually restrained by a sophisticated set of checks and balances. They reached compromises on the issue of slavery that left its final resolution to future generations. As for ratification, they devised a procedure that maximized the odds: the Constitution would be enacted when it was ratified by nine, not thirteen, states. The Framers knew they had not created a perfect plan, but it could be revised. The Constitution has been amended twenty-seven times and stands today as the longest-lasting written constitution in the world.

On September 17, 1787, two days after the final vote, the delegates signed the engrossed parchment shown in the [Rotunda's centerpiece case](#).



First printed draft of the Constitution, August 6, 1787, selected pages [learn more...](#)



The Scene at the Signing of the Constitution, oil painting (reproduction) by Howard Chandler Christy, 1940 [learn more...](#)

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### Slavery and the American Revolution ~ Voices of Protest

*I beheld a middle aged African raised and exposed on one of the stalls in the shambles of Philadelphia market at Public Sale, as a Slave for life! and this is the capital of Pennsylvania, a land high in the profession of Liberty and Christianity.*

Colonist quoted in Pennsylvania Packet, a Philadelphia newspaper, February 7, 1774

The Revolution's ideals of liberty and equality existed side by side with the brutal realities of human slavery. By the time of the Revolution, slavery existed in all the colonies, slaves made up 20 percent of the population, and their labor had become a vital contribution to the physical and economic development of the colonies. The existence of slavery created tensions that would strain the integrity of the United States for many decades to come.

The Society of Friends, a religious group also known as the Quakers, formed the first formal antislavery society in 1775. Throughout the Revolution, as the states struggled to find common ground, the issue of slavery was so divisive that it threatened to shatter their fragile union. Some prominent leaders of the Revolution raised their voices to oppose slavery on moral grounds. Slaves and free Africans embraced the principles of liberty and equality embedded in the Declaration as their own best hope for freedom and better treatment. Many, fighting as soldiers in the American armies, helped to defeat the British, while earning their freedom and gaining the respect and gratitude of some whites. And clinging to their own understanding of "all men are created equal," they pushed the country closer to living out the full promise of its words.



Quaker petition to Congress, October 4, 1783 [learn more...](#)



Elizabeth "Mumbet" Freeman, watercolor (reproduction) by Susan Anne Livingston Ridley Sedgwick, 1811 [learn more...](#)

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### The First Constitution ~ The Articles of Confederation

*We have it in our power to begin the world over again.*

*A situation, similar to the present, hath not happened since the days of Noah until now.*

*The birthday of a new world is at hand.*

Thomas Paine, February 14, 1776

Throwing off the British monarchy on July 4, 1776, left the United States with no central government. It had to design and install a new government—and quickly. As early as May 1776, Congress advised each of the colonies to draw up plans for state governments; by 1780, all thirteen states had adopted written constitutions. In June 1776, the Continental Congress began to work on a plan for a central government. It took five years for it to be approved, first by members of Congress and then by the states. The first attempt at a constitution for the United States was called the Articles of Confederation.

This first constitution was composed by a body that directed most of its attention to fighting and winning the War for Independence. It came into being at a time when Americans had a deep-seated fear of a central authority and long-standing loyalty to the state in which they lived and often called their "country." Ultimately, the Articles of Confederation proved unwieldy and inadequate to resolve the issues that faced the United States in its earliest years; but in granting any Federal powers to a central authority—the Confederation Congress—this document marked a crucial step toward nationhood. The Articles of Confederation were in force from March 1, 1781, until March 4, 1789, when the present Constitution went into effect.



Articles of Confederation, ratified March 1, 1781 [learn more...](#)



Assembly Room, Pennsylvania State House, later named Independence Hall, meeting place of Congress [learn more...](#)

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### The Spirit of the Revolution ~ The Declaration of Independence

*We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.*

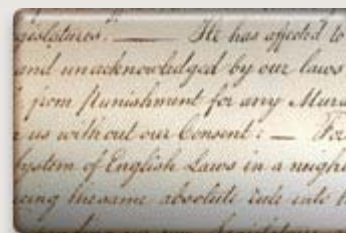
From the Declaration of Independence, adopted July 4, 1776

In June 1776, as Thomas Jefferson composed a draft of the Declaration of Independence from a second floor parlor of a bricklayer's house in Philadelphia, the largest invasion force in British military history was headed for New York Harbor. By the time the last of the fifty-six signers had affixed their names to the final, edited document months later, an invading force of British soldiers had landed at Staten Island, the British had taken New York City, and the American patriots had committed themselves to a long and bloody struggle for liberty and independence.

The Declaration announced to the world the separation of the thirteen colonies from Great Britain and the establishment of the United States of America. It explained the causes of this radical move with a long list of charges against the King. In justifying the Revolution, it asserted a universal truth about human rights in words that have inspired downtrodden people through the ages and throughout the world to rise up against their oppressors.

Jefferson was not aiming at originality. The Declaration articulates the highest ideals of the Revolution, beliefs in liberty, equality, and the right to self-determination. Americans embraced a view of the world in which a person's position was determined, not by birth, rank, or title, but by talent, ability, and enterprise. It was a widely held view, circulated in newspapers, pamphlets, sermons, and schoolbooks; but it was Thomas Jefferson, the 33-year-old planter from Virginia, who put the immortal words to it.

On July 4, 1776, Congress completed its editing of the document that reduced the text by 25 percent ("mutilations" is what Jefferson called it) and formally adopted the Declaration; on July 19, Congress ordered that a formal copy of the Declaration be prepared for members to sign; and on August 2, the final parchment—the one presently displayed in the nearby case—was presented to Congress and the signing began.



Print of the Declaration of Independence made in 1976 for the nation's 200th anniversary [learn more...](#)

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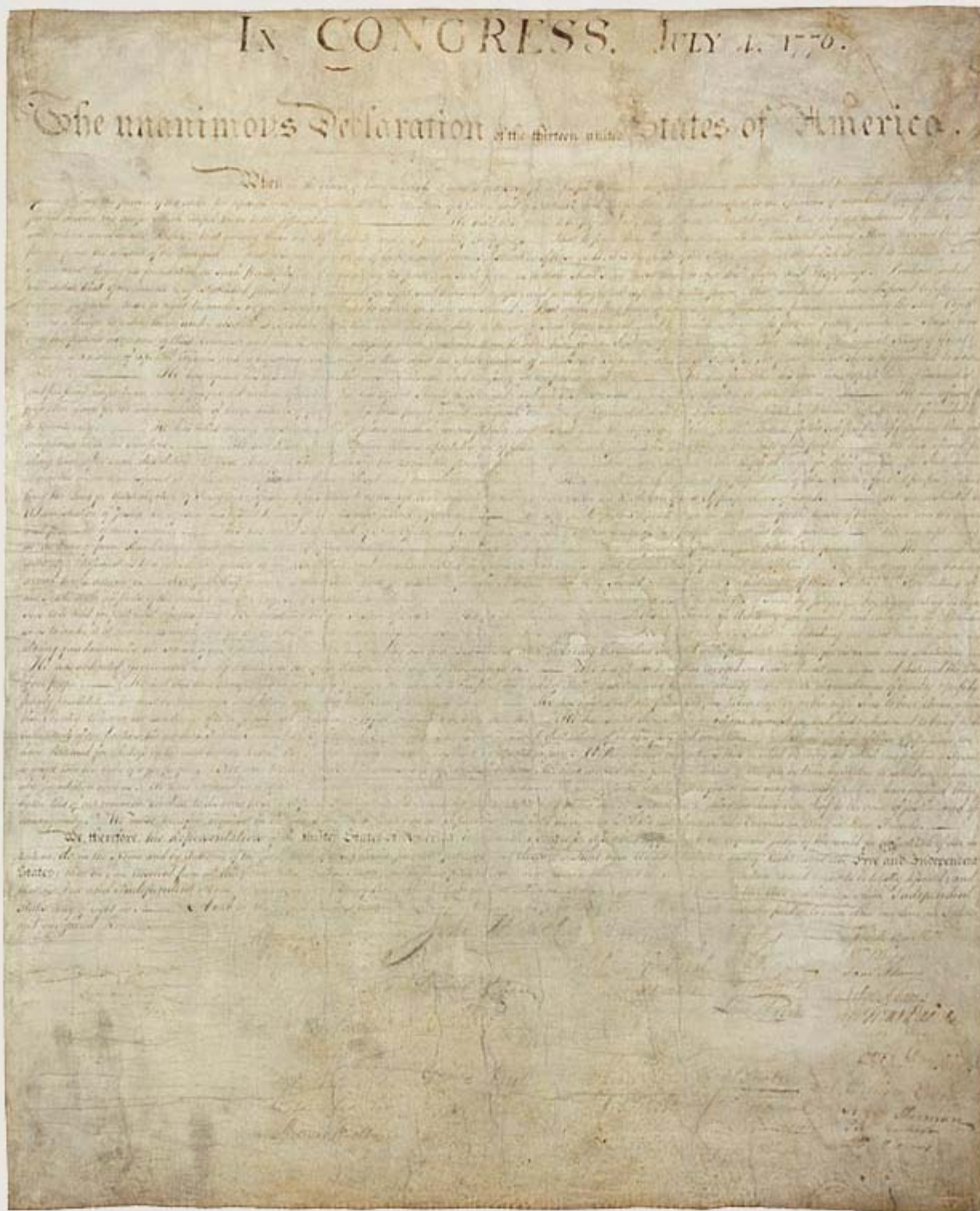
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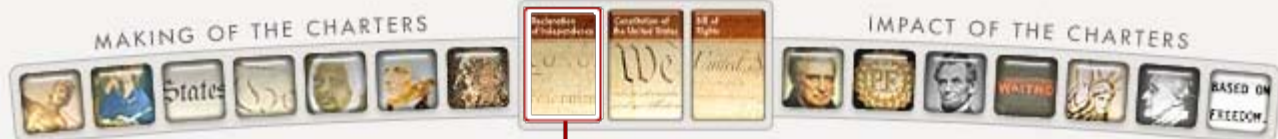
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### The Declaration of Independence: A Transcription

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**IN CONGRESS, July 4, 1776.**

**The unanimous Declaration of the thirteen united States of America,**

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

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, --That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security.--Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.

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

He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public Records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the

Legislative powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.

He has endeavoured to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary powers.

He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of New Offices, and sent hither swarms of Officers to harrass our people, and eat out their substance.

He has kept among us, in times of peace, Standing Armies without the Consent of our legislatures.

He has affected to render the Military independent of and superior to the Civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation:

For Quartering large bodies of armed troops among us:

For protecting them, by a mock Trial, from punishment for any Murders which they should commit on the Inhabitants of these States:

For cutting off our Trade with all parts of the world:

For imposing Taxes on us without our Consent:

For depriving us in many cases, of the benefits of Trial by Jury:

For transporting us beyond Seas to be tried for pretended offences

For abolishing the free System of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies:

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

For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated Government here, by declaring us out of his Protection and waging War against us.

He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large Armies of foreign Mercenaries to compleat the works of death, desolation and tyranny, already begun with circumstances of Cruelty & perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation.

He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.

He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.

In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people.

Nor have We been wanting in attentions to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which, would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.

We, therefore, the Representatives of the united States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

*The 56 signatures on the Declaration appear in the positions indicated:*

### **Column 1**

#### **Georgia:**

Button Gwinnett  
Lyman Hall  
George Walton

### **Column 2**

#### **North Carolina:**

William Hooper  
Joseph Hewes  
John Penn

#### **South Carolina:**

Edward Rutledge  
Thomas Heyward, Jr.  
Thomas Lynch, Jr.  
Arthur Middleton

### **Column 3**

#### **Massachusetts:**

John Hancock

#### **Maryland:**

Samuel Chase  
William Paca  
Thomas Stone  
Charles Carroll of Carrollton

#### **Virginia:**

George Wythe  
Richard Henry Lee  
Thomas Jefferson  
Benjamin Harrison  
Thomas Nelson, Jr.  
Francis Lightfoot Lee  
Carter Braxton

### **Column 4**

#### **Pennsylvania:**

Robert Morris  
Benjamin Rush  
Benjamin Franklin  
John Morton  
George Clymer  
James Smith  
George Taylor  
James Wilson  
George Ross

#### **Delaware:**

Caesar Rodney  
George Read  
Thomas McKean

### **Column 5**

#### **New York:**

William Floyd  
Philip Livingston  
Francis Lewis  
Lewis Morris

#### **New Jersey:**

Richard Stockton  
John Witherspoon

Francis Hopkinson  
John Hart  
Abraham Clark

### Column 6

#### New Hampshire:

Josiah Bartlett  
William Whipple

#### Massachusetts:

Samuel Adams  
John Adams  
Robert Treat Paine  
Elbridge Gerry

#### Rhode Island:

Stephen Hopkins  
William Ellery

#### Connecticut:

Roger Sherman  
Samuel Huntington  
William Williams  
Oliver Wolcott

#### New Hampshire:

Matthew Thornton

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## the Charters of Freedom

"A NEW WORLD IS AT HAND"



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# Declaration of Independence

## A HISTORY

### The Declaration of Independence: A History

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Nations come into being in many ways. Military rebellion, civil strife, acts of heroism, acts of treachery, a thousand greater and lesser clashes between defenders of the old order and supporters of the new--all these occurrences and more have marked the emergences of new nations, large and small. The birth of our own nation included them all. That birth was unique, not only in the immensity of its later impact on the course of world history and the growth of democracy, but also because so many of the threads in our national history run back through time to come together in one place, in one time, and in one document: the Declaration of Independence.

#### Moving Toward Independence

The clearest call for independence up to the summer of 1776 came in Philadelphia on June 7. On that date in session in the Pennsylvania State House (later Independence Hall), the Continental Congress heard Richard Henry Lee of Virginia read his resolution beginning: "Resolved: That these United Colonies are, and of right ought to be, free and independent States, that they are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved."

The Lee Resolution was an expression of what was already beginning to happen throughout the colonies. When the Second Continental Congress, which was essentially the government of the United States from 1775 to 1788, first met in May 1775, King George III had not replied to the petition for redress of grievances that he had been sent by the First Continental Congress. The Congress gradually took on the responsibilities of a national government. In June 1775 the Congress established the Continental Army as well as a continental currency. By the end of July of that year, it created a post office for the "United Colonies."

In August 1775 a royal proclamation declared that the King's American subjects were "engaged in open and avowed rebellion." Later that year, Parliament passed the American Prohibitory Act, which made all American vessels and cargoes forfeit to the Crown. And in May 1776 the Congress learned that the King had negotiated treaties with German states to hire mercenaries to fight in America. The weight of these actions combined to convince many Americans that the mother country was treating the colonies as a foreign entity.

One by one, the Continental Congress continued to cut the colonies' ties to Britain. The Privateering Resolution, passed in March 1776, allowed the colonists "to fit out armed vessels to cruize [sic] on the enemies of these United Colonies." On April 6, 1776, American ports were opened to commerce with other nations, an action that severed the economic ties fostered by the Navigation Acts. A "Resolution for the Formation of Local Governments" was passed on May 10, 1776.

At the same time, more of the colonists themselves were becoming convinced of the inevitability of independence. Thomas Paine's *Common Sense*, published in January 1776, was sold by the thousands. By the middle of May 1776, eight colonies had decided that they would support independence. On May 15, 1776, the Virginia Convention passed a resolution that "the delegates appointed to represent this colony in General Congress be instructed to propose to that respectable body to declare the United Colonies free and independent states."



It was in keeping with these instructions that Richard Henry Lee, on June 7, 1776, presented his resolution. There were still some delegates, however, including those bound by earlier instructions, who wished to pursue the path of reconciliation with Britain. On June 11 consideration of the Lee Resolution was postponed by a vote of seven colonies to five, with New York abstaining. Congress then recessed for 3 weeks. The tone of the debate indicated that at the end of that time the Lee Resolution would be adopted. Before Congress recessed, therefore, a Committee of Five was appointed to draft a statement presenting to the world the colonies' case for independence.

### **The Committee of Five**

The committee consisted of two New England men, John Adams of Massachusetts and Roger Sherman of Connecticut; two men from the Middle Colonies, Benjamin Franklin of Pennsylvania and Robert R. Livingston of New York; and one southerner, Thomas Jefferson of Virginia. In 1823 Jefferson wrote that the other members of the committee "unanimously pressed on myself alone to undertake the draught [sic]. I consented; I drew it; but before I reported it to the committee I communicated it separately to Dr. Franklin and Mr. Adams requesting their corrections. . . I then wrote a fair copy, reported it to the committee, and from them, unaltered to the Congress." (If Jefferson did make a "fair copy," incorporating the changes made by Franklin and Adams, it has not been preserved. It may have been the copy that was amended by the Congress and used for printing, but in any case, it has not survived. Jefferson's rough draft, however, with changes made by Franklin and Adams, as well as Jefferson's own notes of changes by the Congress, is housed at the Library of Congress.)

Jefferson's account reflects three stages in the life of the Declaration: the document originally written by Jefferson; the changes to that document made by Franklin and Adams, resulting in the version that was submitted by the Committee of Five to the Congress; and the version that was eventually adopted.

On July 1, 1776, Congress reconvened. The following day, the Lee Resolution for independence was adopted by 12 of the 13 colonies, New York not voting. Immediately afterward, the Congress began to consider the Declaration. Adams and Franklin had made only a few changes before the committee submitted the document. The discussion in Congress resulted in some alterations and deletions, but the basic document remained Jefferson's. The process of revision continued through all of July 3 and into the late morning of July 4. Then, at last, church bells rang out over Philadelphia; the Declaration had been officially adopted.

The Declaration of Independence is made up of five distinct parts: the introduction; the preamble; the body, which can be divided into two sections; and a conclusion. The introduction states that this document will "declare" the "causes" that have made it necessary for the American colonies to leave the British Empire. Having stated in the introduction that independence is unavoidable, even necessary, the preamble sets out principles that were already recognized to be "self-evident" by most 18th-century Englishmen, closing with the statement that "a long train of abuses and usurpations . . . evinces a design to reduce [a people] under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security." The first section of the body of the Declaration gives evidence of the "long train of abuses and usurpations" heaped upon the colonists by King George III. The second section of the body states that the colonists had appealed in vain to their "British brethren" for a redress of their grievances. Having stated the conditions that made independence necessary and having shown that those conditions existed in British North America, the Declaration concludes that "these United Colonies are, and of Right ought to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved."

Although Congress had adopted the Declaration submitted by the Committee of Five, the committee's task was not yet completed. Congress had also directed that the committee supervise the printing of the adopted document. The first printed copies of the Declaration of Independence were turned out from the shop of John Dunlap, official printer to the Congress. After the Declaration had been adopted, the committee took to Dunlap the manuscript document, possibly Jefferson's "fair copy" of his rough draft. On the morning of July 5, copies were dispatched by members of Congress to various assemblies, conventions, and committees of safety as well as to the commanders of Continental troops. Also on July 5, a copy of the printed version of the approved Declaration was inserted into the "rough journal" of the Continental Congress for July 4. The text was followed by the words "Signed by Order and in Behalf of the Congress, John Hancock, President. Attest. Charles Thomson, Secretary." It is not known how many copies John Dunlap printed on his busy night of July 4. There are 26 copies known to exist of what is commonly referred to as "the Dunlap broadside," 21 owned by American institutions, 2 by British institutions, and 3 by private owners. (See Appendix A.)

### **The Engrossed Declaration**

On July 9 the action of Congress was officially approved by the New York Convention. All 13 colonies had now signified their approval. On July 19, therefore, Congress was able to order that the Declaration be "fairly engrossed on parchment, with the title and stile [sic] of 'The unanimous declaration of the thirteen United States of America,' and that the same, when engrossed, be signed by every member of Congress."

Engrossing is the process of preparing an official document in a large, clear hand. Timothy Matlack was probably the engrosser of the Declaration. He was a Pennsylvanian who had assisted the Secretary of the Congress, Charles Thomson, in his duties for over a year and who had written out George Washington's commission as commanding general of the Continental Army. Matlack set to work with pen, ink, parchment, and practiced hand, and finally, on August 2, the journal of the Continental Congress records that "The declaration of independence being engrossed and compared at the table was signed." One of the most widely held misconceptions about the Declaration is that it was signed on July 4, 1776, by all the delegates in attendance.

John Hancock, the President of the Congress, was the first to sign the sheet of parchment measuring 24¼ by 29¾ inches. He used a bold signature centered below the text. In accordance with prevailing custom, the other delegates began to sign at the right below the text, their signatures arranged according to the geographic location of the states they represented. New Hampshire, the northernmost state, began the list, and Georgia, the southernmost, ended it. Eventually 56 delegates signed, although all were not present on August 2. Among the later signers were Elbridge Gerry, Oliver Wolcott, Lewis Morris, Thomas McKean, and Matthew Thornton, who found that he had no room to sign with the other New Hampshire delegates. A few delegates who voted for adoption of the Declaration on July 4 were never to sign in spite of the July 19 order of Congress that the engrossed document "be signed by every member of Congress." Nonsigners included John Dickinson, who clung to the idea of reconciliation with Britain, and Robert R. Livingston, one of the Committee of Five, who thought the Declaration was premature.

### **Parchment and Ink**

Over the next 200 years, the nation whose birth was announced with a Declaration "fairly engrossed on parchment" was to show immense growth in area, population, economic power, and social complexity and a lasting commitment to a testing and strengthening of its democracy. But what of the parchment itself? How was it to fare over the course of two centuries?

In the chronicle of the Declaration as a physical object, three themes necessarily entwine themselves: the relationship between the physical aging of the parchment and the steps taken to preserve it from deterioration; the relationship between the parchment and the copies that were made from it; and finally, the often dramatic story of the travels of the parchment during wartime and to its various homes.

Chronologically, it is helpful to divide the history of the Declaration after its signing into five main periods, some more distinct than others. The first period consists of the early travels of the parchment and lasts until 1814. The second period relates to the long sojourn of the Declaration in Washington, DC, from 1814 until its brief return to Philadelphia for the 1876 Centennial. The third period covers the years 1877-1921, a period marked by increasing concern for the deterioration of the document and the need for a fitting and permanent Washington home. Except for an interlude during World War II, the fourth and fifth periods cover the time the Declaration rested in the Library of Congress from 1921 to 1952 and in the National Archives from 1952 to the present.

### **Early Travels, 1776-1814**

Once the Declaration was signed, the document probably accompanied the Continental Congress as that body traveled during the uncertain months and years of the Revolution. Initially, like other parchment documents of the time, the Declaration was probably stored in a rolled format. Each time the document was used, it would have been unrolled and re-rolled. This action, as well as holding the curled parchment flat, doubtless took its toll on the ink and on the parchment surface through abrasion and flexing. The acidity inherent in the iron gall ink used by Timothy Matlack allowed the ink to "bite" into the surface of the parchment, thus contributing to the ink's longevity, but the rolling and unrolling of the parchment still presented many hazards.

After the signing ceremony on August 2, 1776, the Declaration was most likely filed in Philadelphia in the office of Charles Thomson, who served as the Secretary of the Continental Congress from 1774 to 1789. On December 12, threatened by the British, Congress adjourned and reconvened 8 days later in Baltimore, MD. A light wagon carried the Declaration to its new home, where it remained until its return to Philadelphia in March of 1777.

On January 18, 1777, while the Declaration was still in Baltimore, Congress, bolstered by military successes at Trenton and Princeton, ordered the second official printing of the document. The July 4 printing had included only the names of John Hancock and Charles Thomson, and even though the first printing had been promptly circulated to the states, the names of subsequent signers were kept secret for a time because of fear of British reprisals. By its order of January 18, however, Congress required that "an authentic copy of the Declaration of Independency, with the names of the members of Congress subscribing to the same, be sent to each of the United States, and that they be desired to have the same put upon record." The "authentic copy" was duly printed, complete with signers' names, by Mary Katherine Goddard in Baltimore.

Assuming that the Declaration moved with the Congress, it would have been back in Philadelphia from March to

September 1777. On September 27, it would have moved to Lancaster, PA, for 1 day only. From September 30, 1777, through June 1778, the Declaration would have been kept in the courthouse at York, PA. From July 1778 to June 1783, it would have had a long stay back in Philadelphia. In 1783, it would have been at Princeton, NJ, from June to November, and then, after the signing of the Treaty of Paris, the Declaration would have been moved to Annapolis, MD, where it stayed until October 1784. For the months of November and December 1784, it would have been at Trenton, NJ. Then in 1785, when Congress met in New York, the Declaration was housed in the old New York City Hall, where it probably remained until 1790 (although when Pierre L'Enfant was remodeling the building for the convening of the First Federal Congress, it might have been temporarily removed).

In July 1789 the First Congress under the new Constitution created the Department of Foreign Affairs and directed that its Secretary should have "the custody and charge of all records, books and papers" kept by the department of the same name under the old government. On July 24 Charles Thomson retired as Secretary of the Congress and, upon the order of President George Washington, surrendered the Declaration to Roger Alden, Deputy Secretary of Foreign Affairs. In September 1789 the name of the department was changed to the Department of State. Thomas Jefferson, the drafter of the Declaration, returned from France to assume his duties as the first Secretary of State in March of 1790. Appropriately, those duties now included custody of the Declaration.

In July 1790 Congress provided for a permanent capital to be built among the woodlands and swamps bordering the Potomac River. Meanwhile, the temporary seat of government was to return to Philadelphia. Congress also provided that "prior to the first Monday in December next, all offices attached to the seat of the government of the United States" should be removed to Philadelphia. The Declaration was therefore back in Philadelphia by the close of 1790. It was housed in various buildings--on Market Street, at Arch and Sixth, and at Fifth and Chestnut.

In 1800, by direction of President John Adams, the Declaration and other government records were moved from Philadelphia to the new federal capital now rising in the District of Columbia. To reach its new home, the Declaration traveled down the Delaware River and Bay, out into the ocean, into the Chesapeake Bay, and up the Potomac to Washington, completing its longest water journey.

For about 2 months the Declaration was housed in buildings built for the use of the Treasury Department. For the next year it was housed in one of the "Seven Buildings" then standing at Nineteenth Street and Pennsylvania Avenue. Its third home before 1814 was in the old War Office Building on Seventeenth Street.

In August 1814, the United States being again at war with Great Britain, a British fleet appeared in the Chesapeake Bay. Secretary of State James Monroe rode out to observe the landing of British forces along the Patuxent River in Maryland. A message from Monroe alerted State Department officials, in particular a clerk named Stephen Pleasonton, of the imminent threat to the capital city and, of course, the government's official records. Pleasonton "proceeded to purchase coarse linen, and cause it to be made into bags of convenient size, in which the gentlemen of the office" packed the precious books and records including the Declaration.

A cartload of records was then taken up the Potomac River to an unused gristmill belonging to Edgar Patterson. The structure was located on the Virginia side of the Potomac, about 2 miles upstream from Georgetown. Here the Declaration and the other records remained, probably overnight. Pleasonton, meanwhile, asked neighboring farmers for the use of their wagons. On August 24, the day of the British attack on Washington, the Declaration was on its way to Leesburg, VA. That evening, while the White House and other government buildings were burning, the Declaration was stored 35 miles away at Leesburg.

The Declaration remained safe at a private home in Leesburg for an interval of several weeks--in fact, until the British had withdrawn their troops from Washington and their fleet from the Chesapeake Bay. In September 1814 the Declaration was returned to the national capital. With the exception of a trip to Philadelphia for the Centennial and to Fort Knox during World War II, it has remained there ever since.

### **Washington, 1814-76**

The Declaration remained in Washington from September 1814 to May 1841. It was housed in four locations. From 1814 to 1841, it was kept in three different locations as the State Department records were shifted about the growing city. The last of these locations was a brick building that, it was later observed, "offered no security against fire."

One factor that had no small effect on the physical condition of the Declaration was recognized as interest in reproductions of the Declaration increased as the nation grew. Two early facsimile printings of the Declaration were made during the second decade of the 19th century: those of Benjamin Owen Tyler (1818) and John Binns (1819). Both facsimiles used decorative and ornamental elements to enhance the text of the Declaration. Richard Rush, who was Acting Secretary of State in 1817, remarked on September 10 of that year about the Tyler copy: "The foregoing copy of the Declaration of Independence has been collated with the original instrument and found correct. I have myself examined the signatures to each. Those executed by Mr. Tyler, are curiously exact imitations, so much so, that it would

be difficult, if not impossible, for the closest scrutiny to distinguish them, were it not for the hand of time, from the originals." Rush's reference to "the hand of time" suggests that the signatures were already fading in 1817, only 40 years after they were first affixed to the parchment.

One later theory as to why the Declaration was aging so soon after its creation stems from the common 18th-century practice of taking "press copies." Press copies were made by placing a damp sheet of thin paper on a manuscript and pressing it until a portion of the ink was transferred. The thin paper copy was retained in the same manner as a modern carbon copy. The ink was reimposed on a copper plate, which was then etched so that copies could be run off the plate on a press. This "wet transfer" method may have been used by William J. Stone when in 1820 he was commissioned by Secretary of State John Quincy Adams to make a facsimile of the entire Declaration, signatures as well as text. By June 5, 1823, almost exactly 47 years after Jefferson's first draft of the Declaration, the (Washington) National Intelligencer was able to report "that Mr. William J. Stone, a respectable and enterprising Engraver of this City, has, after a labor of three years, completed a fac simile of the original of the Declaration of Independence, now in the archives of the government; that it is executed with the greatest exactness and fidelity; and that the Department of State has become the purchaser of the plate."

As the Intelligencer went on to observe: "We are very glad to hear this, for the original of that paper which ought to be immortal and imperishable, by being so much handled by copyists and curious visitors, might receive serious injury. The facility of multiplying copies of it now possessed by the Department of State will render further exposure of the original unnecessary." The language of the newspaper report, like that of Rush's earlier comment, would seem to indicate some fear of the deterioration of the Declaration even prior to Stone's work.

The copies made from Stone's copperplate established the clear visual image of the Declaration for generations of Americans. The 200 official parchment copies struck from the Stone plate carry the identification "Engraved by W. J. Stone for the Department of State, by order" in the upper left corner followed by "of J. Q. Adams, Sec. of State July 4th 1823." in the upper right corner. "Unofficial" copies that were struck later do not have the identification at the top of the document. Instead the engraver identified his work by engraving "W. J. Stone SC. Washn." near the lower left corner and burnishing out the earlier identification.

The longest of the early sojourns of the Declaration was from 1841 to 1876. Daniel Webster was Secretary of State in 1841. On June 11 he wrote to Commissioner of Patents Henry L. Ellsworth, who was then occupying a new building (now the National Portrait Gallery), that "having learned that there is in the new building appropriated to the Patent Office suitable accommodations for the safe-keeping, as well as the exhibition of the various articles now deposited in this Department, and usually, exhibited to visitors . . . I have directed them to be transmitted to you." An inventory accompanied the letter. Item 6 was the Declaration.

The "new building" was a white stone structure at Seventh and F Streets. The Declaration and Washington's commission as commander in chief were mounted together in a single frame and hung in a white painted hall opposite a window offering exposure to sunlight. There they were to remain on exhibit for 35 years, even after the Patent Office separated from the State Department to become administratively a part of the Interior Department. This prolonged exposure to sunlight accelerated the deterioration of the ink and parchment of the Declaration, which was approaching 100 years of age toward the end of this period.

During the years that the Declaration was exhibited in the Patent Office, the combined effects of aging, sunlight, and fluctuating temperature and relative humidity took their toll on the document. Occasionally, writers made somewhat negative comments on the appearance of the Declaration. An observer in the United States Magazine (October 1856) went so far as to refer to "that old looking paper with the fading ink." John B. Ellis remarked in *The Sights and Secrets of the National Capital* (Chicago, 1869) that "it is old and yellow, and the ink is fading from the paper." An anonymous writer in the *Historical Magazine* (October 1870) wrote: "The original manuscript of the Declaration of Independence and of Washington's Commission, now in the United States Patent Office at Washington, D.C., are said to be rapidly fading out so that in a few years, only the naked parchment will remain. Already, nearly all the signatures attached to the Declaration of Independence are entirely effaced." In May 1873 the *Historical Magazine* published an official statement by Mortimer Dormer Leggett, Commissioner of Patents, who admitted that "many of the names to the Declaration are already illegible."

The technology of a new age and the interest in historical roots engendered by the approaching Centennial focused new interest on the Declaration in the 1870s and brought about a brief change of home.

### **The Centennial and the Debate Over Preservation, 1876-1921**

In 1876 the Declaration traveled to Philadelphia, where it was on exhibit for the Centennial National Exposition from May to October. Philadelphia's Mayor William S. Stokley was entrusted by President Ulysses S. Grant with temporary custody of the Declaration. The *Public Ledger* for May 8, 1876, noted that it was in Independence Hall "framed and glazed for protection, and . . . deposited in a fireproof safe especially designed for both preservation and convenient

display. [When the outer doors of the safe were opened, the parchment was visible behind a heavy plate-glass inner door; the doors were closed at night.] Its aspect is of course faded and time-worn. The text is fully legible, but the major part of the signatures are so pale as to be only dimly discernible in the strongest light, a few remain wholly readable, and some are wholly invisible, the spaces which contained them presenting only a blank."

Other descriptions made at Philadelphia were equally unflattering: "scarce bears trace of the signatures the execution of which made fifty-six names imperishable," "aged-dimmed." But on the Fourth of July, after the text was read aloud to a throng on Independence Square by Richard Henry Lee of Virginia (grandson of the signer Richard Henry Lee), "The faded and crumbling manuscript, held together by a simple frame was then exhibited to the crowd and was greeted with cheer after cheer."

By late summer the Declaration's physical condition had become a matter of public concern. On August 3, 1876, Congress adopted a joint resolution providing "that a commission, consisting of the Secretary of the Interior, the Secretary of the Smithsonian Institution, and the Librarian of Congress be empowered to have resort to such means as will most effectually restore the writing of the original manuscript of the Declaration of Independence, with the signatures appended thereto." This resolution had actually been introduced as early as January 5, 1876. One candidate for the task of restoration was William J. Canby, an employee of the Washington Gas Light Company. On April 13 Canby had written to the Librarian of Congress: "I have had over thirty years experience in handling the pen upon parchment and in that time, as an expert, have engrossed hundreds of ornamental, special documents." Canby went on to suggest that "the only feasible plan is to replenish the original with a supply of ink, which has been destroyed by the action of light and time, with an ink well known to be, for all practical purposes, imperishable."

The commission did not, however, take any action at that time. After the conclusion of the Centennial exposition, attempts were made to secure possession of the Declaration for Philadelphia, but these failed and the parchment was returned to the Patent Office in Washington, where it had been since 1841, even though that office had become a part of the Interior Department. On April 11, 1876, Robert H. Duell, Commissioner of Patents, had written to Zachariah Chandler, Secretary of the Interior, suggesting that "the Declaration of Independence, and the commission of General Washington, associated with it in the same frame, belong to your Department as heirlooms.

Chandler appears to have ignored this claim, for in an exchange of letters with Secretary of State Hamilton Fish, it was agreed-with the approval of President Grant-to move the Declaration into the new, fireproof building that the State Department shared with the War and Navy Departments (now the Old Executive Office Building).

On March 3, 1877, the Declaration was placed in a cabinet on the eastern side of the State Department library, where it was to be exhibited for 17 years. It may be noted that not only was smoking permitted in the library, but the room contained an open fireplace. Nevertheless this location turned out to be safer than the premises just vacated; much of the Patent Office was gutted in a fire that occurred a few months later.

On May 5, 1880, the commission that had been appointed almost 4 years earlier came to life again in response to a call from the Secretary of the Interior. It requested that William B. Rogers, president of the National Academy of Sciences appoint a committee of experts to consider "whether such restoration [of the Declaration] be expedient or practicable and if so in what way the object can best be accomplished."

The duly appointed committee reported on January 7, 1881, that Stone used the "wet transfer" method in the creation of his facsimile printing of 1823, that the process had probably removed some of the original ink, and that chemical restoration methods were "at best imperfect and uncertain in their results." The committee concluded, therefore, that "it is not expedient to attempt to restore the manuscript by chemical means." The group of experts then recommended that "it will be best either to cover the present receptacle of the manuscript with an opaque lid or to remove the manuscript from its frame and place it in a portfolio, where it may be protected from the action of light." Finally, the committee recommended that "no press copies of any part of it should in future be permitted."

Recent study of the Declaration by conservators at the National Archives has raised doubts that a "wet transfer" took place. Proof of this occurrence, however, cannot be verified or denied strictly by modern examination methods. No documentation prior to the 1881 reference has been found to support the theory; therefore we may never know if Stone actually performed the procedure.

Little, if any, action was taken as a result of the 1881 report. It was not until 1894 that the State Department announced: "The rapid fading of the text of the original Declaration of Independence and the deterioration of the parchment upon which it is engrossed, from exposure to light and lapse of time, render it impracticable for the Department longer to exhibit it or to handle it. For the secure preservation of its present condition, so far as may be possible, it has been carefully wrapped and placed flat in a steel case."

A new plate for engravings was made by the Coast and Geodetic Survey in 1895, and in 1898 a photograph was made for the Ladies' Home Journal. On this latter occasion, the parchment was noted as "still in good legible condition"

although "some of the signatures" were "necessarily blurred."

On April 14, 1903, Secretary of State John Hay solicited again the help of the National Academy of Sciences in providing "such recommendations as may seem practicable . . . touching [the Declaration's] preservation." Hay went on to explain: "It is now kept out of the light, sealed between two sheets of glass, presumably proof against air, and locked in a steel safe. I am unable to say, however, that, in spite of these precautions, observed for the past ten years, the text is not continuing to fade and the parchment to wrinkle and perhaps to break."

On April 24 a committee of the academy reported its findings. Summarizing the physical history of the Declaration, the report stated: "The instrument has suffered very seriously from the very harsh treatment to which it was exposed in the early years of the Republic. Folding and rolling have creased the parchment. The wet press-copying operation to which it was exposed about 1820, for the purpose of producing a facsimile copy, removed a large portion of the ink. Subsequent exposure to the action of light for more than thirty years, while the instrument was placed on exhibition, has resulted in the fading of the ink, particularly in the signatures. The present method of caring for the instrument seems to be the best that can be suggested."

The committee added its own "opinion that the present method of protecting the instrument should be continued; that it should be kept in the dark and dry as possible, and never placed on exhibition." Secretary Hay seems to have accepted the committee's recommendation; in the following year, William H. Michael, author of *The Declaration of Independence* (Washington, 1904), recorded that the Declaration was "locked and sealed, by order of Secretary Hay, and is no longer shown to anyone except by his direction."

World War I came and went. Then, on April 21, 1920, Secretary of State Bainbridge Colby issued an order creating yet another committee: "A Committee is hereby appointed to study the proper steps that should be taken for the permanent and effective preservation from deterioration and from danger from fire, or other form of destruction, of those documents of supreme value which under the law are deposited with the Secretary of State. The inquiry will include the question of display of certain of these documents for the benefit of the patriotic public."

On May 5, 1920, the new committee reported on the physical condition of the safes that housed the Declaration and the Constitution. It declared: "The safes are constructed of thin sheets of steel. They are not fireproof nor would they offer much obstruction to an evil-disposed person who wished to break into them." About the physical condition of the Declaration, the committee stated: "We believe the fading can go no further. We see no reason why the original document should not be exhibited if the parchment be laid between two sheets of glass, hermetically sealed at the edges and exposed only to diffused light."

The committee also made some important "supplementary recommendations." It noted that on March 3, 1903, President Theodore Roosevelt had directed that certain records relating to the Continental Congress be turned over by the Department of State to the Library of Congress: "This transfer was made under a provision of an Act of February 25, 1903, that any Executive Department may turn over to the Library of Congress books, maps, or other material no longer needed for the use of the Department." The committee recommended that the remaining papers, including the Declaration and the Constitution, be similarly given over to the custody of the Library of Congress. For the Declaration, therefore, two important changes were in the offing: a new home and the possibility of exhibition to "the patriotic public."

### **The Library of Congress . . . and Fort Knox, 1921-52**

There was no action on the recommendations of 1920 until after the Harding administration took office. On September 28, 1921, Secretary of State Charles Evans Hughes addressed the new President: "I enclose an executive order for your signature, if you approve, transferring to the custody of the Library of Congress the original Declaration of Independence and Constitution of the United States which are now in the custody of this Department. . . . I make this recommendation because in the Library of Congress these muniments will be in the custody of experts skilled in archival preservation, in a building of modern fireproof construction, where they can safely be exhibited to the many visitors who now desire to see them."

President Warren G. Harding agreed. On September 29, 1921, he issued the Executive order authorizing the transfer. The following day Secretary Hughes sent a copy of the order to Librarian of Congress Herbert Putnam, stating that he was "prepared to turn the documents over to you when you are ready to receive them."

Putnam was both ready and eager. He presented himself forthwith at the State Department. The safes were opened, and the Declaration and the Constitution were carried off to the Library of Congress on Capitol Hill in the Library's "mail wagon," cushioned by a pile of leather U.S. mail sacks. Upon arrival, the two national treasures were placed in a safe in Putnam's office.

On October 3, Putnam took up the matter of a permanent location. In a memorandum to the superintendent of the Library building and grounds, Putnam proceeded from the premise that "in the Library" the documents "might be

treated in such a way as, while fully safe-guarding them and giving them distinction, they should be open to inspection by the public at large." The memorandum discussed the need for a setting "safe, dignified, adequate, and in every way suitable . . . Material less than bronze would be unworthy. The cost must be considerable."

The Librarian then requested the sum of \$12,000 for his purpose. The need was urgent because the new Bureau of the Budget was about to print forthcoming fiscal year estimates. There was therefore no time to make detailed architectural plans. Putnam told an appropriations committee on January 16, 1922, just what he had in mind. "There is a way . . . we could construct, say, on the second floor on the western side in that long open gallery a railed inclosure, material of bronze, where these documents, with one or two auxiliary documents leading up to them, could be placed, where they need not be touched by anybody but where a mere passer-by could see them, where they could be set in permanent bronze frames and where they could be protected from the natural light, lighted only by soft incandescent lamps. The result could be achieved and you would have something every visitor to Washington would wish to tell about when he returned and who would regard it, as the newspapermen are saying, with keen interest as a sort of 'shrine.'" The Librarian's imaginative presentation was successful: The sum of \$12,000 was appropriated and approved on March 20, 1922.

Before long, the "sort of 'shrine'" was being designed by Francis H. Bacon, whose brother Henry was the architect of the Lincoln Memorial. Materials used included different kinds of marble from New York, Vermont, Tennessee, the Greek island of Tinos, and Italy. The marbles surrounding the manuscripts were American; the floor and balustrade were made of foreign marbles to correspond with the material used in the rest of the Library. The Declaration was to be housed in a frame of gold-plated bronze doors and covered with double panes of plate glass with specially prepared gelatin films between the plates to exclude the harmful rays of light. A 24-hour guard would provide protection.

On February 28, 1924, the shrine was dedicated in the presence of President and Mrs. Calvin Coolidge, Secretary Hughes, and other distinguished guests. Not a word was spoken during a moving ceremony in which Putnam fitted the Declaration into its frame. There were no speeches. Two stanzas of America were sung. In Putnam's words: "The impression on the audience proved the emotional potency of documents animate with a great tradition."

With only one interruption, the Declaration hung on the wall of the second floor of the Great Hall of the Library of Congress until December 1952. During the prosperity of the 1920s and the Depression of the 1930s, millions of people visited the shrine. But the threat of war and then war itself caused a prolonged interruption in the steady stream of visitors.

On April 30, 1941, worried that the war raging in Europe might engulf the United States, the newly appointed Librarian of Congress, Archibald MacLeish, wrote to the Secretary of the Treasury, Henry Morgenthau, Jr. The Librarian was concerned for the most precious of the many objects in his charge. He wrote "to enquire whether space might perhaps be found" at the Bullion Depository in Fort Knox for his most valuable materials, including the Declaration, "in the unlikely event that it becomes necessary to remove them from Washington." Secretary Morgenthau replied that space would indeed be made available as necessary for the "storage of such of the more important papers as you might designate."

On December 7, 1941, the Japanese attacked Pearl Harbor. On December 23, the Declaration and the Constitution were removed from the shrine and placed between two sheets of acid-free manilla paper. The documents were then carefully wrapped in a container of all-rag neutral millboard and placed in a specially designed bronze container. It was late at night when the container was finally secured with padlocks on each side. Preparations were resumed on the day after Christmas, when the Attorney General ruled that the Librarian needed no "further authority from the Congress or the President" to take such action as he deemed necessary for the "proper protection and preservation" of the documents in his charge.

The packing process continued under constant armed guard. The container was finally sealed with lead and packed in a heavy box; the whole weighed some 150 pounds. It was a far cry from the simple linen bag of the summer of 1814.

At about 5 p.m. the box, along with other boxes containing vital records, was loaded into an armed and escorted truck, taken to Union Station, and loaded into a compartment of the Pullman sleeper Eastlake. Armed Secret Service agents occupied the neighboring compartments. After departing from Washington at 6:30 p.m., the Declaration traveled to Louisville, KY, arriving at 10:30 a.m., December 27, 1941. More Secret Service agents and a cavalry troop of the 13th Armored Division met the train, convoyed its precious contents to the Bullion Depository at Fort Knox, and placed the Declaration in compartment 24 in the outer tier on the ground level.

The Declaration was periodically examined during its sojourn at Fort Knox. One such examination in 1942 found that the Declaration had become detached in part from its mount, including the upper right corner, which had been stuck down with copious amounts of glue. In his journal for May 14, 1942, Verner W. Clapp, a Library of Congress official, noted: "At one time also (about January 12, 1940) an attempt had been made to reunite the detached upper right hand corner to the main portion by means of a strip of 'scotch' cellulose tape which was still in place, discolored to a

molasses color. In the various mending efforts glue had been splattered in two places on the obverse of the document."

The opportunity was taken to perform conservation treatment in order to stabilize and rejoin the upper right corner. Under great secrecy, George Stout and Evelyn Erlich, both of the Fogg Museum at Harvard University, traveled to Fort Knox. Over a period of 2 days, they performed mending of small tears, removed excess adhesive and the "scotch" tape, and rejoined the detached upper right corner.

Finally, in 1944, the military authorities assured the Library of Congress that all danger of enemy attack had passed. On September 19, the documents were withdrawn from Fort Knox. On Sunday, October 1, at 11:30 a.m., the doors of the Library were opened. The Declaration was back in its shrine.

With the return of peace, the keepers of the Declaration were mindful of the increasing technological expertise available to them relating to the preservation of the parchment. In this they were readily assisted by the National Bureau of Standards, which even before World War II, had researched the preservation of the Declaration. The problem of shielding it from harsh light, for example, had in 1924 led to the insertion of a sheet of yellow gelatin between the protective plates of glass. Yet this procedure lessened the visibility of an already faded parchment. Could not some improvement be made?

Following reports of May 5, 1949, on studies in which the Library staff, members of the National Bureau of Standards, and representatives of a glass manufacturer had participated, new recommendations were made. In 1951 the Declaration was sealed in a thermopane enclosure filled with properly humidified helium. The exhibit case was equipped with a filter to screen out damaging light. The new enclosure also had the effect of preventing harm from air pollution, a growing peril.

Soon after, however, the Declaration was to make one more move, the one to its present home. (See Appendix B.)

### **The National Archives, 1952 to the Present**

In 1933, while the Depression gripped the nation, President Hoover laid the cornerstone for the National Archives Building in Washington, DC. He announced that the Declaration of Independence and the Constitution would eventually be kept in the impressive structure that was to occupy the site. Indeed, it was for their keeping and display that the exhibition hall in the National Archives had been designed. Two large murals were painted for its walls. In one, Thomas Jefferson is depicted presenting the Declaration to John Hancock, President of the Continental Congress while members of that Revolutionary body look on. In the second, James Madison is portrayed submitting the Constitution to George Washington.

The final transfer of these special documents did not, however, take place until almost 20 years later. In October 1934 President Franklin D. Roosevelt appointed the first Archivist of the United States, Robert Digges Wimberly Connor. The President told Connor that "valuable historic documents," such as the Declaration of Independence and the U.S. Constitution, would reside in the National Archives Building. The Library of Congress, especially Librarian Herbert Putnam, objected. In a meeting with the President 2 months after his appointment, Connor explained to Roosevelt how the documents came to be in the Library and that Putnam felt another Act of Congress was necessary in order for them to be transferred to the Archives. Connor eventually told the President that it would be better to leave the matter alone until Putnam retired.

When Herbert Putnam retired on April 5, 1939, Archibald MacLeish was nominated to replace him. MacLeish agreed with Roosevelt and Connor that the two important documents belonged in the National Archives. Because of World War II, during much of which the Declaration was stored at Fort Knox, and Connor's resignation in 1941, MacLeish was unable to enact the transfer. By 1944, when the Declaration and Constitution returned to Washington from Fort Knox, MacLeish had been appointed Assistant Secretary of State.

Solon J. Buck, Connor's successor as Archivist of the United States (1941-48), felt that the documents were in good hands at the Library of Congress. His successor, Wayne Grover, disagreed. Luther Evans, the Librarian of Congress appointed by President Truman in June 1945, shared Grover's opinion that the documents should be transferred to the Archives.

In 1951 the two men began working with their staff members and legal advisers to have the documents transferred. The Archives position was that the documents were federal records and therefore covered by the Federal Records Act of 1950, which was "paramount to and took precedence over" the 1922 act that had appropriated money for the shrine at the Library of Congress. Luther Evans agreed with this line of reasoning, but he emphasized getting the approval of the President and the Joint Committee on the Library.

Senator Theodore H. Green, Chairman of the Joint Committee on the Library, agreed that the transfer should take place but stipulated that it would be necessary to have his committee act on the matter. Evans went to the April 30, 1952, committee meeting alone. There is no formal record of what was said at the meeting, except that the Joint Committee on



the Library ordered that the documents be transferred to the National Archives. Not only was the Archives the official depository of the government's records, it was also, in the judgment of the committee, the most nearly bombproof building in Washington.

At 11 a.m., December 13, 1952, Brigadier General Stoyte O. Ross, commanding general of the Air Force Headquarters Command, formally received the documents at the Library of Congress. Twelve members of the Armed Forces Special Police carried the 6 pieces of parchment in their helium-filled glass cases, enclosed in wooden crates, down the Library steps through a line of 88 servicewomen. An armored Marine Corps personnel carrier awaited the documents. Once they had been placed on mattresses inside the vehicle, they were accompanied by a color guard, ceremonial troops, the Army Band, the Air Force Drum and Bugle Corps, two light tanks, four servicemen carrying submachine guns, and a motorcycle escort in a parade down Pennsylvania and Constitution Avenues to the Archives Building. Both sides of the parade route were lined by Army, Navy, Coast Guard, Marine, and Air Force personnel. At 11:35 a.m. General Ross and the 12 special policemen arrived at the National Archives Building, carried the crates up the steps, and formally delivered them into the custody of Archivist of the United States Wayne Grover. (Already at the National Archives was the Bill of Rights, protectively sealed according to the modern techniques used a year earlier for the Declaration and Constitution.)

The formal enshrining ceremony on December 15, 1952, was equally impressive. Chief Justice of the United States Fred M. Vinson presided over the ceremony, which was attended by officials of more than 100 national civic, patriotic, religious, veterans, educational, business, and labor groups. After the invocation by the Reverend Frederick Brown Harris, chaplain of the Senate, Governor Elbert N. Carvel of Delaware, the first state to ratify the Constitution, called the roll of states in the order in which they ratified the Constitution or were admitted to the Union. As each state was called, a servicewoman carrying the state flag entered the Exhibition Hall and remained at attention in front of the display cases circling the hall. President Harry S. Truman, the featured speaker, said:

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

Senator Green briefly traced the history of the three documents, and then the Librarian of Congress and the Archivist of the United States jointly unveiled the shrine. Finally, Justice Vinson spoke briefly, the Reverend Bernard Braskamp, chaplain of the House of Representatives gave the benediction, the U.S. Marine Corps Band played the "Star Spangled Banner," the President was escorted from the hall, the 48 flagbearers marched out, and the ceremony was over. (The story of the transfer of the documents is found in Milton O. Gustafson, "The Empty Shrine: The Transfer of the Declaration of Independence and the Constitution to the National Archives," *The American Archivist* 39 (July 1976): 271-285.)

The present shrine provides an imposing home. The priceless documents stand at the center of a semicircle of display cases showing other important records of the growth of the United States. The Declaration, the Constitution, and the Bill of Rights stand slightly elevated, under armed guard, in their bronze and marble shrine. The Bill of Rights and two of the five leaves of the Constitution are displayed flat. Above them the Declaration of Independence is held impressively in an upright case constructed of ballistically tested glass and plastic laminate. Ultraviolet-light filters in the laminate give the inner layer a slightly greenish hue. At night, the documents are stored in an underground vault.

In 1987 the National Archives and Records Administration installed a \$3 million camera and computerized system to monitor the condition of the three documents. The Charters Monitoring System was designed by the Jet Propulsion Laboratory to assess the state of preservation of the Constitution, the Declaration of Independence, and the Bill of Rights. It can detect any changes in readability due to ink flaking, off-setting of ink to glass, changes in document dimensions, and ink fading. The system is capable of recording in very fine detail 1-inch square areas of documents and later retaking the pictures in exactly the same places and under the same conditions of lighting and charge-coupled device (CCD) sensitivity. (The CCD measures reflectivity.) Periodic measurements are compared to the baseline image to determine if changes or deterioration invisible to the human eye have taken place.

The Declaration has had many homes, from humble lodgings and government offices to the interiors of safes and great public displays. It has been carried in wagons, ships, a Pullman sleeper, and an armored vehicle. In its latest home, it has been viewed with respect by millions of people, everyone of whom has had thereby a brief moment, a private moment, to reflect on the meaning of democracy. The nation to which the Declaration gave birth has had an immense impact on human history, and continues to do so. In telling the story of the parchment, it is appropriate to recall the words of poet and Librarian of Congress Archibald MacLeish. He described the Declaration of Independence and the Constitution as "these fragile objects which bear so great a weight of meaning to our people." The story of the

Declaration of Independence as a document can only be a part of the larger history, a history still unfolding, a "weight of meaning" constantly, challenged, strengthened, and redefined.

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### **Appendix A**

The 26 copies of the Dunlap broadside known to exist are dispersed among American and British institutions and private owners. The following are the current locations of the copies.

National Archives, Washington, DC  
Library of Congress, Washington, DC (two copies)  
Maryland Historical Society, Baltimore, MD  
University of Virginia, Charlottesville, VA (two copies)  
Independence National Historic Park, Philadelphia, PA  
American Philosophical Society, Philadelphia, PA  
Historical Society of Pennsylvania, Philadelphia, PA  
Scheide Library, Princeton University, Princeton, NJ [The Library is privately owned.]  
New York Public Library, New York  
Pierpont Morgan Library, New York  
Massachusetts Historical Society, Boston, MA  
Harvard University, Cambridge, MA  
Chapin Library, Williams College, Williamstown, MA  
Yale University, New Haven, CT  
American Independence Museum, Exeter, NH  
Maine Historical Society, Portland, ME  
Indiana University, Bloomington, IN  
Chicago Historical Society, Chicago, IL  
City of Dallas, City Hall, Dallas, TX  
Declaration of Independence Road Trip [Norman Lear and David Hayden]  
Private collector  
National Archives, United Kingdom (three copies)

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### **Appendix B**

The locations given for the Declaration from 1776 to 1789 are based on the locations for meetings of the Continental and Confederation Congresses:

Philadelphia: August-December 1776  
Baltimore: December 1776-March 1777  
Philadelphia: March-September 1777  
Lancaster, PA: September 27, 1777  
York, PA: September 30, 1777-June 1778  
Philadelphia: July 1778-June 1783  
Princeton, NJ: June-November 1783  
Annapolis, MD: November 1783-October 1784  
Trenton, NJ: November-December 1784  
New York: 1785-1790  
Philadelphia: 1790-1800  
Washington, DC (three locations): 1800-1814  
Leesburg, VA: August-September 1814  
Washington, DC (three locations): 1814-1841  
Washington, DC (Patent Office Building): 1841-1876  
Philadelphia: May-November 1876  
Washington, DC (State, War, and Navy Building): 1877-1921  
Washington, DC (Library of Congress): 1921-1941  
Fort Knox\*: 1941-1944  
Washington, DC (Library of Congress): 1944-1952  
Washington, DC (National Archives): 1952-present

\*Except that the document was displayed on April 13, 1943, at the dedication of the Thomas Jefferson Memorial in Washington, DC.

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# Declaration of Independence

## THE STYLISTIC ARTISTRY

### The Stylistic Artistry of the Declaration of Independence

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by Stephen E. Lucas

The Declaration of Independence is perhaps the most masterfully written state paper of Western civilization. As Moses Coit Tyler noted almost a century ago, no assessment of it can be complete without taking into account its extraordinary merits as a work of political prose style. Although many scholars have recognized those merits, there are surprisingly few sustained studies of the stylistic artistry of the Declaration.(1) This essay seeks to illuminate that artistry by probing the discourse microscopically--at the level of the sentence, phrase, word, and syllable. By approaching the Declaration in this way, we can shed light both on its literary qualities and on its rhetorical power as a work designed to convince a "candid world" that the American colonies were justified in seeking to establish themselves as an independent nation.(2)

The text of the Declaration can be divided into five sections--the introduction, the preamble, the indictment of George III, the denunciation of the British people, and the conclusion. Because space does not permit us to explicate each section in full detail, we shall select features from each that illustrate the stylistic artistry of the Declaration as a whole.(3)

The introduction consists of the first paragraph--a single, lengthy, periodic sentence:

When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.(4)

Taken out of context, this sentence is so general it could be used as the introduction to a declaration by any "oppressed" people. Seen within its original context, however, it is a model of subtlety, nuance, and implication that works on several levels of meaning and allusion to orient readers toward a favorable view of America and to prepare them for the rest of the Declaration. From its magisterial opening phrase, which sets the American Revolution within the whole "course of human events," to its assertion that "the Laws of Nature and of Nature's God" entitle America to a "separate and equal station among the powers of the earth," to its quest for sanction from "the opinions of mankind," the introduction elevates the quarrel with England from a petty political dispute to a major event in the grand sweep of history. It dignifies the Revolution as a contest of principle and implies that the American cause has a special claim to moral legitimacy--all without mentioning England or America by name.

Rather than defining the Declaration's task as one of persuasion, which would doubtless raise the defenses of readers as well as imply that there was more than one publicly credible view of the British-American conflict, the introduction identifies the purpose of the Declaration as simply to "declare"--to announce publicly in explicit terms--the "causes" impelling America to leave the British empire. This gives the Declaration, at the outset, an aura of philosophical (in the eighteenth-century sense of the term) objectivity that it will seek to maintain throughout. Rather than presenting one side in a public controversy on which good and decent people could differ, the Declaration purports to do no more than a natural philosopher would do in reporting the causes of any physical event. The issue, it implies, is not one of

interpretation but of observation.

The most important word in the introduction is "necessary," which in the eighteenth century carried strongly deterministic overtones. To say an act was necessary implied that it was impelled by fate or determined by the operation of inextricable natural laws and was beyond the control of human agents. Thus Chambers's *Cyclopaedia* defined "necessary" as "that which cannot but be, or cannot be otherwise." "The common notion of necessity and impossibility," Jonathan Edwards wrote in *Freedom of the Will*, "implies something that frustrates endeavor or desire. . . . That is necessary in the original and proper sense of the word, which is, or will be, notwithstanding all supposable opposition." Characterizing the Revolution as necessary suggested that it resulted from constraints that operated with lawlike force throughout the material universe and within the sphere of human action. The Revolution was not merely preferable, defensible, or justifiable. It was as inescapable, as inevitable, as unavoidable within the course of human events as the motions of the tides or the changing of the seasons within the course of natural events.(5)

Investing the Revolution with connotations of necessity was particularly important because, according to the law of nations, recourse to war was lawful only when it became "necessary"--only when amicable negotiation had failed and all other alternatives for settling the differences between two states had been exhausted. Nor was the burden of necessity limited to monarchs and established nations. At the start of the English Civil War in 1642, Parliament defended its recourse to military action against Charles I in a lengthy declaration demonstrating the "Necessity to take up Arms." Following this tradition, in July 1775 the Continental Congress issued its own Declaration Setting Forth the Causes and Necessity of Their Taking Up Arms. When, a year later, Congress decided the colonies could no longer retain their liberty within the British empire, it adhered to long-established rhetorical convention by describing independence as a matter of absolute and inescapable necessity.(6) Indeed, the notion of necessity was so important that in addition to appearing in the introduction of the Declaration, it was invoked twice more at crucial junctures in the rest of the text and appeared frequently in other congressional papers after July 4, 1776.(7)

Labeling the Americans "one people" and the British "another" was also laden with implication and performed several important strategic functions within the Declaration. First, because two alien peoples cannot be made one, it reinforced the notion that breaking the "political bands" with England was a necessary step in the course of human events. America and England were already separated by the more basic fact that they had become two different peoples. The gulf between them was much more than political; it was intellectual, social, moral, cultural and, according to the principles of nature, could no more be repaired, as Thomas Paine said, than one could "restore to us the time that is past" or "give to prostitution its former innocence." To try to perpetuate a purely political connection would be "forced and unnatural," "repugnant to reason, to the universal order of things."(8)

Second, once it is granted that Americans and Englishmen are two distinct peoples, the conflict between them is less likely to be seen as a civil war. The Continental Congress knew America could not withstand Britain's military might without foreign assistance. But they also knew America could not receive assistance as long as the colonies were fighting a civil war as part of the British empire. To help the colonies would constitute interference in Great Britain's internal affairs. As Samuel Adams explained, "no foreign Power can consistently yield Comfort to Rebels, or enter into any kind of Treaty with these Colonies till they declare themselves free and independent." The crucial factor in opening the way for foreign aid was the act of declaring independence. But by defining America and England as two separate peoples, the Declaration reinforced the perception that the conflict was not a civil war, thereby, as Congress noted in its debates on independence, making it more "consistent with European delicacy for European powers to treat with us, or even to receive an Ambassador."(9)

Third, defining the Americans as a separate people in the introduction eased the task of invoking the right of revolution in the preamble. That right, according to eighteenth-century revolutionary principles, could be invoked only in the most dire of circumstances--when "resistance was absolutely necessary in order to preserve the nation from slavery, misery, and ruin"--and then only by "the Body of the People." If America and Great Britain were seen as one people, Congress could not justify revolution against the British government for the simple reason that the body of the people (of which the Americans would be only one part) did not support the American cause. For America to move against the government in such circumstances would not be a justifiable act of resistance but "a sort of Sedition, Tumult, and War . . . aiming only at the satisfaction of private Lust, without regard to the public Good." By defining the Americans as a separate people, Congress could more readily satisfy the requirement for invoking the right of revolution that "the whole Body of Subjects" rise up against the government "to rescue themselves from the most violent and illegal oppressions."(10)

Like the introduction, the next section of the Declaration--usually referred to as the preamble--is universal in tone and scope. It contains no explicit reference to the British- American conflict, but outlines a general philosophy of government that makes revolution justifiable, even meritorious:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.

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

Like the rest of the Declaration, the preamble is "brief, free of verbiage, a model of clear, concise, simple statement."<sup>(11)</sup> It capsulizes in five sentences--202--words what it took John Locke thousands of words to explain in his *Second Treatise of Government*. Each word is chosen and placed to achieve maximum impact. Each clause is indispensable to the progression of thought. Each sentence is carefully constructed internally and in relation to what precedes and follows. In its ability to compress complex ideas into a brief, clear statement, the preamble is a paradigm of eighteenth-century Enlightenment prose style, in which purity, simplicity, directness, precision, and, above all, perspicuity were the highest rhetorical and literary virtues. One word follows another with complete inevitability of sound and meaning. Not one word can be moved or replaced without disrupting the balance and harmony of the entire preamble.

The stately and dignified tone of the preamble--like that of the introduction--comes partly from what the eighteenth century called Style Periodique, in which, as Hugh Blair explained in his *Lectures on Rhetoric and Belles Lettres*, "the sentences are composed of several members linked together, and hanging upon one another, so that the sense of the whole is not brought out till the close." This, Blair said, "is the most pompous, musical, and oratorical manner of composing" and "gives an air of gravity and dignity to composition." The gravity and dignity of the preamble were reinforced by its conformance with the rhetorical precept that "when we aim at dignity or elevation, the sound [of each sentence] should be made to grow to the last; the longest members of the period, and the fullest and most sonorous words, should be reserved to the conclusion." None of the sentences of the preamble end on a single-syllable word; only one, the second (and least euphonious), ends on a two-syllable word. Of the other four, one ends with a four-syllable word ("security"), while three end with three-syllable words. Moreover, in each of the three-syllable words the closing syllable is at least a medium-length four-letter syllable, which helps bring the sentences to "a full and harmonious close."<sup>(12)</sup>

It is unlikely that any of this was accidental. Thoroughly versed in classical oratory and rhetorical theory as well as in the belletristic treatises of his own time, Thomas Jefferson, draftsman of the Declaration, was a diligent student of rhythm, accent, timing, and cadence in discourse. This can be seen most clearly in his "Thoughts on English Prosody," a remarkable twenty-eight-page unpublished essay written in Paris during the fall of 1786. Prompted by a discussion on language with the Marquis de Chastellux at Monticello four years earlier, it was a careful inquiry designed "to find out the real circumstance which gives harmony to English prose and laws to those who make it." Using roughly the same system of diacritical notation he had employed in 1776 in his reading draft of the Declaration, Jefferson systematically analyzed the patterns of accentuation in a wide range of English writers, including Milton, Pope, Shakespeare, Addison, Gray, and Garth. Although "Thoughts on English Prosody" deals with poetry, it displays Jefferson's keen sense of the interplay between sound and sense in language. There can be little doubt that, like many accomplished writers, he consciously composed for the ear as well as for the eye--a trait that is nowhere better illustrated than in the eloquent cadences of the preamble in the Declaration of Independence.<sup>(13)</sup>

The preamble also has a powerful sense of structural unity. This is achieved partly by the latent chronological progression of thought, in which the reader is moved from the creation of mankind, to the institution of government, to the throwing off of government when it fails to protect the people's unalienable rights, to the creation of new government that will better secure the people's safety and happiness. This dramatic scenario, with its first act implicitly set in the Garden of Eden (where man was "created equal"), may, for some readers, have contained mythic overtones of humanity's fall from divine grace. At the very least, it gives an almost archetypal quality to the ideas of the preamble and continues the notion, broached in the introduction, that the American Revolution is a major development in "the course of human events."

Because of their concern with the philosophy of the Declaration, many modern scholars have dealt with the opening sentence of the preamble out of context, as if Jefferson and the Continental Congress intended it to stand alone. Seen in context, however, it is part of a series of five propositions that build upon one another through the first three sentences of the preamble to establish the right of revolution against tyrannical authority:

Proposition 1: All men are created equal.

- Proposition 2: They [all men, from proposition 1] are endowed by their creator with certain unalienable rights
- Proposition 3: Among these [man's unalienable rights, from proposition 2] are life, liberty, and the pursuit of happiness
- Proposition 4: To secure these rights [man's unalienable rights, from propositions 2 and 3] governments are instituted among men
- Proposition 5: Whenever any form of government becomes destructive of these ends [securing man's unalienable rights, from propositions 2-4], it is the right of the people to alter or to abolish it.

When we look at all five propositions, we see they are meant to be read together and have been meticulously written to achieve a specific rhetorical purpose. The first three lead into the fourth, which in turn leads into the fifth. And it is the fifth, proclaiming the right of revolution when a government becomes destructive of the people's unalienable rights, that is most crucial in the overall argument of the Declaration. The first four propositions are merely preliminary steps designed to give philosophical grounding to the fifth.

At first glance, these propositions appear to comprise what was known in the eighteenth century as a *sorites*--"a Way of Argument in which a great Number of Propositions are so linked together, that the Predicate of one becomes continually the Subject of the next following, until at last a Conclusion is formed by bringing together the Subject of the First Proposition and the Predicate of the last." In his *Elements of Logick*, William Duncan provided the following example of a *sorites*:

God is omnipotent.  
 An omnipotent Being can do every thing possible.  
 He that can do every thing possible, can do whatever involves not a Contradiction.  
 Therefore God can do whatever involves not a Contradiction.(14)

Although the section of the preamble we have been considering is not a *sorites* (because it does not bring together the subject of the first proposition and the predicate of the last), its propositions are written in such a way as to take on the appearance of a logical demonstration. They are so tightly interwoven linguistically that they seem to make up a sequence in which the final proposition--asserting the right of revolution--is logically derived from the first four propositions. This is accomplished partly by the mimicry of the form of a *sorites* and partly by the sheer number of propositions, the accumulation of which is reinforced by the slow, deliberate pace of the text and by the use of "that" to introduce each proposition. There is also a steplike progression from proposition to proposition, a progression that is accentuated by the skillful use of demonstrative pronouns to make each succeeding proposition appear to be an inevitable consequence of the preceding proposition. Although the preamble is the best known part of the Declaration today, it attracted considerably less attention in its own time. For most eighteenth-century readers, it was an unobjectionable statement of commonplace political principles. As Jefferson explained years later, the purpose of the Declaration was "not to find out new principles, or new arguments, never before thought of . . . but to place before mankind the common sense of the subject, in terms so plain and firm as to command their assent, and to justify ourselves in the independent stand we are compelled to take."(15)

Far from being a weakness of the preamble, the lack of new ideas was perhaps its greatest strength. If one overlooks the introductory first paragraph, the Declaration as a whole is structured along the lines of a deductive argument that can easily be put in syllogistic form:

- Major premise: When government deliberately seeks to reduce the people under absolute despotism, the people have a right, indeed a duty, to alter or abolish that form of government and to create new guards for their future security.
- Minor premise: The government of Great Britain has deliberately sought to reduce the American

people under absolute despotism.

Conclusion: Therefore the American people have a right, indeed a duty, to abolish their present form of government and to create new guards for their future security.

As the major premise in this argument, the preamble allowed Jefferson and the Congress to reason from self-evident principles of government accepted by almost all eighteenth-century readers of the Declaration.(16)

The key premise, however, was the minor premise. Since virtually everyone agreed the people had a right to overthrow a tyrannical ruler when all other remedies had failed, the crucial question in July 1776 was whether the necessary conditions for revolution existed in the colonies. Congress answered this question with a sustained attack on George III, an attack that makes up almost exactly two-thirds of the text.

The indictment of George III begins with a transitional sentence immediately following the preamble:

Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government.

Now, 273 words into the Declaration, appears the first explicit reference to the British-American conflict. The parallel structure of the sentence reinforces the parallel movement of ideas from the preamble to the indictment of the king, while the next sentence states that indictment with the force of a legal accusation:

The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these states.

Unlike the preamble, however, which most eighteenth-century readers could readily accept as self-evident, the indictment of the king required proof. In keeping with the rhetorical conventions Englishmen had followed for centuries when dethroning a "tyrannical" monarch, the Declaration contains a bill of particulars documenting the king's "repeated injuries and usurpations" of the Americans' rights and liberties. The bill of particulars lists twenty-eight specific grievances and is introduced with the shortest sentence of the Declaration:

To prove this [the king's tyranny], let Facts be submitted to a candid world.

This sentence is so innocuous one can easily overlook its artistry and importance. The opening phrase--"To prove this"--indicates the "facts" to follow will indeed prove that George III is a tyrant. But prove to whom? To a "candid world"--that is, to readers who are free from bias or malice, who are fair, impartial, and just. The implication is that any such reader will see the "facts" as demonstrating beyond doubt that the king has sought to establish an absolute tyranny in America. If a reader is not convinced, it is not because the "facts" are untrue or are insufficient to prove the king's villainy; it is because the reader is not "candid."

The pivotal word in the sentence, though, is "facts." As a term in eighteenth-century jurisprudence (Jefferson, like many of his colleagues in Congress, was a lawyer), it meant the circumstances and incidents of a legal case, looked at apart from their legal meaning. This usage fits with the Declaration's similarity to a legal declaration, the plaintiff's written statement of charges showing a "plain and certain" indictment against a defendant. If the Declaration were considered as analogous to a legal declaration or a bill of impeachment, the issue of dispute would not be the status of the law (the right of revolution as expressed in the preamble) but the facts of the specific case at hand (the king's actions to erect a "tyranny" in America).(17)

In ordinary usage "fact" had by 1776 taken on its current meaning of something that had actually occurred, a truth known by observation, reality rather than supposition or speculation.<sup>18</sup> By characterizing the colonists' grievances against George III as "facts," the Declaration implies that they are unmediated representations of empirical reality rather than interpretations of reality. They are the objective constraints that make the Revolution "necessary." This is reinforced by the passive voice in "let Facts be submitted to a candid world." Who is submitting the facts? No one. They have not been gathered, structured, rendered, or in any way contaminated by human agents--least of all by the Continental Congress. They are just being "submitted," direct from experience without the corrupting intervention of any observer or interpreter.

But "fact" had yet another connotation in the eighteenth century. The word derived from the Latin *facere*, to do. Its earliest meaning in English was "a thing done or performed"--an action or deed. In the sixteenth and seventeenth centuries it was used most frequently to denote an evil deed or a crime, a usage still in evidence at the time of the Revolution. In 1769, for example, Blackstone, in his *Commentaries on the Laws of England*, noted that "accessories



after the fact" were "allowed the benefit of clergy in all cases." The *Annual Register* for 1772 wrote of a thief who was committed to prison for the "fact" of horse stealing. There is no way to know whether Jefferson and the Congress had this sense of "fact" in mind when they adopted the Declaration. Yet regardless of their intentions, for some eighteenth-century readers "facts" many have had a powerful double-edged meaning when applied to George III's actions toward America.(19)

Although one English critic assailed the Declaration for its "studied confusion in the arrangement" of the grievances against George III, they are not listed in random order but fall into four distinct groups.(20) The first group, consisting of charges 1-12, refers to such abuses of the king's executive power as suspending colonial laws, dissolving colonial legislatures, obstructing the administration of justice, and maintaining a standing army during peacetime. The second group, consisting of charges 13-22, attacks the king for combining with "others" (Parliament) to subject America to a variety of unconstitutional measures, including taxing the colonists without consent, cutting off their trade with the rest of the world, curtailing their right to trial by jury, and altering their charters.

The third set of charges, numbers 23-27, assails the king's violence and cruelty in waging war against his American subjects. They burden him with a litany of venal deeds that is worth quoting in full:

He has abdicated Government here, by declaring us out of his Protection and waging War against us.

He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the Lives of our people.

He is at this time transporting large Armies of foreign Mercenaries to complete the works of death, desolation and tyranny, already begun with circumstances of Cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation.

He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.

He has excited domestic insurrections amongst us, and has endeavored to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.

The war grievances are followed by the final charge against the king--that the colonists' "repeated Petitions" for redress of their grievances have produced only "repeated injury."

The presentation of what Samuel Adams called George III's "Catalogue of Crimes" is among the Declaration's most skillful features. First, the grievances could have been arranged chronologically, as Congress had done in all but one of its former state papers. Instead they are arranged topically and are listed seriatim, in sixteen successive sentences beginning "He has" or, in the case of one grievance, "He is." Throughout this section of the Declaration, form and content reinforce one another to magnify the perfidy of the king. The steady, laborious piling up of "facts" without comment takes on the character of a legal indictment, while the repetition of "He has" slows the movement of the text, draws attention to the accumulation of grievances, and accentuates George III's role as the prime conspirator against American liberty.(21)

Second, as Thomas Hutchinson complained, the charges were "most wickedly presented to cast reproach upon the King." Consider, for example, grievance 10: "He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our people, and eat out their substance." The language is Biblical and conjures up Old Testament images of "swarms" of flies and locusts covering the face of the earth, "so that the land was darkened," and devouring all they found until "there remained not any green thing in the trees, or in the herbs of the field" (Exodus 10:14-15). It also recalls the denunciation, in Psalms 53:4, of "the workers of iniquity . . . who eat up my people as they eat bread," and the prophecy of Deuteronomy 28:51 that an enemy nation "shall eat the fruit of thy cattle, and the fruit of thy land until thou be destroyed: which also shall not leave thee either corn, wine, or oil, or the increase of thy kine, or flocks of thy sheep, until he have destroyed thee." For some readers the religious connotations may have been enhanced by "substance," which was used in theological discourse to signify "the Essence or Substance of the Godhead" and to describe the Holy Eucharist, in which Christ had "coupled the substance of his flesh and the substance of bread together, so we should receive both."(22)

From the revolutionaries' view, however, the primary advantage of the wording of charge 10 was probably its purposeful ambiguity. The "multitude of New Offices" referred to the customs posts that had been created in the 1760s to control colonial smuggling. The "swarms of Officers" that were purportedly eating out the substance of the colonies' three million people numbered about fifty in the entire continent. But Congress could hardly assail George III as a tyrant for appointing a few dozen men to enforce the laws against smuggling, so it clothed the charge in vague, evocative imagery that gave significance and emotional resonance to what otherwise might have seemed a rather paltry grievance.(23)

Third, although scholars often downplay the war grievances as "the weakest part of the Declaration," they were vital to its rhetorical strategy. They came last partly because they were the most recent of George III's "abuses and usurpations," but also because they constituted the ultimate proof of his plan to reduce the colonies under "absolute despotism." Whereas the first twenty-two grievances describe the king's acts with such temperate verbs as "refused," "called together," "dissolved," "endeavored," "made," "erected," "kept," and "affected," the war grievances use emotionally charged verbs such as "plundered," "ravaged," "burnt," and "destroyed." With the exception of grievance 10, there is nothing in the earlier charges to compare with the evocative accusation that George III was spreading "death, desolation and tyranny . . . with circumstances of Cruelty and perfidy scarcely paralleled in the most barbarous ages," or with the characterization of "the merciless Indian Savages, whose known mode of warfare is an undistinguished destruction of all ages, sexes and conditions." Coming on the heels of the previous twenty-two charges, the war grievances make George III out as little better than the notorious Richard III, who had forfeited his crown in 1485 for "unnatural, mischievous, and great Perjuries, Treasons, Homicides and Murders, in shedding of Infants' blood, with many other Wrongs, odious Offences, and abominations against God and Man."(24)

To some extent, of course, the emotional intensity of the war grievances was a natural outgrowth of their subject. It is hard to write about warfare without using strong language. Moreover, as Jefferson explained a decade later in his famous "Head and Heart" letter to Maria Cosway, for many of the revolutionaries independence was, at bottom, an emotional--or sentimental--issue. But the emotional pitch of the war grievances was also part of a rhetorical strategy designed to solidify support for independence in those parts of America that had yet to suffer the physical and economic hardships of war. As late as May 1776 John Adams lamented that while independence had strong support in New England and the South, it was less secure in the middle colonies, which "have never tasted the bitter Cup; they have never Smarted--and are therefore a little cooler." As Thomas Paine recognized, "the evil" of British domination was not yet "sufficiently brought to their doors to make them feel the precariousness with which all American property is possessed." Paine sought to bring the evil home to readers of *Common Sense* by inducing them to identify with the "horror" inflicted on other Americans by the British forces "that hath carried fire and sword" into the land. In similar fashion, the Declaration of Independence used images of terror to magnify the wickedness of George III, to arouse "the passions and feelings" of readers, and to awaken "from fatal and unmanly slumbers" those Americans who had yet to be directly touched by the ravages of war.(25)

Fourth, all of the charges against George III contain a substantial amount of strategic ambiguity. While they have a certain specificity in that they refer to actual historical events, they do not identify names, dates, or places. This magnified the seriousness of the grievances by making it seem as if each charge referred not to a particular piece of legislation or to an isolated act in a single colony, but to a violation of the constitution that had been repeated on many occasions throughout America.

The ambiguity of the grievances also made them more difficult to refute. In order to build a convincing case against the grievances, defenders of the king had to clarify each charge and what specific act or events it referred to, and then explain why the charge was not true. Thus it took John Lind, who composed the most sustained British response to the Declaration, 110 pages to answer the charges set forth by the Continental Congress in fewer than two dozen sentences. Although Lind deftly exposed many of the charges to be flimsy at best, his detailed and complex rebuttal did not stand a chance against the Declaration as a propaganda document. Nor has Lind's work fared much better since 1776. While the Declaration continues to command an international audience and has created an indelible popular image of George III as a tyrant, Lind's tract remains a piece of arcana, buried in the dustheap of history.(26)

In addition to petitioning Parliament and George III, Whig leaders had also worked hard to cultivate friends of the American cause in England. But the British people had proved no more receptive to the Whigs than had the government, and so the Declaration follows the attack on George III by noting that the colonies had also appealed in vain to the people of Great Britain:

Nor have we been wanting in attentions to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which, would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.

This is one of the most artfully written sections of the Declaration. The first sentence, beginning "Nor . . .," shifts attention quickly and cleanly away from George III to the colonists' "British brethren." The "have we" of the first sentence is neatly reversed in the "We have" at the start of the second. Sentences two through four, containing four successive clauses beginning "We Have . . .," give a pronounced sense of momentum to the paragraph while

underlining the colonists' active efforts to reach the British people. The repetition of "We have" here also parallels the repetition of "He has" in the grievances against George III.

The fifth sentence--"They too have been deaf to the voice of justice and of consanguinity"--contains one of the few metaphors in the Declaration and acquires added force by its simplicity and brevity, which contrast with the greater length and complexity of the preceding sentence. The final sentence unifies the paragraph by returning to the pattern of beginning with "We," and its intricate periodic structure plays off the simple structure of the fifth sentence so as to strengthen the cadence of the entire paragraph. The closing words--"Enemies in War, in Peace Friends"--employ chiasmus, a favorite rhetorical device of eighteenth-century writers. How effective the device is in this case can be gauged by rearranging the final words to read, "Enemies in War, Friends in Peace," which weakens both the force and harmony of the Declaration's phrasing.

It is worth noting, as well, that this is the only part of the Declaration to employ much alliteration: "British brethren," "time to time," "common kindred," "which would," "connections and correspondence." The euphony gained by these phrases is fortified by the heavy repetition of medial and terminal consonants in adjoining words: "been wanting in attentions to," "them from time to time," "to their native justice," "disavow these usurpations," "have been deaf to the voice of." Finally, this paragraph, like the rest of the Declaration, contains a high proportion of one- and two-syllable words (82 percent). Of those words, an overwhelming number (eighty-one of ninety-six) contain only one syllable. The rest of the paragraph contains nine three-syllable words, eight four-syllable words, and four five-syllable words. This felicitous blend of a large number of very short words with a few very long ones is reminiscent of Lincoln's Gettysburg Address and contributes greatly to the harmony, cadence, and eloquence of the Declaration, much as it contributes to the same features in Lincoln's immortal speech.

The British brethren section essentially finished the case for independence. Congress had set forth the conditions that justified revolution and had shown, as best it could, that those conditions existed in Great Britain's thirteen North American colonies. All that remained was for Congress to conclude the Declaration:

We, therefore, the Representatives of the united States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

This final section of the Declaration is highly formulaic and has attracted attention primarily because of its closing sentence. Carl Becker deemed this sentence "perfection itself":

It is true (assuming that men value life more than property, which is doubtful) that the statement violates the rhetorical rule of climax; but it was a sure sense that made Jefferson place "lives" first and "fortunes" second. How much weaker if he had written "our fortunes, our lives, and our sacred honor"! Or suppose him to have used the word "property" instead of "fortunes"! Or suppose him to have omitted "sacred"! Consider the effect of omitting any of the words, such as the last two "ours"--"our lives, fortunes, and sacred honor." No, the sentence can hardly be improved.(27)

Becker is correct in his judgment about the wording and rhythm of the sentence, but he errs in attributing high marks to Jefferson for his "sure sense" in placing "lives" before "fortunes." "Lives and fortunes" was one of the most hackneyed phrases of eighteenth-century Anglo-American political discourse. Colonial writers had used it with numbing regularity throughout the dispute with England (along with other stock phrases such as "liberties and estates" and "life, liberty, and property"). Its appearance in the Declaration can hardly be taken as a measure of Jefferson's felicity of expression. What marks Jefferson's "happy talent for composition" in this case is the coupling of "our sacred Honor" with "our Lives" and "our Fortunes" to create the eloquent trilogy that closes the Declaration. The concept of honor (and its cognates fame and glory) exerted a powerful hold on the eighteenth-century mind. Writers of all kinds--philosophers, preachers, politicians, playwrights, poets--repeatedly speculated about the sources of honor and how to achieve it. Virtually every educated man in England or America was schooled in the classical maxim, "What is left when honor is lost?" Or as Joseph Addison wrote in his *Cato*, whose sentiments were widely admired throughout the eighteenth century on both sides of the Atlantic: "Better to die ten thousand deaths/Than wound my honour." The cult of honor was so strong that in English judicial proceedings a peer of the realm did not answer to bills in chancery or give a verdict "upon oath, like an ordinary juryman, but upon his honor."(28)

By pledging "our sacred Honor" in support of the Declaration, Congress made a particularly solemn vow. The pledge also carried a latent message that the revolutionaries, contrary to the claims of their detractors, were men of honor whose motives and actions could not only withstand the closest scrutiny by contemporary persons of quality and merit but would also deserve the approbation of posterity. If the Revolution succeeded, its leaders stood to achieve lasting honor as what Francis Bacon called "*Liberatores* or *Salvatores*"-- men who "compound the long Miseries of Civil Wars, or deliver their Countries from Servitude of Strangers or Tyrants." Historical examples included Augustus Caesar, Henry VII of England, and Henry IV of France. On Bacon's five-point scale of supreme honor, such heroes ranked below only "*Conditores Imperiorum*, Founders of States and Commonwealths," such as Romulus, Caesar, and Ottoman, and "Lawgivers" such as Solon, Lycurgus, and Justinian, "also called Second Founders, or *Perpetui Principes*, because they Govern by their Ordinances after they are gone." Seen in this way, "our sacred Honor" lifts the motives of Congress above the more immediate concerns of "our Lives" and "our Fortunes" and places the revolutionaries in the footsteps of history's most honorable figures. As a result it also unifies the whole text by subtly playing out the notion that the Revolution is a major turn in the broad "course of human events." (29)

At the same time, the final sentence completes a crucial metamorphosis in the text. Although the Declaration begins in an impersonal, even philosophical voice, it gradually becomes a kind of drama, with its tensions expressed more and more in personal terms. This transformation begins with the appearance of the villain, "the present King of Great Britain," who dominates the stage through the first nine grievances, all of which note what "He has" done without identifying the victim of his evil deeds. Beginning with grievance 10 the king is joined on stage by the American colonists, who are identified as the victim by some form of first person plural reference: The king has sent "swarms of officers to harass *our* people," has quartered "armed troops among *us*," has imposed "taxes on *us* without *our* consent," "has taken away *our* charters, abolished *our* most valuable laws," and altered "the Forms of *our* Governments." He has "plundered *our* seas, ravaged *our* coasts, burnt **our** towns, . . . destroyed the lives of *our* people," and "excited domestic insurrections amongst *us*." The word "our" is used twenty-six times from its first appearance in grievance 10 through the last sentence of the Declaration, while "us" occurs eleven times from its first appearance in grievance 11 through the rest of the grievances. (30)

Throughout the grievances action is instigated by the king, as the colonists passively accept blow after blow without wavering in their loyalty. His villainy complete, George III leaves the stage and it is occupied next by the colonists and their "British brethren." The heavy use of personal pronouns continues, but by now the colonists have become the instigators of action as they actively seek redress of their grievances. This is marked by a shift in idiom from "He has" to "We have": "*We* have petitioned for redress . . .," "*We* have reminded *them* . . .," "*We* have appealed to *their* . . .," and "*We* have conjured them." But "*they* have been deaf" to all pleas, so "*We* must . . . hold *them*" as enemies. By the conclusion, only the colonists remain on stage to pronounce their dramatic closing lines: "*We* . . . solemnly publish and declare . . ." And to support this declaration, "*we* mutually pledge to each other *our* Lives, *our* Fortunes and *our* sacred Honor."

The persistent use of "he" and "them," "us" and "our," "we" and "they" personalizes the British-American conflict and transfigures it from a complex struggle of multifarious origins and diverse motives to a simple moral drama in which a patiently suffering people courageously defend their liberty against a cruel and vicious tyrant. It also reduces the psychic distance between the reader and the text and coaxes the reader into seeing the dispute with Great Britain through the eyes of the revolutionaries. As the drama of the Declaration unfolds, the reader is increasingly solicited to identify with Congress and "the good People of these Colonies," to share their sense of victimage, to participate vicariously in their struggle, and ultimately to act with them in their heroic quest for freedom. In this respect, as in others, the Declaration is a work of consummate artistry. From its eloquent introduction to its aphoristic maxims of government, to its relentless accumulation of charges against George III, to its elegiac denunciation of the British people, to its heroic closing sentence, it sustains an almost perfect synthesis of style, form, and content. Its solemn and dignified tone, its graceful and unhurried cadence, its symmetry, energy, and confidence, its combination of logical structure and dramatic appeal, its adroit use of nuance and implication all contribute to its rhetorical power. And all help to explain why the Declaration remains one of the handful of American political documents that, in addition to meeting the immediate needs of the moment, continues to enjoy a lustrous literary reputation.

## NOTES

*c* 1989 by Stephen E. Lucas

Stephen E. Lucas is professor of communication arts at the University of Wisconsin, Madison, WI. The present essay is derived from a more comprehensive study, "Justifying America: The Declaration of Independence as a Rhetorical Document," in Thomas W. Benson, ed., *American Rhetoric: Context and Criticism* (1989).

(1) Moses Coit Tyler, *The Literary History of the American Revolution* (1897), vol. 1, p. 520. The best known study of the style of the Declaration is Carl Becker's "The Literary Qualities of the Declaration," in his *The Declaration of Independence: A Study in the History of Political Ideas* (1922), pp. 194-223. Useful also are Robert Ginsberg, "The Declaration as Rhetoric," in Robert Ginsberg, ed., *A Casebook on the Declaration of Independence* (1967), pp. 219-

244; Edwin Gittleman, "Jefferson's 'Slave Narrative': The Declaration of Independence as a Literary Text," *Early American Literature* 8 (1974): 239-256; and James Boyd White, *When Words Lose Their Meaning: Constitutions and Reconstitutions of Language, Character, and Community* (1984), 231-240. Although most books on the Declaration contain a chapter on the "style" of the document, those chapters are typically historical accounts of the evolution of the text from its drafting by Thomas Jefferson through its approval by the Continental Congress or philosophical speculations about the meaning of its famous passages.

(2) As Garry Wills demonstrates in *Inventing America: Jefferson's Declaration of Independence* (1978), there are two Declarations of Independence: the version drafted by Thomas Jefferson and that revised and adopted on July 4, 1776, by the Continental Congress sitting as a committee of the whole. Altogether Congress deleted 630 words from Jefferson's draft and added 146, producing a final text of 1,322 words (excluding the title). Although Jefferson complained that Congress "mangled" his manuscript and altered it "much for the worse," the judgment of posterity, stated well by Becker, is that "Congress left the Declaration better than it found it" (*Declaration of Independence*, p. 209). In any event, for better or worse, it was Congress's text that presented America's case to the world, and it is that text with which we are concerned in this essay.

(3) Nothing in this essay should be interpreted to mean that a firm line can be drawn between style and substance in the Declaration or in any other work of political or literary discourse. As Peter Gay has noted, style is "form and content woven into the texture of every art and craft. . . . Apart from a few mechanical tricks of rhetoric, manner is indissolubly linked to matter; style shapes and is in turn shaped by, substance" (*Style in History* [1974], p. 3).

(4) All quotations from the Declaration follow the text as presented in Julian P. Boyd et al., eds., *The Papers of Thomas Jefferson* (1950), vol. 1, pp. 429-432.

(5) Ephraim Chambers, *Cyclopaedia: Or, An Universal Dictionary of Arts and Sciences* (1728), vol. 2, p. 621; Jonathan Edwards, *Freedom of the Will*, ed. Paul Ramsey (1957), p. 149.

(6) Declaration of the Lords and Commons to Justify Their Taking Up Arms, August 1642, in John Rushworth, ed., *Historical Collections of Private Passages of State, Weighty Matters in Law, Remarkable Proceedings in Five Parliaments* (1680-1722), vol. 4, pp. 761-768; Declaration of the Continental Congress Setting Forth the Causes and Necessity of Their Taking Up Arms, July 1775, in James H. Hutson, ed., *A Decent Respect to the Opinions of Mankind: Congressional State Papers, 1774-1776* (1975), pp. 89-98. The importance of necessity as a justification for war among nations is evident in the many declarations of war issued by European monarchs throughout the seventeenth and eighteenth centuries and is discussed in Tavers Twiss, *The Law of Nations Considered as Independent Political Communities* (1863), pp. 54-55.

(7) The first additional invocation of the doctrine of necessity in the Declaration comes immediately after the preamble, when Congress states, "Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former systems of Government." The second is at the end of the penultimate section, in which Congress ends its denunciation of the British people by announcing, "We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends."

(8) [Thomas Paine], *Common Sense: Addressed to the Inhabitants of America . . .* (1776), pp. 41, 43.

(9) Samuel Adams to Joseph Hawley, Apr. 15, 1776, *Letters of Delegates to Congress, 1774-1789*, ed. Paul H. Smith (1976), vol. 3, p. 528; Thomas Jefferson, *Notes of Proceedings in the Continental Congress*, *Jefferson Papers* 1: 312.

(10) Jonathan Mayhew, *A Discourse Concerning Unlimited Submission and Nonresistance to the Higher Powers . . .* (1750), p. 45; [John, Lord Somers], *The Judgment of Whole Kingdoms and Nations, Concerning the Rights, Power and Prerogative of Kings, and the Rights, Privileges and Properties of the People* (1710), par. 186; Algernon Sidney, *Discourses Concerning Government* (1693), p. 181; John Hoadly, ed., *The Works of Benjamin Hoadly* (1773), vol. 2, p. 36; "Pacificus," *Pennsylvania Gazette*, Sept. 14, 1774.

(11) Becker, *Declaration of Independence*, p. 201. (12) Hugh Blair, *Lectures on Rhetoric and Belles Lettres* (1783), vol. 1, pp. 206-207, 259.

(13) "Thoughts on English Prosody" was enclosed in an undated letter of ca. October 1786 to the Marquis de Chastellux. The letter is printed in *Jefferson Papers* 10: 498; the draft of Jefferson's essay, which has not been printed, is with the letter to Chastellux in the *Thomas Jefferson Papers*, Library of Congress, Washington, DC. Julian P. Boyd, "The Declaration of Independence: The Mystery of the Lost Original," *Pennsylvania Magazine of History and Biography* 100 (1976): 455-462, discusses "Thoughts on English Prosody" and its relation to Jefferson's reading text of the Declaration. Given the changes made by Congress in some sections of the Declaration, it should be noted that the style of the preamble is distinctly Jeffersonian and was approved by Congress with only two minor changes in wording from Jefferson's fair copy as reported by the Committee of Five.

- (14) William Duncan, *The Elements of Logick* (1748), p. 242. See also Isaac Watts, *Logick: or, The Right Use of Reason in the Enquiry After Truth*, 8th ed. (1745), p. 304; [Henry Aldrich], *A Compendium of Logic*, 3d ed. (1790), p. 23.
- (15) Jefferson to Henry Lee, May 5, 1825, *The Writings of Thomas Jefferson*, ed. Paul Leicester Ford (1892-1899), vol. 10, p. 343.
- (16) Wilbur Samuel Howell, "The Declaration of Independence and Eighteenth-Century Logic," *William and Mary Quarterly*, 3d Ser. 18 (1961): 463-484, claims Jefferson consciously structured the Declaration as a syllogism with a self-evident major premise to fit the standards for scientific proof advanced in William Duncan's *Elements of Logick*, a leading logical treatise of the eighteenth century. As I argue in a forthcoming essay, however, there is no hard evidence to connect Duncan's book with the Declaration. Jefferson may have read *Elements of Logick* while he was a student at the College of William and Mary, but we are not certain that he did. He owned a copy of it, but we cannot establish whether the edition he owned was purchased before or after 1776. We cannot even say with complete confidence that Jefferson inserted the words "self-evident" in the Declaration; if he did, it was only as an afterthought in the process of polishing his original draft. Moreover, upon close examination it becomes clear that the Declaration does not fit the method of scientific reasoning recommended in Duncan's *Logick*. Its "self-evident" truths are not self-evident in the rigorous technical sense used by Duncan; it does not provide the definitions of terms that Duncan regards as the crucial first step in syllogistic demonstration; and it does not follow Duncan's injunction that both the minor premise and the major premise must be self-evident if a conclusion is to be demonstrated in a single act of reasoning. The syllogism had been part of the intellectual baggage of Western civilization for two thousand years, and the notion of self-evident truth was central to eighteenth-century philosophy. Jefferson could readily have used both without turning to Duncan's *Logick* for instruction.
- (17) "Declaration" in John Cowell, *Nomothetes. The Interpreter, Concerning the Genuine Signification of Such Obscure Words and Terms Used Either in the Common or Statute Laws of This Realm . . .* (1684). For the requirements of legal declarations in various kinds of civil suits during the eighteenth century, see William Selwyn, *An Abridgement of the Law of Nisi Prius*, 4th ed. (1817).
- (18) "Fact" in Samuel Johnson, *A Dictionary of the English Language: In Which the Words are Deduced from Their Origins and Illustrated in Their Different Significations by Examples from the Best Writers* (1755).
- (19) *Oxford English Dictionary* (1933), vol. 4, pp. 11-12; Sir William Blackstone, *Commentaries on the Laws of England* (1771), vol. 4, p. 39; *The Annual Register, Or a View of the History, Politics, and Literature for the Year 1772* (1773), p. 57.
- (20) John Lind, *Answer to the Declaration of the American Congress . . .*, 5th ed. (1776), p. 123. Because the grievances are not numbered in the Declaration, there has been disagreement over how many there are and how they should be numbered. I have followed Sidney George Fisher, "The Twenty-Eight Charges against the King in the Declaration of Independence," *Pennsylvania Magazine of History and Biography* 31 (1907): 257-303. An alternative numbering system is used by Wills, *Inventing America*, pp. 68-75.
- (21) Samuel Adams to John Pitts, ca. July 9, 1776, *Letters of Delegates* 4: 417. The sole congressional paper before the Declaration of Independence to list grievances topically was the 1774 Bill of Rights (Hutson, *Decent Respect*, pp. 49-57).
- (22) [Thomas Hutchinson], *Strictures upon the Declaration of the Congress at Philadelphia . . .* (1776), p. 16; Ralph Cudworth, *The True Intellectual System of the Universe* (1678), p. 601; Richard Hooker, *Of the Laws of Ecclesiastical Politie* (1594 1596), vol. 5, sec. 67, p. 178.
- (23) Between 1764 and 1766 England added twenty-five comptrollers, four surveyors general, and one plantation clerk to its customs service in America. It added seventeen more officials in 1767 with the creation of a Board of Customs Commissioners to reside in Boston. These appointments may also have generated a mild ripple effect, resulting in the hiring of a few lesser employees to help with office chores and customs searches, but there is no way to know, since the records are now lost. See Thomas C. Barrow, *Trade and Empire: The British Customs Service in Colonial America, 1660 1775* (1967), pp. 186-187, 220-221.
- (24) Howard Mumford Jones, "The Declaration of Independence: A Critique," in *The Declaration of Independence: Two Essays* (1976), p. 7; sentence against Richard III in *Rotuli Parliamentorum; ut et petitiones placita in Parlamento* (1783 1832), vol. 6, p. 276.
- (25) Thomas Jefferson to Maria Cosway, Oct. 12, 1786, *Jefferson Papers* 10: 451; John Adams to Benjamin Hichborn, May 29, 1776, *Letters of Delegates* 4: 96; Paine, *Common Sense*, pp. 40-42.

(26) See note 20 for bibliographic information on Lind's pamphlet.

(27) Becker, *Declaration of Independence*, p. 197.

(28) For the importance of fame and honor to the revolutionaries, see Douglass Adair, "Fame and the Founding Fathers," in *Fame and the Founding Fathers*, ed. Trevor Colbourn (1974), pp. 3-26; Garry Wills, *Cincinnatus: George Washington and the Enlightenment* (1984), pp. 109-148; Bruce Miroff, "John Adams: Merit, Fame, and Political Leadership," *Journal of Politics* 48 (1986): 116-132. The quotation about Jefferson's "happy talent for composition" is from John Adams to Timothy Pickering, Aug. 6, 1822, *The Works of John Adams*, ed. Charles Francis Adams (1850), vol. 2, p. 511. The statement about peers of the realm is from *Blackstone, Commentaries* 1: 40

(29) Francis Bacon, *The Essayes or Counsels, Civill and Morall . . .* (1625), pp. 313-314. See Adair, "Fame and the Founding Fathers," pp. 114-115, for the importance of Bacon's essay on honor among the revolutionaries.

(30) Cf. Ginsberg, "The Declaration as Rhetoric," p. 228.

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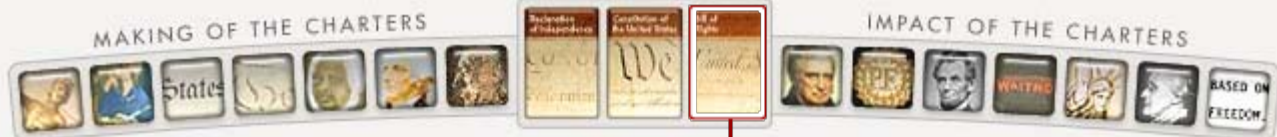
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## Bill of Rights

### THE VIRGINIA DECLARATION OF RIGHTS

#### The Virginia Declaration of Rights

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Virginia's Declaration of Rights was drawn upon by Thomas Jefferson for the opening paragraphs of the Declaration of Independence. It was widely copied by the other colonies and became the basis of the Bill of Rights. Written by George Mason, it was adopted by the Virginia Constitutional Convention on June 12, 1776.

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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### The Constitution of the United States: A Transcription

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**Note:** *The following text is a transcription of the Constitution in its original form. Items that are hyperlinked have since been amended or superseded.*

**We the People** of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

#### Article. I.

##### Section. 1.

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

##### Section. 2.

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

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

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of

Impeachment.

### Section. 3.

The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof for six Years; and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

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

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

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

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

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

### Section. 4.

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

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

### Section. 5.

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

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

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

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

### Section. 6.

The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been increased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

**Section. 7.**

All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States: If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

**Section. 8.**

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow Money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

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

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;--And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

## Section. 9.

The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

No Bill of Attainder or ex post facto Law shall be passed.

No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or enumeration herein before directed to be taken.

No Tax or Duty shall be laid on Articles exported from any State.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another; nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

## Section. 10.

No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing it's inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.

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

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## 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.

The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.

In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

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

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

#### **Section. 2.**

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

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

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

#### **Section. 3.**

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

#### **Section. 4.**

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

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### **Article III.**

#### **Section. 1.**

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

#### **Section. 2.**

The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;--to all Cases affecting Ambassadors, other public Ministers and Consuls;--to all Cases of admiralty and maritime Jurisdiction;--to Controversies to which the

United States shall be a Party;--to Controversies between two or more States;-- between a State and Citizens of another State--between Citizens of different States,--between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

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

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

### **Section. 3.**

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

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

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## **Article. IV.**

### **Section. 1.**

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

### **Section. 2.**

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

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

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

### **Section. 3.**

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

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

### **Section. 4.**

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

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## **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.

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## **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.

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## **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 Independance of the United States of America the Twelfth In witness whereof We have hereunto subscribed our Names,

G<sup>o</sup>. Washington

*Presidt and deputy from Virginia*

### **Delaware**

Geo: Read

Gunning Bedford jun

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](#)

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For biographies of the non-signing delegates to the Constitutional Convention,  
see the [Founding Fathers](#) page.

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# THE CHARTERS OF FREEDOM

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## the *Charters of Freedom* "A NEW WORLD IS AT HAND"

MAKING OF THE CHARTERS



IMPACT OF THE CHARTERS



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## *Constitution of the United States*

### A HISTORY

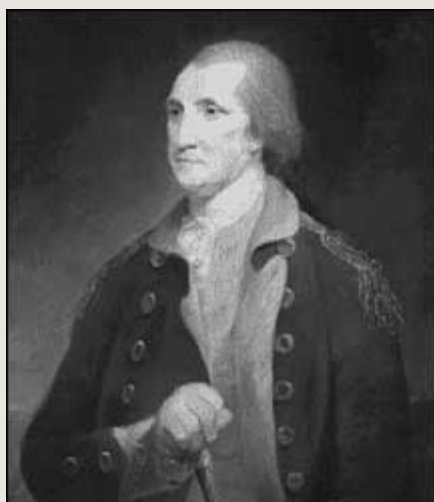
#### **A More Perfect Union: The Creation of the U.S. Constitution**

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May 25, 1787, Freshly spread dirt covered the cobblestone street in front of the Pennsylvania State House, protecting the men inside from the sound of passing carriages and carts. Guards stood at the entrances to ensure that the curious were kept at a distance. Robert Morris of Pennsylvania, the "financier" of the Revolution, opened the proceedings with a nomination--Gen. George Washington for the presidency of the Constitutional Convention. The vote was unanimous. With characteristic ceremonial modesty, the general expressed his embarrassment at his lack of qualifications to preside over such an august body and apologized for any errors into which he might fall in the course of its deliberations.

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

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



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

#### **The Articles of Confederation**

The determined Madison had for several years insatiably studied history and political theory searching for a solution to the political and economic dilemmas he saw plaguing America. The Virginian's labors convinced him of the futility and weakness of confederacies of independent states. America's own government under the Articles of Confederation, Madison was convinced, had to be replaced. In force since 1781, established as a "league of friendship" and a constitution for the 13 sovereign and independent states after the Revolution, the articles seemed to Madison woefully inadequate. With the states retaining considerable power, the central government, he believed, had insufficient power to regulate commerce. It could not tax and was generally impotent in setting commercial policy. It could not effectively support a war effort. It had little power to settle quarrels between states. Saddled with this weak government, the states were on the brink of economic disaster. The evidence was overwhelming. Congress was attempting to function with a depleted treasury; paper money was flooding the country, creating extraordinary inflation--a pound of tea in some areas could be purchased for a tidy \$100; and the depressed condition of business was taking its toll on many small farmers. Some of them were being thrown in jail for debt, and numerous farms were being confiscated and sold for taxes.

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

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

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

### **The Delegates**

Seventy-four delegates were appointed to the convention, of which 55 actually attended sessions. Rhode Island was the only state that refused to send delegates. Dominated by men wedded to paper currency, low taxes, and popular government, Rhode Island's leaders refused to participate in what they saw as a conspiracy to overthrow the established government. Other Americans also had their suspicions. Patrick Henry, of the flowing red Glasgow cloak and the magnetic oratory, refused to attend, declaring he "smelt a rat." He suspected, correctly, that Madison had in mind the creation of a powerful central government and the subversion of the authority of the state legislatures. Henry along with many other political leaders, believed that the state governments offered the chief protection for personal liberties. He was determined not to lend a hand to any proceeding that seemed to pose a threat to that protection.

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

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

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

### **The Virginia Plan**

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

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

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

### **The New Jersey Plan**

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

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

### **Hamilton's Plan**

On June 18 Alexander Hamilton presented his own ideal plan of government. Erudite and polished, the speech, nevertheless, failed to win a following. It went too far. Calling the British government "the best in the world," Hamilton proposed a model strikingly similar an executive to serve during good behavior or life with veto power over all laws; a senate with members serving during good behavior; the legislature to have power to pass "all laws whatsoever." Hamilton later wrote to Washington that the people were now willing to accept "something not very remote from that which they have lately quitted." What the people had "lately quitted," of course, was monarchy. Some members of the

convention fully expected the country to turn in this direction. Hugh Williamson of North Carolina, a wealthy physician, declared that it was "pretty certain . . . that we should at some time or other have a king." Newspaper accounts appeared in the summer of 1787 alleging that a plot was under way to invite the second son of George III, Frederick, Duke of York, the secular bishop of Osnaburgh in Prussia, to become "king of the United States."



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

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

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

Most delegates were well aware that there were too many Royall Tylers in the country, with too many memories of British rule and too many ties to a recent bloody war, to accept a king. As the debate moved into the specifics of the new government, Alexander Hamilton and others of his persuasion would have to accept something less.

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

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

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

### **The Great Compromise**

Also crowding into this complicated and divisive discussion over representation was the North-South division over the method by which slaves were to be counted for purposes of taxation and representation. On July 12 Oliver Ellsworth proposed that representation for the lower house be based on the number of free persons and three-fifths of "all other persons," a euphemism for slaves. In the following week the members finally compromised, agreeing that direct taxation be according to representation and that the representation of the lower house be based on the white inhabitants and three-fifths of the "other people." With this compromise and with the growing realization that such compromise

was necessary to avoid a complete breakdown of the convention, the members then approved Senate equality. Roger Sherman had remarked that it was the wish of the delegates "that some general government should be established." With the crisis over representation now settled, it began to look again as if this wish might be fulfilled.

For the next few days the air in the City of Brotherly Love, although insufferably muggy and swarming with blue-bottle flies, had the clean scent of conciliation. In this period of welcome calm, the members decided to appoint a Committee of Detail to draw up a draft constitution. The convention would now at last have something on paper. As Nathaniel Gorham of Massachusetts, John Rutledge, Edmund Randolph, James Wilson, and Oliver Ellsworth went to work, the other delegates voted themselves a much needed 10-day vacation.

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

### **The First Draft**

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

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

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

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

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

In the early days of September, with the exhausted delegates anxious to return home, compromise came easily. On September 8 the convention was ready to turn the Constitution over to a Committee of Style and Arrangement. Gouverneur Morris was the chief architect. Years later he wrote to Timothy Pickering: "That Instrument was written by the Fingers which wrote this letter." The Constitution was presented to the convention on September 12, and the

delegates methodically began to consider each section. Although close votes followed on several articles, it was clear that the grueling work of the convention in the historic summer of 1787 was reaching its end.

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

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

Weary from weeks of intense pressure but generally satisfied with their work, the delegates shared a farewell dinner at City Tavern. Two blocks away on Market Street, printers John Dunlap and David Claypoole worked into the night on the final imprint of the six-page Constitution, copies of which would leave Philadelphia on the morning stage. The debate over the nation's form of government was now set for the larger arena.

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

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

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

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

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

The vote for ratification in Pennsylvania did not end the rancor and bitterness. Franklin declared that scurrilous articles in the press were giving the impression that Pennsylvania was "peopled by a set of the most unprincipled, wicked, rascally and quarrelsome scoundrels upon the face of the globe." And in Carlisle, on December 26, anti-Federalist rioters broke up a Federalist celebration and hung Wilson and the Federalist chief justice of Pennsylvania, Thomas McKean, in effigy; put the torch to a copy of the Constitution; and busted a few Federalist heads.

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

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

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

### **Ratification**

By January 9, 1788, five states of the nine necessary for ratification had approved the Constitution--Delaware, Pennsylvania, New Jersey, Georgia, and Connecticut. But the eventual outcome remained uncertain in pivotal states such as Massachusetts, New York, and Virginia. On February 6, with Federalists agreeing to recommend a list of amendments amounting to a bill of rights, Massachusetts ratified by a vote of 187 to 168. The revolutionary leader, John Hancock, elected to preside over the Massachusetts ratifying convention but unable to make up his mind on the Constitution, took to his bed with a convenient case of gout. Later seduced by the Federalists with visions of the vice presidency and possibly the presidency, Hancock, whom Madison noted as "an idolater of popularity," suddenly experienced a miraculous cure and delivered a critical block of votes. Although Massachusetts was now safely in the Federalist column, the recommendation of a bill of rights was a significant victory for the anti-Federalists. Six of the remaining states later appended similar recommendations.

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

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

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

### **The Bill of Rights**

The call for a bill of rights had been the anti-Federalists' most powerful weapon. Attacking the proposed Constitution for its vagueness and lack of specific protection against tyranny, Patrick Henry asked the Virginia convention, "What can avail your specious, imaginary balances, your rope-dancing, chain-rattling, ridiculous ideal checks and

contrivances." The anti-Federalists, demanding a more concise, unequivocal Constitution, one that laid out for all to see the right of the people and limitations of the power of government, claimed that the brevity of the document only revealed its inferior nature. Richard Henry Lee despaired at the lack of provisions to protect "those essential rights of mankind without which liberty cannot exist." Trading the old government for the new without such a bill of rights, Lee argued, would be trading Scylla for Charybdis.

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

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

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

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

### **The Document Enshrined**

The fate of the United States Constitution after its signing on September 17, 1787, can be contrasted sharply to the travels and physical abuse of America's other great parchment, the [Declaration of Independence](#). As the Continental Congress, during the years of the revolutionary war, scurried from town to town, the rolled-up Declaration was carried along. After the formation of the new government under the Constitution, the one-page Declaration, eminently suited for display purposes, graced the walls of various government buildings in Washington, exposing it to prolonged damaging sunlight. It was also subjected to the work of early calligraphers responding to a demand for reproductions of the revered document. As any visitor to the National Archives can readily observe, the early treatment of the now barely legible Declaration took a disastrous toll. The Constitution, in excellent physical condition after more than 200 years, has enjoyed a more serene existence. By 1796 the Constitution was in the custody of the Department of State along with the Declaration and traveled with the federal government from New York to Philadelphia to Washington. Both documents were secretly moved to Leesburg, VA, before the imminent attack by the British on Washington in 1814. Following the war, the Constitution remained in the State Department while the Declaration continued its travels--to the Patent Office Building from 1841 to 1876, to Independence Hall in Philadelphia during the Centennial celebration, and back to Washington in 1877. On September 29, 1921, President Warren Harding issued an Executive order transferring the Constitution and the Declaration to the Library of Congress for preservation and exhibition. The next day Librarian of Congress Herbert Putnam, acting on authority of Secretary of State Charles Evans Hughes, carried the Constitution and the Declaration in a Model-T Ford truck to the library and placed them in his office safe until an appropriate exhibit area could be constructed. The documents were officially put on display at a ceremony in the library on February 28, 1924. On February 20, 1933, at the laying of the cornerstone of the future National Archives Building, President Herbert Hoover remarked, "There will be aggregated here the most sacred documents of our history--the originals of the Declaration of Independence and of the Constitution of the United States." The two documents however, were not immediately transferred to the Archives. During World War II both were moved from the library to Fort Knox for protection and returned to the library in 1944. It was not until successful negotiations were completed between Librarian of Congress Luther Evans and Archivist of the United States Wayne Grover that the transfer to the National Archives was finally accomplished by special direction of the Joint Congressional Committee on the Library.

On December 13, 1952, the Constitution and the Declaration were placed in helium-filled cases, enclosed in wooden



crates, laid on mattresses in an armored Marine Corps personnel carrier, and escorted by ceremonial troops, two tanks, and four servicemen carrying submachine guns down Pennsylvania and Constitution avenues to the National Archives. Two days later, President Harry Truman declared at a formal ceremony in the Archives Exhibition Hall.

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

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**Bibliographic note:** Web version based on the *Introduction* by Roger A. Bruns to *A More Perfect Union : The Creation of the United States Constitution*. Washington, DC : Published for the National Archives and Records Administration by the National Archives Trust Fund Board, 1986. 33 p.

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# THE CHARTERS OF FREEDOM

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## the Charters of Freedom "A NEW WORLD IS AT HAND"



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## Constitution of the United States

### QUESTIONS & ANSWERS

#### Questions & Answers Pertaining to the Constitution

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by [Sol Bloom](#)

**Q. How were deputies to the Constitutional Convention chosen?**

A. They were appointed by the legislatures of the different States.

**Q. Were there any restrictions as to the number of deputies a State might send?**

A. No.

**Q. Which State did not send deputies to the Constitutional Convention?**

A. Rhode Island and Providence Plantations.

**Q. Were the other twelve States represented throughout the Constitutional Convention?**

A. No. Two of the deputies from New York left on July 10, 1787, and after that Hamilton, the third deputy, when he was in attendance did not attempt to cast the vote of his State. The New Hampshire deputies did not arrive until July 23, 1787; so that there never was a vote of more than eleven States.

**Q. Where and when did the deputies to the Constitutional Convention assemble?**

A. In Philadelphia, in the State House where the Declaration of Independence was signed. The meeting was called for May 14, 1787, but a quorum was not present until May 25.

**Q. About how large was the population of Philadelphia?**

A. The census of 1790 gave it 28,000; including its suburbs, about 42,000.

**Q. What was the average age of the deputies to the Constitutional Convention?**

A. About 44.

**Q. Who were the oldest and youngest members of the Constitutional Convention?**

A. Benjamin Franklin, of Pennsylvania, then 81; and Jonathan Dayton, of New Jersey, 26.

**Q. How many lawyers were members of the Constitutional Convention?**

A. There were probably 34, out of 55, who had at least made a study of the law.

**Q. From what classes of society were the members of the Constitutional Convention drawn?**

A. In addition to the lawyers, there were soldiers, planters, educators, ministers, physicians, financiers, and merchants.

**Q. How many members of the Constitutional Convention had been members of the Continental Congress?**

A. Forty, and two others were later members.

**Q. Were there any members of the Constitutional Convention who never attended any of its meetings?**

A. There were nineteen who were never present. Some of these declined, others merely neglected the duty.

**Q. Were the members of the Constitutional Convention called "delegates" or "deputies," and is there any**

**distinction between the terms?**

A. Some of the States called their representatives "delegates"; some, "deputies"; and some, "commissioners," the terms being often mixed. In the Convention itself they were always referred to as "deputies." Washington, for example, signed his name as "deputy from Virginia." The point is simply that whatever they called themselves, they were representatives of their States. The general practice of historians is to describe them as "delegates."

**Q. Who was called the "Sage of the Constitutional Convention"?**

A. Benjamin Franklin, of Pennsylvania.

**Q. Who was called the "Father of the Constitution"?**

A. James Madison, of Virginia, because in point of erudition and actual contributions to the formation of the Constitution he was preeminent.

**Q. Was Thomas Jefferson a member of the Constitutional Convention?**

A. No. Jefferson was American Minister to France at the time of the Constitutional Convention.

**Q. What did Thomas Jefferson have to do with framing the Constitution?**

A. Although absent from the Constitutional Convention and during the period of ratification, Jefferson rendered no inconsiderable service to the cause of Constitutional Government, for it was partly through his insistence that the Bill of Rights, consisting of the first ten amendments, was adopted.

**Q. Who presided over the Constitutional Convention?**

A. George Washington, chosen unanimously.

**Q. How long did it take to frame the Constitution?**

A. It was drafted in fewer than one hundred working days.

**Q. How much was paid for the journal kept by Madison during the Constitutional Convention?**

A. President Jackson secured from Congress in 1837 an appropriation of \$30,000 with which to buy Madison's journal and other papers left by him.

**Q. Was there harmony in the Convention?**

A. Serious conflicts arose at the outset, especially between those representing the small and large States.

**Q. Who presented the Virginia Plan?**

A. Edmund Randolph.

**Q. What was the Connecticut Compromise?**

A. This was the first great compromise of the Constitutional Convention, whereby it was agreed that in the Senate each State should have two members, and that in the House the number of Representatives was to be based upon population. Thus the rights of the small States were safeguarded, and the majority of the population was to be fairly represented.

**Q. Who actually wrote the Constitution?**

A. In none of the relatively meager records of the Constitutional Convention is the literary authorship of any part of the Constitution definitely established. The deputies debated proposed plans until, on July 24, 1787, substantial agreement having been reached, a Committee of Detail was appointed, consisting of John Rutledge, of South Carolina; Edmund Randolph, of Virginia; Nathaniel Gorham, of Massachusetts; Oliver Ellsworth, of Connecticut; and James Wilson, of Pennsylvania, who on August 6 reported a draft which included a Preamble and twenty-three articles, embodying fifty-seven sections. Debate continued until September 8, when a new Committee of Style was named to revise the draft. This committee included William Samuel Johnson, of Connecticut; Alexander Hamilton, of New York; Gouverneur Morris, of Pennsylvania; James Madison, of Virginia; and Rufus King, of Massachusetts, and they reported the draft in approximately its final shape on September 12. The actual literary form is believed to be largely that of Morris, and the chief testimony for this is in the letters and papers of Madison, and Morris's claim. However, the document in reality was built slowly and laboriously, with not a piece of material included until it has been shaped and approved. The preamble was written by the Committee of Style.

**Q. Who was the penman who, after the text of the Constitution had been agreed on, engrossed it prior to the signing?**

A. Jacob Shallus who, at the time, was assistant clerk of the Pennsylvania State Assembly, and whose office was in the same building in which the Convention was held.

**Q. Does his name appear on the document or in any of the papers pertaining to its preparation?**

A. No. In the financial memoranda there is an entry of \$30 for "clerks employed to transcribe & engross."

**Q. When and how was the identity of the engrosser determined?**

A. In 1937, on the occasion of the 150th anniversary of the Constitution. His identity was determined after a long and

careful search of collateral public documents, and is here disclosed for the first time.

**Q. Where did Shallus do the engrossing?**

A. There is no record of this, but probably in Independence Hall.

**Q. Did he realize the importance of the work he had done?**

A. Probably not; when he died, in 1796, the Constitution had not yet come to be the firmly established set of governmental principles it since has become.

**Q. Did some of the deputies to the Constitutional Convention refuse to sign the Constitution?**

A. Only thirty-nine signed. Fourteen deputies had departed for their homes, and three--Randolph and Mason, of Virginia, and Gerry, of Massachusetts--refused to sign. One of the signatures is that of an absent deputy, John Dickinson, of Delaware, added at his request by George Read, who also was from Delaware.

**Q. How can it be said that the signing of the Constitution was unanimous, when the deputies of only twelve States signed and some delegates refused to sign?**

A. The signatures attest the "Unanimous Consent of the States present." The voting was by States, and the vote of each State that of a majority of its deputies. Hamilton signed this attestation for New York, though as he was the only deputy of the State present he had not been able to cast the vote of his State for the consent, only eleven States voting on the final question. There is an even greater discrepancy about the Signers of the Declaration of Independence. Some seven or eight members present on July 4 never signed; seven Signers, including Richard Henry Lee, of Virginia, who proposed the resolution of independence, were not present on the day; and eight other Signers were not members of Congress until after July 4.

**Q. Did George Washington sign the Declaration of Independence?**

A. No. He had been appointed Commander-in-Chief of the Continental Army more than a year before and was at the time with the army in New York City.

**Q. What are the exact measurements of the originals of the Declaration of Independence and of the Constitution of the United States?**

A. The Declaration of Independence: 29 7/8 in. by 24 7/16 in.; The Constitution: four sheets, approximately 28 3/4 in. by 23 5/8 in. each.

**Q. How many words are there in the texts in the present volume, and how long does it take to read them?**

A. The Constitution has 4,543 words, including the signatures but not the certificate on the interlineations; and takes about half an hour to read. The Declaration of Independence has 1,458 words, with the signatures, but is slower reading, as it takes about ten minutes. The Farewell Address has 7,641 words and requires forty-five minutes to read.

**Q. What party names were given to those who favored ratification and to those who opposed it?**

A. Those who favored ratification were called Federalists; those who opposed, Antifederalists.

**Q. In ratifying the Constitution, did the people vote directly?**

A. No. Ratification was by special State conventions (Art. VII).

**Q. The vote of how many States was necessary to ratify the Constitution?**

A. Nine (Art. VII).

**Q. In what order did the States ratify the Constitution?**

A. In the following order: Delaware, Pennsylvania, New Jersey, Georgia, Connecticut, Massachusetts, Maryland, South Carolina, New Hampshire, Virginia, and New York. After Washington had been inaugurated, North Carolina and Rhode Island ratified.

**Q. After the Constitution was submitted for ratification, where did the greatest contests occur?**

A. In Massachusetts, Virginia, and New York.

**Q. In each instance what was the vote?**

A. New York ratified the Constitution by a majority of three votes 30 to 27; Massachusetts by 187 to 168; and Virginia by 89 to 79.

**Q. In the course of ratification, how many amendments were offered by the State conventions?**

A. Seventy-eight; exclusive of Rhode Island's twenty-one, and those demanded by the first convention in North Carolina. There were many others offered which were considered necessary as items of a Bill of Rights. Professor Ames gives 124 as the whole number, inclusive of those of Rhode Island and North Carolina and the Bills of Rights. Various of these covered the same topics.

**Q. When did the United States government go into operation under the Constitution?**

A. The Constitution became binding upon nine States by the ratification of the ninth State, New Hampshire, June 21, 1788. Notice of this ratification was received by Congress on July 2, 1788. On September 13, 1788, Congress adopted a resolution declaring that electors should be appointed in the ratifying States on the first Wednesday in January, 1789; that the electors vote for President on the first Wednesday in February, 1789; and that "the first Wednesday in March next [March 4, 1789] be the time and the present seat of Congress the place for commencing proceedings under the said constitution." The Convention had also suggested "that after such Publication the Electors should be appointed, and the Senators and Representatives elected." The Constitution left with the States the control over the election of congressmen, and Congress said nothing about this in its resolution; but the States proceeded to provide for it as well as for the appointment of electors. On March 3, 1789, the old Confederation went out of existence and on March 4 the new government of the United States began legally to function, according to a decision of the Supreme Court of the United States (*wings v. Speed*, 5 Wheat. 420); however, it had no practical existence until April 6, when first the presence of quorums in both Houses permitted organization of Congress. On April 30, 1789, George Washington was inaugurated as President of the United States, so on that date the executive branch of the government under the Constitution became operative. But it was not until February 2, 1790, that the Supreme Court, as head of the third branch of the government, organized and, held its first session; so that is the date when our government under the Constitution became fully operative.

**Q. Did Washington receive the unanimous vote of the electors in his first election as President?**

A. Yes, of all who voted. Four, two in Virginia and two in Maryland, did not vote; and the eight votes to which New York was entitled were not cast because the legislature could come to no agreement upon how the electors should be appointed. There should have been 81 votes; he received 69.

**Q. How did the first inauguration proceed?**

A. The Senate Journal narrates it as follows: "The House of Representatives, preceded by their Speaker, came into the Senate Chamber, and took the seats assigned them; and the joint Committee, preceded by their Chairman, agreeably to order, introduced the President of the United States to the Senate Chamber, where he was received by the Vice President, who conducted him to the Chair; when the Vice President informed him, that 'The Senate and House of Representatives were ready to attend him to take the oath required by the Constitution, and that it would be administered by the Chancellor of the State of New-York'--To which the President replied, he was ready to proceed:--and being attended to the gallery in front of the Senate Chamber, by the Vice President and Senators, the Speaker and Representatives, and the other public characters present, the oath was administered.--After which the Chancellor proclaimed, 'Long live George Washington, President of the United States.' The President having returned to his seat, after a short pause, arose and addressed the Senate and House of Representatives . . . The President, the Vice President, the Senate and House of Representatives, &c. then proceeded to St. Paul's Chapel, where divine service was performed by the Chaplain of Congress, after which the President was conducted to his house, by the Committee appointed for that purpose."

**Q. Was Adams sworn in as Vice President before Washington took the oath of office as President?**

A. No. Neither the Vice President nor any Senators took the oath of office until June 3. The first act of Congress, June 1, provided for the oath. In the House the Speaker and members present on April 8 had taken an oath provided for by a resolve on April 6 of that House, and the act of June 1 recognized that oath as sufficient for those who had taken it.

**Q. What cities have been capitals of the United States government?**

A. The Continental Congress sat at Philadelphia, 1774-76, 1777, 1778-83; Baltimore, 1776-77; Lancaster, 1777; York, 1777-78; Princeton, 1783; Annapolis, 1783-84; Trenton, 1784; and New York, 1785-89. The first capital under the Constitution of the United States was in New York, but in 1790 it was moved to Philadelphia. Here it was continued until 1800, when the permanent capital, Washington, in the new District of Columbia, was occupied.

**Q. How was the manner of address of the President of the United States decided?**

A. Both Houses of Congress appointed committees to consider the proper title to give the President, but they could not agree. The Senate wished it to be "His Highness the President of the United States of America and Protector of their Liberties." The House considered this as too monarchical, and on May 5 addressed its reply to the inaugural speech merely to "The President of the United States." The Senate on May 14 agreed to this simple form.

**Q. What is meant by the term "constitution"?**

A. A constitution embodies the fundamental principles of a government. Our constitution, adopted by the sovereign power, is amendable by that power only. To the constitution all laws, executive actions, and, judicial decisions must conform, as it is the creator of the powers exercised by the departments of government.

**Q. Why has our Constitution been classed as "rigid"?**

A. The term "rigid" is used in opposition to "flexible" because the provisions are in a written document which cannot be legally changed with the same ease and in the same manner as ordinary laws. The British Constitution, which is unwritten, can, on the other hand, be changed overnight by act of Parliament.

**Q. What was W. E. Gladstone's famous remark about the Constitution?**

A. It was as follows: "As the British Constitution is the most subtle organism which has proceeded from the womb and long gestation of progressive history, so the American Constitution is, so far as I can see, the most wonderful work ever struck off at a given time by the brain and purpose of man."

**Q. What is the source of the philosophy found in the Constitution?**

A. The book which had the greatest influence upon the members of the Constitutional Convention was Montesquieu's Spirit of Laws, which first appeared in 1748. The great French philosopher had, however, in turn borrowed much of his doctrine from the Englishman John Locke, with whose writings various members of the Convention were also familiar.

**Q. Are there original ideas of government in the Constitution?**

A. Yes; but its main origins lie in centuries of experience in government, the lessons of which were brought over from England and further developed through the practices of over a century and a half in the colonies and early State governments, and in the struggles of the Continental Congress. Its roots are deep in the past; and its endurance and the obedience and respect it has won are mainly the result of the slow growth of its principles from before the days of Magna Carta.

**Q. In what language was Magna Carta written, and to whom was it addressed?**

A. It was written in Latin and was addressed "To the archbishops, bishops, abbots, earls, barons, justices, foresters, sheriffs, reeves, ministers, and to all bailiffs, and faithful subjects."

**Q. What part of the world was first called America?**

A. The name "America" was first applied to Central Brazil, in honor of Amerigo Vespucci, who claimed its discovery. It was first applied to the whole known western world by Mercator, the geographer, in 1538.

**Q. When did the phrase, "The United States of America," originate?**

A. The first known use of the formal term "United States of America" was in the Declaration of Independence. Thomas Paine, in February, 1776, had written of "Free and independent States of America." The terms "United Colonies," "United Colonies of America," "United Colonies of North America," and also "States," were used in 1775 and 1776.

**Q. What state papers should be considered in connecting the Constitution of the United States with Magna Carta?**

A. The Great Charter was confirmed several times by later medieval monarchs, and there were various statutes, such as those of Westminster, which also helped to develop the germs of popular government. The Petition of Right, 1628, against the abuse of the royal prerogative, the Habeas Corpus Act, 1679, and the Bill of Rights, 1689, to establish the claims of the Petition, are the great English documents of more modern times on popular freedom. Meanwhile, the colonial charters became the foundation of the Americans' claim to the "rights of Englishmen," and were the predecessors of the State Constitutions, which owed their origin to the American Revolution. The Declaration of Independence established the principles which the Constitution made practical. Plans for colonial union were proposed from time to time, the most important of them being the Albany Plan of 1754, of which Benjamin Franklin was the author. The united efforts to establish independence gave birth to the Articles of Confederation, which though inadequate, were a real step toward the "more perfect Union" of the Constitution.

**Q. In what respect had the Confederation failed?**

A. It had three great weaknesses. It had no means of revenue independent of that received through its requisitions on the States, which were nothing more than requests, which the States could and did disregard; and it had no control over foreign or interstate commerce. Behind these lacks was its inability to compel the States to honor the national obligations. It could make treaties but had no means to compel obedience to them; or to provide for the payment of the foreign debt. It had responsibility but no power as a national government; no means of coercing the States to obedience even to the very inadequate grant given to the "League of Friendship" by the Articles of Confederation. But its greatest weakness was that it had no direct origin in, or action on, the people themselves; but, unlike both the Declaration of Independence and the later Constitution, knew only the States and was known only to them, calling them sovereign.

**Q. How extensively has the Constitution been copied?**

A. All later Constitutions show its influence; it has been copied extensively throughout the world.

**Q. The United States government is frequently described as one of limited powers. Is this true?**

A. Yes. The United States government possesses only such powers as are specifically granted to it by the Constitution.

**Q. Then how does it happen that the government constantly exercises powers not mentioned by the Constitution?**

A. Those powers simply flow from general provisions. To take a simple example, the Constitution gives to the United States the right to coin money. It would certainly follow, therefore, that the government had the right to make the design for the coinage. This is what the Supreme Court calls "reasonable construction" of the Constitution ([Art. I, sec.](#)

8, cl. 18).

**Q. Where, in the Constitution, is there mention of education?**

A. There is none; education is a matter reserved for the States.

**Q. Who was called the "Expounder of the Constitution"?**

A. Daniel Webster, of Massachusetts, because of his forceful and eloquent orations interpreting the document.

**Q. Must a member of the House of Representatives be a resident of the district which he represents?**

A. The Constitution provides only that no person shall be a representative "who shall not, when elected, be an Inhabitant of that State in which he shall be chosen"; but makes no requirement as to residence within the district ([Art. I, sec. 2](#), cl. 2).

**Q. Is it possible to impeach a justice of the Supreme Court?**

A. It is possible to impeach a Justice of the Supreme Court or any other official. The Constitution makes provision for impeachment by the House and trial of the accused by the Senate sitting as a court of "all civil Officers," which includes the Justices ([Art. I, sec. 2](#), cl. 5; [sec. 3](#), cl. 6, 7; [Art. II, sec. 4](#)).

**Q. Are Senators, Representatives, and justices of the Supreme Court civil officials of the United States?**

A. Justices are, but the others are probably not. The Constitution in several places seems to make a clear distinction between legislators and officials, though this has been contested. Members of Congress are not subject to impeachment, but are liable to expulsion by the vote of the House of which they are members ([Art. I, sec. 5](#), cl. 2).

**Q. What would be the proceeding in case of the impeachment of a Cabinet officer?**

A. An impeachment proceeding may be set in motion in the House of Representatives by charges made on the floor on the responsibility of a member or territorial delegate; by charges preferred by a memorial, which is usually referred to a committee for examination; by charges transmitted by the legislature of a State or from a grand jury; or the facts developed and reported by an investigating committee of the House. After the impeachment has been voted by the House, the case is heard by the Senate sitting as a court. When the President of the United States is impeached and tried, the proceedings are the same except that the Senate is then presided over by the Chief Justice of the United States ([Art. I, sec. 2](#), cl. 5; [sec. 3](#), cl. 6, 7; [Art. II, sec. 4](#)).

**Q. What is meant when it is said that Senators are paired?**

A. Sometimes a Senator belonging to one party agrees with a Senator belonging to the other party that neither will vote if the other is absent, the theory being that they would always vote on opposite sides of the question. This is called a pair. Sometimes pairs are secured on a particular vote only. For example, if a Senator is in favor of a certain piece of legislation and is ill or unavoidably detained, his friends arrange for some one on the opposite side not to vote. This insures for each a record as to his views. While many are opposed to general pairs, as the first is called, all are glad to arrange a pair for a specific measure if a Senator is unavoidably prevented from being present ([Art. I, sec. 5](#), cl. 2).

**Q. What is the mace of the House of Representatives and what purpose does it serve?**

A. The mace consists of thirteen ebony rods, about three feet long, representing the thirteen original States. It is bound together with silver in imitation of the thongs which bound the fasces of ancient Rome. The shaft is surmounted by a globe of solid silver about five inches in diameter upon which rests a massive silver eagle. The mace is the symbol of the paramount authority of the House within its own sphere. In times of riot or disorder upon the floor the Speaker may direct the Sergeant-at-Arms, the executive officer of the House, to bear the mace up and down the aisles as a reminder that the dignity and decorum of the House must not be overthrown. Defiance to such warning is the ultimate disrespect to the House and may lead to expulsion. When the House is sitting as a body the mace rests upright on a pedestal at the right of the Speaker's dais; when the House is sitting in committee of the whole, the mace stands upon the floor at the foot of its pedestal. Thus, when the House wishes to "rise" from committee of the whole and resume business as a legislative body, lifting the mace to its pedestal automatically effects the transition. The origin of the idea of the mace is based upon a similar emblem in the British House of Commons ([Art. I, sec. 5](#), cl. 2).

**Q. Who administers the oath of office to the Speaker of the House of Representatives?**

A. It is usually administered by the oldest member in point of service ([Art. I, sec. 5](#), cl. 2).

**Q. What is meant by the "Father" of the House of Representatives?**

A. It is a colloquial title informally bestowed upon the oldest member in point of service ([Art. I, sec. 5](#), cl. 2). It was borrowed originally from the House of Commons.

**Q. Why is a member of the House of Representatives referred to on the floor as "the gentleman from New York," for example, instead of by name?**

A. It is a custom in all large deliberative bodies to avoid the use of the personal name in debate or procedure. The original purpose of this was to avoid any possible breach of decorum and to separate the political from the personal character of each member ([Art. I, sec. 6](#), cl. 1).

**Q. Do members of Congress get extra compensation for their work on committees?**

A. No. ([Art. I, sec. 6](#), cl. 1).

**Q. Could members of the President's Cabinet be permitted to sit in Congress without amending the Constitution?**

A. No. A national officeholder cannot at the same time be a member of either House of Congress ([Art. I, sec. 6](#), cl. 2).

**Q. Must all revenue and appropriation bills originate in the House of Representatives?**

A. The Constitution provides that all bills for raising revenue shall originate in the House of Representatives. It is customary for appropriation bills to originate there also ([Art. I, sec. 7](#), cl. 1).

**Q. What is meant by the word *veto*, in the President's powers?**

A. The word is from the Latin and means "I forbid." The President is authorized by the Constitution to refuse his assent to a bill presented by Congress if for any reason he disapproves of it. Congress may, however, pass the act over his veto but it must be by a two-thirds majority in both houses. If Congress adjourns before the end of the 10 days, the President can prevent the enactment of the bill by merely not signing it. This is called a pocket veto. ([Art. I, sec. 7](#), cl. 2).

**Q. If, after a bill has passed both houses of Congress and gone to the President, Congress desires to recall it, can this be done?**

A. A bill which has reached the President may be recalled only by concurrent resolution. The form used is as follows: Resolved, by the House of Representatives (the Senate concurring), That the President be requested to return to the House of Representatives the bill . . . (title). After the concurrent resolution passes both houses it is formally transmitted to the President. The latter might, however, have already signed it, in which case it would have become a law and would have to be repealed in regular fashion ([Art. I, sec. 7](#), cl. 2).

**Q. What is the difference between a joint and a concurrent resolution of Congress?**

A. A joint resolution has the same force as an act, and must be signed by the President or passed over his veto. A concurrent resolution is not a law, but only a measure on which the two Houses unite for a purpose concerned with their organization and procedure, or expressions of facts, principles, opinions, and purposes, "matters peculiarly within the province of Congress alone," and not embracing "legislative provisions proper" ([Art. I, sec. 7](#), cl. 3).

**Q. Which is the longest term of office in the government, aside from judges?**

A. The Comptroller General of the United States and the Assistant Comptroller General have the longest tenure. They hold office for fifteen years ([Art. I, sec. 8](#)), cl. 18; [sec. 9](#), cl. 7; [Art. II, sec. 2](#), cl. 2).

**Q. What is the term of office of Treasurer of the United States?**

A. The Treasurer is appointed by the President of the United States, and no length of term of office is specified ([Art. I, sec. 8](#), cl. 18; [sec. 9](#), cl. 7; [Art. II, sec. 2](#), cl. 2).

**Q. Does the Constitution provide for the formation of a Cabinet?**

A. No. The Constitution vests the executive power in the President. Executive departments were created by successive acts of Congress under authority conferred by the Constitution in [Art. I, sec. 8](#), cl. 18. The Departments of State, Treasury, and War were created by the first session of the First Congress. The Secretaries of these, together with the Attorney General, formed the first President's Cabinet. The Cabinet, it should be distinctly understood, is merely an advisory body whose members hold office only during the pleasure of the President. It has no constitutional function as a Cabinet, and the word does not appear in an act of Congress until February 26, 1907 ([Art. I, sec. 8](#), cl. 18; [Art. II, sec. 1](#), cl. 1, [sec. 2](#), cl. 1).

**Q. How many methods of electing the President of the United States were considered by the Constitutional Convention?**

A. Five. These were by the Congress; by the people; by State legislatures; by State executives; and by electors. Various methods of appointing the electors were proposed: by popular vote, by lottery from members of Congress, by State legislatures, and by State executives; and the matter was finally compromised by leaving the method to each State legislature. The meeting of the electors in one body was also proposed; and at first the final choice, in case election by electors failed, was given to the Senate, but later, after choice by Congress had been defeated, it was transferred to the House, voting by States.

**Q. Who appoints the Chief Justice of the United States and for how long a term?**

A. The Chief Justice of the United States and the Associate Justices are appointed for life (during good behavior) by the President of the United States, "by and with the Advice and Consent of the Senate," ([Art. II, sec. 2](#), cl. 2; [Art. III, sec. 1](#)).

**Q. By what authority may the President of the United States call an extra session of Congress?**

A. The Constitution provides for this. [Art. II, sec. 3](#), says: ". . . he may, on extraordinary Occasions, convene both



Houses, or either of them, . . ."

**Q. Can the Secretary of State take action with respect to recognizing a government without the consent of Congress?**

A. The Secretary of State, on behalf of the President, may accord recognition without recourse to Congress ([Art. II, sec. 3](#)).

**Q. Under the new government how was the national judiciary organized?**

A. The First Congress passed many notable acts which endured many years as laws. One of the most worthy of these was that organizing the national judiciary, September 24, 1789. The bill was drawn up with extraordinary ability by Senator Oliver Ellsworth, of Connecticut, who had been a deputy to the Constitutional Convention, and who was to become Chief Justice of the United States. The Constitution prescribes a Supreme Court, but left its make-up and provision for other courts to Congress. The Supreme Court was organized with a Chief Justice and five Associates; a district court was provided for each State; and the Supreme Court Justices sat with the district judges in circuit courts. The jurisdiction of the three grades of the judiciary was fixed, and officers--clerks, marshals, and district attorneys--authorized. The Attorney General, also provided for in the act, was for many years little more than the President's legal adviser. Under this law President Washington appointed John Jay, of New York, Chief Justice, and the judiciary was organized on February 2, 1790.

**Q. What are the correct style and titles of the Supreme Court of the United States and its members?**

A. The correct title for the Supreme Court is "The Supreme Court of the United States"; for the members, one speaks of a Justice, or Associate Justice, of the Supreme Court of the United States, but always of the head of the court as "The Chief Justice of the United States" ([Art. III, sec. I](#)).

**Q. What has been the number of Justices of the Supreme Court of the United States?**

A. The Chief Justice is mentioned in the Constitution but the number of Justices is not specified. The act of September 24, 1789, provided for a Chief Justice and five Associates; that of February 24, 1807, made the Associates six; that of March 3, 1837, eight; and that of March 3, 1863, nine. But on July 23, 1866, a law directed that no appointments be made of Associate Justices until the number of them should be only six. This was to prevent President Johnson from making appointments; but the act of April 10, 1869, restored the number to eight. There were only six at the time that President Grant made the first restorative appointments.

**Q. It is frequently asserted that the Supreme Court nullifies an act of Congress. Is this correct?**

A. No. The Court has repeatedly declared that it claims no such power. All it does--all it can do--is to examine a law when a suit is brought before it. If the law in question is in accordance with the Constitution, in the opinion of the Supreme Court, the law stands. If the law goes beyond powers granted by the Constitution, then it is no law, and the Supreme Court merely states that fact ([Art. III, sec. 2](#), cl. 1; [Art. VI](#), cl. 2).

**Q. In which decision did the Supreme Court first formally assert its authority contrary to an act of Congress?**

A. In the famous case of *Marbury v. Madison* (1803). This was not the first case in which the authority of an act of Congress was questioned in a case before the court. In *Hylton v. United States*, 1796, the court upheld the constitutionality of a national tax on carriages as an excise that did not have to be apportioned. Also Justices in the circuit court had, as early as 1792, refused to act as commissioners under an act of Congress, considering the law unconstitutional.

**Q. What is treason against the United States?**

A. Treason against the United States consists in levying war against them, or in adhering to their enemies, giving the latter aid and comfort. No person can be convicted of treason except upon the testimony of two witnesses to the same overt act or on confession in open court ([Art. III, sec. 3](#), cl. 1).

**Q. What right has a Territorial Delegate in Congress?**

A. A Territorial Delegate sits in the House of Representatives from each organized territory. Delegates may be appointed to committees and have the right to speak on any subject, but not to vote ([Art. IV, sec. 3](#), cl. 2).

**Q. Is a constitutional amendment submitted to the President?**

A. No. A resolution proposing an amendment to the Constitution, after having passed both houses of Congress by a two-thirds vote, does not go to the President for his signature. It is sent to the States to be ratified either by their legislatures or by conventions, as Congress shall determine ([Art. V](#)). The Supreme Court as early as 1798 declared the approval was not requisite (*Hollingsworth v. Virginia*, 3 Dallas 378).

**Q. What constitutes the supreme law of the land?**

A. Art. VI, cl. 2 of the Constitution says: "This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws

of any State to the Contrary notwithstanding."

**Q. When referring to various States in the Union, is the term "sovereign States" correct?**

A. No. A sovereign is that person or State which recognizes no superior. The States of the Union have a superior--the Constitution of the United States, which is "the supreme Law of the Land . . . any Thing in the Constitution or Laws of any State to the Contrary notwithstanding" ([Art. VI](#), cl. 2).

**Q. Is there a clause in the Constitution prohibiting members of certain religious denominations from becoming President of the United States?**

A. No. [Art. VI, cl. 3](#) of the Constitution provides that "no religious Test shall ever be required as a Qualification to any Office of public Trust under the United States."

**Q. Should the amendments be called articles?**

A. The amendments proposed by the first Congress were sent out as "Articles in addition to, and Amendment of the Constitution of the United States of America," and the term "article" is used in self-application in all the amendments since the Twelfth, except the Seventeenth, which uses the term "amendment." This would seem to give official sanction to calling the amendments "articles," but as it causes some confusion, they are better placed by the use of "amendment" only, with the proper number.

**Q. In the first session of the First Congress how many proposed amendments were considered?**

A. All of the amendments proposed by the State conventions were considered, but only approximately 90 separate amendments were formally introduced. Professor Ames lists 312 through the First Congress, which includes the 124 proposed by the States and all reports and amendments to those proposed, in Congress.

**Q. Who proposed the creation of the first executive departments and the first amendments to the Constitution?**

A. James Madison, of Virginia, proposed the resolutions for the formation of the first executive departments and the series of twelve amendments to the Constitution of which ten were finally ratified by the States.

**Q. What constitutes the [Bill of Rights](#)?**

A. The first ten amendments to the Constitution.

**Q. It is said that when the first amendments to the Constitution were submitted, there were twelve, of which ten were adopted. What were the other two about?**

A. The two amendments of the twelve submitted as the Bill of Rights which were rejected were the one which related to the apportionment of Representatives in Congress and the one fixing the compensation of members of Congress. (Note: The rejected second amendment was ratified on May 7, 1992 as the 27th amendment.)

**Q. Do the first ten amendments bind the States?**

A. No. They restrict the powers of the national government. They do not bind the States; but various of their restrictions have been applied to the States by the [Fourteenth Amendment](#).

**Q. Does not the Constitution give us our rights and liberties?**

A. No, it does not, it only guarantees them. The people had all their rights and liberties before they made the Constitution. The Constitution was formed, among other purposes, to make the people's liberties *secure*-- secure not only as against foreign attack but against oppression by their own government. They set specific limits upon their national government and upon the States, and reserved to themselves all powers that they did not grant. The [Ninth Amendment](#) declares: "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people."

**Q. What protection is given to a person accused of crime under the jurisdiction of the United States?**

A. The [Fifth Amendment](#) declares that no person, except one serving in the land or naval forces or the militia in time of war or public danger, can be held to answer for a capital or other infamous crime unless on a presentment or indictment of a grand jury. No person can be twice put in jeopardy of life or limb for the same offense. No one in a criminal case can be compelled to be a witness against himself, or be deprived of life, liberty, or property without due process of law. Private property cannot be taken for public use without just compensation. By the Eighth Amendment excessive bail and fines and cruel and unusual punishments are prohibited. The original Constitution forbids ex post facto laws and bills of attainder, limits the punishment for treason, protects the right to a writ of habeas corpus, and secures trial by jury.

**Q. Is the right to speedy trial guaranteed?**

A. Yes. The [Sixth Amendment](#) expressly states that in all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury within the district of the crime, and to be informed of the nature and cause of the accusation. He is entitled to be confronted with the witnesses against him, to be allowed to compel the attendance of witnesses in his favor, and to have the assistance of counsel for his defense.

**Q. Is the right of trial by jury in civil cases also assured?**

A. Yes. [Amendment Seven](#) preserves the right of trial by jury in suits of common law involving the value of more than twenty dollars.

**Q. What has been the longest period during which no amendment has been added to the Constitution?**

A. Sixty-one years, from 1804 to 1865. This period elapsed between the Twelfth and Thirteenth Amendments.

**Q. How long did it take the States to ratify the income tax amendment?**

A. The [Sixteenth Amendment](#) was proposed to the States on July 12, 1909, deposited with the Secretary of State on July 21, ratified by the thirty-sixth state on February 3, 1913, and, declared ratified on February 25, 1913.

**Q. It has been stated that the Prohibition Amendment was the first instance of incorporating a statute in the Constitution. Is this so?**

A. No. Those portions of the Constitution which specifically dealt with slavery and the slave trade ([Art. I, sec. 9](#), cl. 1; [Art. IV, sec. 2](#), cl. 3 ) were both of this character. They were made obsolete by time limit in one case and the Civil War in the other.

**Q. How many amendments to the Constitution have been repealed?**

A. Only one -- the [Eighteenth](#) (Prohibition).

**Q. How is an amendment repealed?**

A. By adding another amendment.

**Q. If the Eighteenth Amendment is repealed, why is it necessary to call the new one repealing it the Twenty-first?**

A. The [Eighteenth Amendment](#) will indeed remain in the Constitution, but a notation will be added to the effect that it is repealed by the [Twenty-first](#).

**Q. What is the [Twentieth Amendment](#) and when was it adopted?**

A. This is the so-called "Lame Duck" Amendment, which changes the time for the beginning of the terms of the President, Vice President, and the members of Congress. The term of the President and Vice President begins on January 20, and that of members of Congress on January 3. It was adopted upon the ratification by the thirty-sixth State, January 23, 1933, and certified in effect on February 6.

**Q. Why was a constitutional amendment necessary to change the date of the beginning of the terms of President, Vice President, and members of Congress?**

A. The Constitution fixes the terms of President and, Vice President at four years, of Senators at six years, and of Representatives at two years. Any change of date would affect the terms of the incumbents. It was therefore necessary to amend the Constitution to make the change.

**Q. If the President-elect dies, who becomes President at the beginning of the term for which he was elected?**

A. The [Twentieth Amendment](#) provides that in this case the Vice President-elect shall become President.

**Q. Does the Twentieth Amendment do away with the Electoral College?**

A. It does not.

**Q. It takes how many States to block an amendment?**


A. Thirteen, without respect to population or importance; but while approval is considered final, rejection is not while within the time limit, if one is prescribed by the amendment.


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Note: The preceding was excerpted from *The Story of the Constitution* by Sol Bloom, Washington, DC : National Archives and Record Administration, 1986, c1937.

Information no longer current has been omitted.

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## the Charters of Freedom

"A NEW WORLD IS AT HAND"



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# Constitution of the United States

## AMENDMENTS 11-27

### The Constitution: Amendments 11-27

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Constitutional Amendments 1-10 make up what is known as [The Bill of Rights](#). Amendments 11-27 are listed below.

#### AMENDMENT XI

*Passed by Congress March 4, 1794. Ratified February 7, 1795.*

**Note:** Article III, section 2, of the Constitution was modified by amendment 11.

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

#### AMENDMENT XII

*Passed by Congress December 9, 1803. Ratified June 15, 1804.*

**Note:** A portion of Article II, section 1 of the Constitution was superseded by the 12th amendment.

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 case of the death or other constitutional disability of the President. --]\* The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

*\*Superseded by section 3 of the 20th amendment.*

---

## AMENDMENT XIII

*Passed by Congress January 31, 1865. Ratified December 6, 1865.*

**Note:** A portion of Article IV, section 2, of the Constitution was superseded by the 13th amendment.

### Section 1.

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

### Section 2.

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

---

## AMENDMENT XIV

*Passed by Congress June 13, 1866. Ratified July 9, 1868.*

**Note:** Article I, section 2, of the Constitution was modified by section 2 of the 14th amendment.

### Section 1.

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

### Section 2.

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

### Section 3.

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

### Section 4.

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

### Section 5.

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

*\*Changed by section 1 of the 26th amendment.*

---

## AMENDMENT XV

*Passed by Congress February 26, 1869. Ratified February 3, 1870.*

### Section 1.

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

### Section 2.

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

## AMENDMENT XVI

*Passed by Congress July 2, 1909. Ratified February 3, 1913.*

**Note:** Article I, section 9, of the Constitution was modified by amendment 16.

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

---

## AMENDMENT XVII

*Passed by Congress May 13, 1912. Ratified April 8, 1913.*

**Note:** Article I, section 3, of the Constitution was modified by the 17th amendment.

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

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

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

---

## AMENDMENT XVIII

*Passed by Congress December 18, 1917. Ratified January 16, 1919. Repealed by amendment 21.*

### Section 1.

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

### Section 2.

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

### Section 3.

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

---

## AMENDMENT XIX

*Passed by Congress June 4, 1919. Ratified August 18, 1920.*

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

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

---

## AMENDMENT XX

*Passed by Congress March 2, 1932. Ratified January 23, 1933.*

**Note:** Article I, section 4, of the Constitution was modified by section 2 of this amendment. In addition, a portion of the 12th amendment was superseded by section 3.

### Section 1.

The terms of the President and the Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

### Section 2.

The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3d day of January,

unless they shall by law appoint a different day.

**Section 3.**

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

**Section 4.**

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

**Section 5.**

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

**Section 6.**

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

---

**AMENDMENT XXI**

*Passed by Congress February 20, 1933. Ratified December 5, 1933.*

**Section 1.**

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

**Section 2.**

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

**Section 3.**

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

---

**AMENDMENT XXII**

*Passed by Congress March 21, 1947. Ratified February 27, 1951.*

**Section 1.**

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

**Section 2.**

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

---

**AMENDMENT XXIII**

*Passed by Congress June 16, 1960. Ratified March 29, 1961.*

**Section 1.**

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

A number of electors of President and Vice President equal to the whole number of Senators and Representatives in



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

**Section 2.**

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

---

**AMENDMENT XXIV**

*Passed by Congress August 27, 1962. Ratified January 23, 1964.*

**Section 1.**

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

**Section 2.**

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

---

**AMENDMENT XXV**

*Passed by Congress July 6, 1965. Ratified February 10, 1967.*

**Note:** Article II, section 1, of the Constitution was affected by the 25th amendment.

**Section 1.**

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

**Section 2.**

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

**Section 3.**

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

**Section 4.**

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

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

---

**AMENDMENT XXVI**

*Passed by Congress March 23, 1971. Ratified July 1, 1971.*

**Note:** Amendment 14, section 2, of the Constitution was modified by section 1 of the 26th amendment.

**Section 1.**

The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged

by the United States or by any State on account of age.

**Section 2.**

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

---

**AMENDMENT XXVII**

*Originally proposed [Sept. 25, 1789](#). Ratified May 7, 1992.*

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

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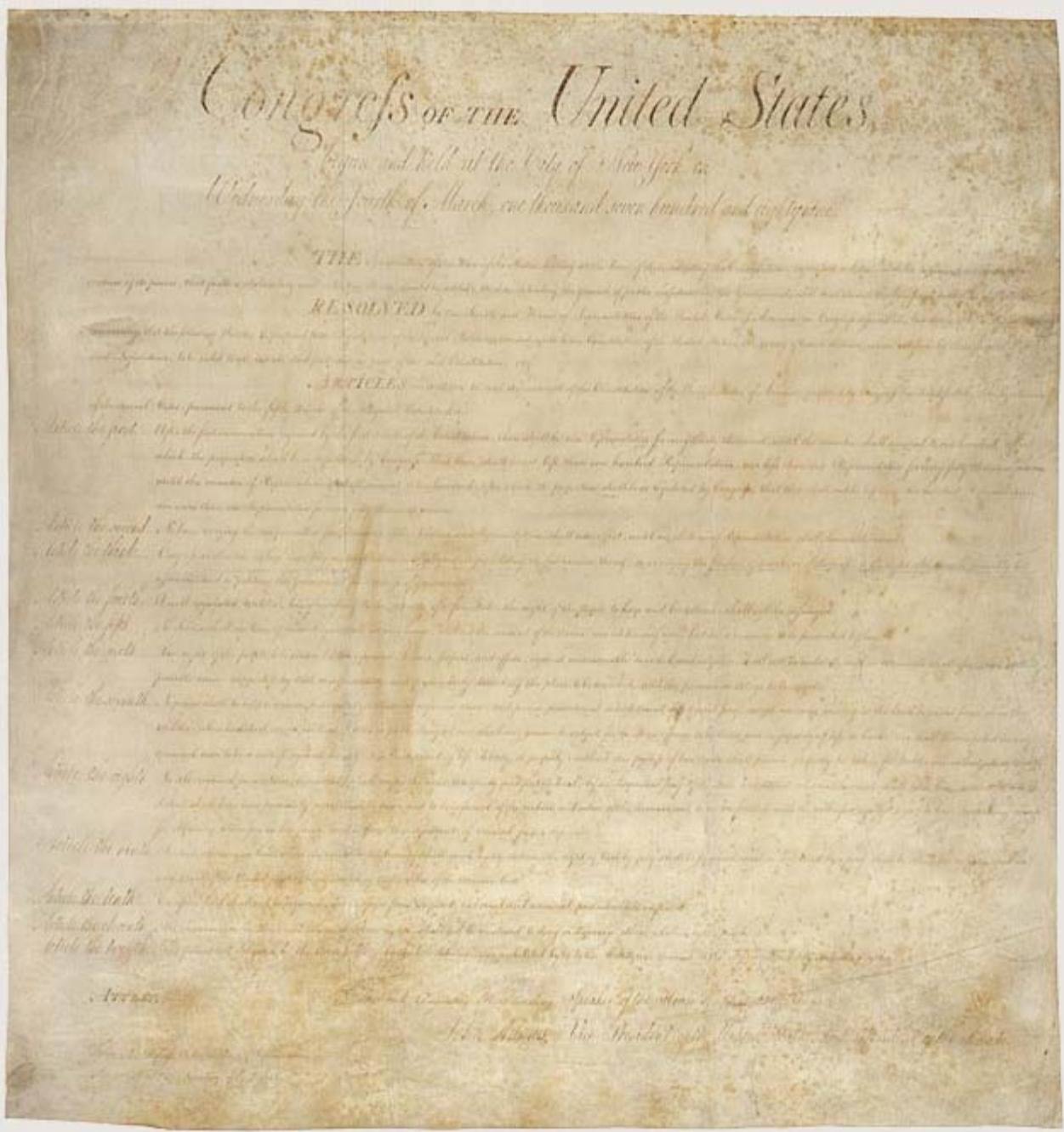
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#### The Preamble to The Bill of Rights

##### 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.

#### The Bill of Rights: A Transcription

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**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."

---

### **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.

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### **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.

### [Amendments 11-27](#)

**Note:** The capitalization and punctuation in this version is from the enrolled original of the Joint Resolution of Congress proposing the [Bill of Rights](#), which is on [permanent display in the Rotunda of the National Archives Building](#), Washington, D.C.

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## America's Founding Fathers

### DELEGATES TO THE CONSTITUTIONAL CONVENTION

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#### The Founding Fathers: A Brief Overview

The 55 delegates who attended the Constitutional Convention were a distinguished body of men who represented a cross section of 18th-century American leadership. Almost all of them were well-educated men of means who were dominant in their communities and states, and many were also prominent in national affairs. Virtually every one had taken part in the Revolution; at least 29 had served in the Continental forces, most of them in positions of command.

#### Political Experience

The group, as a whole, had extensive political experience. At the time of the convention, four-fifths, or 41 individuals, were or had been members of the Continental Congress. Mifflin and Gorham had served as president of the body. The only ones who lacked congressional experience were Bassett, Blair, Brearly, Broom, Davie, Dayton, Alexander Martin, Luther Martin, Mason, McClurg, Paterson, Charles Cotesworth Pinckney, Strong, and Yates. Eight men (Clymer, Franklin, Gerry, Robert Morris, Read, Sherman, Wilson, and Wythe) had signed the Declaration of Independence. Six (Carroll, Dickinson, Gerry, Gouverneur Morris, Robert Morris, and Sherman) had affixed their signatures to the Articles of Confederation. But only two, Sherman and Robert Morris, underwrote all three of the nation's basic documents. Practically all of the 55 delegates had experience in colonial and state government. Dickinson, Franklin, Langdon, Livingston, Alexander Martin, Randolph, Read, and Rutledge had been governors, and the majority had held county and local offices.

#### Occupations

The delegates practiced a wide range of occupations, and many men pursued more than one career simultaneously. Thirty-five were lawyers or had benefited from legal training, though not all of them relied on the profession for a livelihood. Some had also become judges.

At the time of the convention, 13 individuals were businessmen, merchants, or shippers: Blount, Broom, Clymer, Dayton, Fitzsimons, Gerry, Gilman, Gorham, Langdon, Robert Morris, Pierce, Sherman, and Wilson. Six were major land speculators: Blount, Dayton, Fitzsimons, Gorham, Robert Morris, and Wilson. Eleven speculated in securities on a large scale: Bedford, Blair, Clymer, Dayton, Fitzsimons, Franklin, King, Langdon, Robert Morris, Charles Cotesworth Pinckney, and Sherman. Twelve owned or managed slave-operated plantations or large farms: Bassett, Blair, Blount, Butler, Carroll, Jenifer, Mason, Charles Pinckney, Charles Cotesworth Pinckney, Rutledge, Spaight, and Washington. Madison also owned slaves. Broom and Few were small farmers.

Nine of the men received a substantial part of their income from public office: Baldwin, Blair, Brearly, Gilman, Jenifer, Livingston, Madison, and Rutledge. Three had retired from active economic endeavors: Franklin, McHenry, and Mifflin. Franklin and Williamson were scientists, in addition to their other activities. McClurg, McHenry, and Williamson were physicians, and Johnson was a university president. Baldwin had been a minister, and Williamson, Madison, Ellsworth, and possibly others had studied theology but had never been ordained.

A few of the delegates were wealthy. Washington and Robert Morris ranked among the nation's most prosperous men.

Carroll, Houston, Jenifer, and Mifflin were also extremely well-to-do. Most of the others had financial resources that ranged from good to excellent. Among those with the most straitened circumstances were Baldwin, Brearly, Broom, Few, Madison, Paterson, and Sherman, though they all managed to live comfortably.

A considerable number of the men were born into leading families: Blair, Butler, Carroll, Houston, Ingersoll, Jenifer, Johnson, Livingston, Mifflin, Gouverneur Morris, both Pinckneys, Randolph, Rutledge, Washington, and Wythe. Others were self-made men who had risen from humble beginnings: Few, Franklin, Gorham, Hamilton, and Sherman.

### **Geographic and Educational Background**

Most of the delegates were natives of the 13 colonies. Only eight were born elsewhere: four (Butler, Fitzsimons, McHenry, and Paterson) in Ireland, two (Davie and Robert Morris) in England, one (Wilson) in Scotland, and one (Hamilton) in the West Indies. Reflecting the mobility that has always characterized American life, many of them had moved from one state to another. Sixteen individuals had already lived or worked in more than one state or colony: Baldwin, Bassett, Bedford, Dickinson, Few, Franklin, Ingersoll, Livingston, Alexander Martin, Luther Martin, Mercer, Gouverneur Morris, Robert Morris, Read, Sherman, and Williamson. Several others had studied or traveled abroad.

The educational background of the Founding Fathers was diverse. Some, like Franklin, were largely self-taught and had received scant formal training. Others had obtained instruction from private tutors or at academies. About half of the individuals had attended or graduated from college in the British North American colonies or abroad. Some men held advanced and honorary degrees. For the most part, the delegates were a well-educated group.

### **Longevity and Family Life**

For their era, the delegates to the convention (like the signers of the Declaration of Independence) were remarkably long-lived. Their average age at death was almost 67. Johnson reached the age of 92, and Few, Franklin, Madison, Williamson, and Wythe lived into their eighties. Fifteen or sixteen (depending on Fitzsimon's exact age) passed away in their eighth decade, and 20 or 21 in their sixties. Eight lived into their fifties; five lived only into their forties, and two of them (Hamilton and Spaight) were killed in duels. The first to die was Houston in 1788; the last, Madison in 1836.

Most of the delegates married and raised children. Sherman fathered the largest family, 15 children by 2 wives. At least nine (Bassett, Brearly, Johnson, Mason, Paterson, Charles Cotesworth, Pinckney, Sherman, Wilson, and Wythe) married more than once. Four (Baldwin, Gilman, Jenifer, and Alexander Martin) were lifelong bachelors. In terms of religious affiliation, the men mirrored the overwhelmingly Protestant character of American religious life at the time and were members of various denominations. Only two, Carroll and Fitzsimons, were Roman Catholics.

### **Post-Convention Careers**

The delegates' subsequent careers reflected their abilities as well as the vagaries of fate. Most were successful, although seven (Fitzsimons, Gorham, Luther Martin, Mifflin, Robert Morris, Pierce, and Wilson) suffered serious financial reverses that left them in or near bankruptcy. Two, Blount and Dayton, were involved in possibly treasonous activities. Yet, as they had done before the convention, most of the group continued to render outstanding public service, particularly to the new government they had helped to create.

Washington and Madison became President of the United States, and King and Charles Cotesworth Pinckney were nominated as candidates for the office. Gerry served as Madison's Vice President. Hamilton, McHenry, Madison, and Randolph attained Cabinet posts. Nineteen men became U.S. senators: Baldwin, Bassett, Blount, Butler, Dayton, Ellsworth, Few, Gilman, Johnson, King, Langdon, Alexander Martin, Gouverneur Morris, Robert Morris, Paterson, Charles Pinckney, Read, Sherman, and Strong. Thirteen served in the House of Representatives: Baldwin, Carroll, Clymer, Dayton, Fitzsimons, Gerry, Gilman, Madison, Mercer, Charles Pinckney, Sherman, Spaight, and Williamson. Of these, Dayton served as Speaker. Four men (Bassett, Bedford, Brearly, and Few) served as federal judges, four more (Blair, Paterson, Rutledge, and Wilson) as Associate Justices of the Supreme Court. Rutledge and Ellsworth also held the position of Chief Justice. Seven others (Davie, Ellsworth, Gerry, King, Gouverneur Morris, Charles Pinckney, and Charles Cotesworth Pinckney) were named to diplomatic missions for the nation.

Many delegates held important state positions, including governor (Blount, Davie, Franklin, Gerry, Langdon, Livingston, Alexander Martin, Mifflin, Paterson, Charles Pinckney, Spaight, and Strong) and legislator. And most of the delegates contributed in many ways to the cultural life of their cities, communities, and states. Not surprisingly, many of their sons and other descendants were to occupy high positions in American political and intellectual life.

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## America's Founding Fathers

### DELEGATES TO THE CONSTITUTIONAL CONVENTION

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#### The Founding Fathers: Connecticut

##### Oliver Ellsworth, Connecticut



Oliver Ellsworth was born on April 29, 1745, in Windsor, CT, to Capt. David and Jemima Ellsworth. He entered Yale in 1762 but transferred to the College of New Jersey (later Princeton) at the end of his second year. He continued to study theology and received his A.B. degree after 2 years. Soon afterward, however, Ellsworth turned to the law. After 4 years of study, he was admitted to the bar in 1771. The next year Ellsworth married Abigail Wolcott.

From a slow start Ellsworth built up a prosperous law practice. His reputation as an able and industrious jurist grew, and in 1777 Ellsworth became Connecticut's state attorney for Hartford County. That same year he was chosen as one of Connecticut's representatives in the Continental Congress. He served on various committees during six annual terms until 1783. Ellsworth was also active in his state's efforts during the Revolution. As a member of the Committee of the Pay Table, Oliver Ellsworth was one of the five men who supervised Connecticut's war expenditures. In 1779 he assumed greater duties as a member of the council of safety, which, with the governor, controlled all military measures for the state.

When the Constitutional Convention met in Philadelphia in 1787 Ellsworth once again represented Connecticut and took an active part in the proceedings. During debate on the Great Compromise, Ellsworth proposed that the basis of representation in the legislative branch remain by state, as under the Articles of Confederation. He also left his mark through an amendment to change the word "national" to "United States" in a resolution. Thereafter, "United States" was the title used in the convention to designate the government.

Ellsworth also served on the Committee of Five that prepared the first draft of the Constitution. Ellsworth favored the three-fifths compromise on the enumeration of slaves but opposed the abolition of the foreign slave trade. Though he left the convention near the end of August and did not sign the final document, he urged its adoption upon his return to Connecticut and wrote the Letters of a Landholder to promote its ratification.

Ellsworth served as one of Connecticut's first two senators in the new federal government between 1789 and 1796. In the Senate he chaired the committee that framed the bill organizing the federal judiciary and helped to work out the practical details necessary to run a new government. Ellsworth's other achievements in Congress included framing the measure that admitted North Carolina to the Union, devising the non-intercourse act that forced Rhode Island to join, drawing up the bill to regulate the consular service, and serving on the committee that considered Alexander Hamilton's plan for funding the national debt and for incorporating the Bank of the United States.

In the spring of 1796 he was appointed Chief Justice of the Supreme Court and also served as commissioner to France in 1799 and 1800. Upon his return to America in early 1801, Ellsworth retired from public life and lived in Windsor, CT. He died there on November 26, 1807, and was buried in the cemetery of the First Church of Windsor.

*Image: Courtesy of Independence National Historical Park*

## **William Samuel Johnson, Connecticut**



William Samuel Johnson was the son of Samuel Johnson, the first president of King's College (later Columbia College and University). William was born at Stratford, CT, in 1727. His father, who was a well-known Anglican clergyman-philosopher, prepared him for college and he graduated from Yale in 1744. About 3 years later he won a master of arts degree from the same institution and an honorary master's from Harvard.

Resisting his father's wish that he become a minister, Johnson embraced law instead--largely by educating himself and without benefit of formal training. After admittance to the bar, he launched a practice in Stratford, representing clients from nearby New York State as well as Connecticut, and before long he established business connections with various mercantile houses in New York City. In 1749, adding to his already substantial wealth, he married Anne Beach, daughter of a local businessman. The couple was to have five daughters and six sons, but many of them died at an early age.

Johnson did not shirk the civic responsibilities of one of his station. In the 1750s he began his public career as a Connecticut militia officer. In 1761 and 1765 he served in the lower house of the colonial assembly. In 1766 and 1771 he was elected to the upper house. At the time of the Revolution, Johnson was disturbed by conflicting loyalties. Although he attended the Stamp Act Congress in 1765, moderately opposed the Townshend Duties of 1767, and believed that most British policies were unwise, he retained strong transatlantic ties and found it difficult to choose sides. Many of his friends resided in Britain; in 1765 and 1766 Oxford University conferred honorary master's and doctor's degrees upon him; he had a strong association with the Anglican Church; he acted as Connecticut's agent in Britain during the years 1767-71; and he was friendly with men such as Jared Ingersoll, Sr., who were affiliated with the British administration.

Johnson finally decided to work for peace between Britain and the colonies and to oppose the extremist Whig faction. On that basis, he refused to participate in the First Continental Congress, to which he was elected in 1774, following service as a judge of the Connecticut colonial supreme court (1772-74). When hostilities broke out, he confined his activities to peacemaking efforts. In April 1775 Connecticut sent him and another emissary to speak to British Gen. Thomas Gage about ending the bloodshed. But the time was not ripe for negotiations and they failed. Johnson fell out of favor with radical patriot elements who gained the ascendancy in Connecticut government and they no longer called upon his service. Although he was arrested in 1779 on charges of communicating with the enemy, he cleared himself and was released.

Once the passions of war had ebbed, Johnson resumed his political career. In the Continental Congress (1785-87), he was one of the most influential and popular delegates. Playing a major role in the Constitutional Convention, he missed no sessions after arriving on June 2; espoused the Connecticut Compromise; and chaired the Committee of Style, which shaped the final document. He also worked for ratification in Connecticut.

Johnson took part in the new government, in the U.S. Senate where he contributed to passage of the Judiciary Act of 1789. In 1791, the year after the government moved from New York to Philadelphia, he resigned mainly because he preferred to devote all his energies to the presidency of Columbia College (1787-1800), in New York City. During these years, he established the school on a firm basis and recruited a fine faculty.

Johnson retired from the college in 1800, a few years after his wife died, and in the same year wed Mary Brewster Beach, a relative of his first bride. They resided at his birthplace, Stratford. He died there in 1819 at the age of 92 and was buried at OldEpiscopal Cemetery.

*Image: Courtesy of The National Portrait Gallery, Smithsonian Institution*

## **Roger Sherman, Connecticut**

In 1723, when Sherman was 2 years of age, his family relocated from his Newton, MA, birthplace to Dorchester (present Stoughton). As a boy, he was spurred by a desire to learn and read widely in his spare time to supplement his minimal education at a common school. But he spent most of his waking hours helping his father with farming chores and learning the cobbler's trade from him. In 1743, 2 years after his father's death, Sherman joined an elder brother who had settled in New Milford, CT.

Purchasing a store, becoming a county surveyor, and winning a variety of town offices, Sherman



prospered and assumed leadership in the community. In 1749 he married Elizabeth Hartwell, by whom he had seven children. Without benefit of a formal legal education, he was admitted to the bar in 1754 and embarked upon a distinguished judicial and political career. In the period 1755-61, except for a brief interval, he served as a representative in the colonial legislature and held the offices of justice of the peace and county judge. Somehow he also eked out time to publish an essay on monetary theory and a series of almanacs incorporating his own astronomical observations and verse.

In 1761, Sherman abandoned his law practice, and moved to New Haven, CT. There, he managed two stores, one that catered to Yale students, and another in nearby Wallingford. He also became a friend and benefactor of Yale College, and served for many years as its treasurer. In 1763, or 3 years after the death of his first wife, he wed Rebecca Prescott, who bore eight children.

Meanwhile, Sherman's political career had blossomed. He rose from justice of the peace and county judge to an associate judge of the Connecticut Superior Court and to representative in both houses of the colonial assembly. Although opposed to extremism, he promptly joined the fight against Britain. He supported nonimportation measures and headed the New Haven committee of correspondence.

Sherman was a longtime and influential member of the Continental Congress (1774-81 and 1783-84). He won membership on the committees that drafted the Declaration of Independence and the Articles of Confederation, as well as those concerned with Indian affairs, national finances, and military matters. To solve economic problems, at both national and state levels, he advocated high taxes rather than excessive borrowing or the issuance of paper currency.

While in Congress, Sherman remained active in state and local politics, continuing to hold the office of judge of the Connecticut Superior Court, as well as membership on the council of safety (1777-79). In 1783 he helped codify Connecticut's statutory laws. The next year, he was elected mayor of New Haven (1784-86).

Although on the edge of insolvency, mainly because of wartime losses, Sherman could not resist the lure of national service. In 1787 he represented his state at the Constitutional Convention, and attended practically every session. Not only did he sit on the Committee on Postponed Matters, but he also probably helped draft the New Jersey Plan and was a prime mover behind the Connecticut, or Great, Compromise, which broke the deadlock between the large and small states over representation. He was, in addition, instrumental in Connecticut's ratification of the Constitution.

Sherman concluded his career by serving in the U.S. House of Representatives (1789-91) and Senate (1791-93), where he espoused the Federalist cause. He died at New Haven in 1793 at the age of 72 and is buried in the Grove Street Cemetery.

*Image: Courtesy of The National Portrait Gallery, Smithsonian Institution*

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## America's Founding Fathers

### DELEGATES TO THE CONSTITUTIONAL CONVENTION

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#### The Founding Fathers: Delaware

##### Richard Bassett, Delaware



Bassett (Basset) was born in Cecil County, MD., in April 1745. After his tavern-keeper father deserted his mother, he was reared by a relative, Peter Lawson, from whom he later inherited Bohemia Manor (MD.) estate. He read for the law at Philadelphia and in 1770 received a license to practice in Dover, DE. He prospered as a lawyer and planter, and eventually came to own not only Bohemia Manor, but homes in Dover and Wilmington as well.

During the Revolution, Bassett captained a troop of Dover cavalry militia and served on the Delaware council of safety. Subsequently, he participated in Delaware's constitutional convention and sat in both the upper and lower houses of the legislature. In 1786 he represented his state in the Annapolis Convention.

At the U.S. Constitutional Convention the next year, Bassett attended diligently but made no speeches, served on no committees, and cast no critical votes. Like several other delegates of estimable reputation and talent, he allowed others to make the major steps.

Bassett subsequently went on to a bright career in the state and federal governments. In the Delaware ratifying convention, he joined in the 30-0 vote for the Constitution. Subsequently, in the years 1789-93, he served in the U.S. Senate. In that capacity, he voted in favor of the power of the President to remove governmental officers and against Hamilton's plan for the federal assumption of state debts.

From 1793 until 1799 Bassett held the chief justiceship of the court of common pleas. He espoused the Federalist cause in the 1790s, and served as a Presidential elector on behalf of John Adams in 1797. Two years later, Bassett was elected Governor of Delaware and continued in that post until 1801. That year, he became one of President Adams' "midnight" appointments as a judge of the U.S. Circuit Court. Subsequently, the Jeffersonian Republicans abolished his judgeship, and he spent the rest of his life in retirement.

Twice married, to Ann Ennals and a woman named Bruff, Bassett fathered several children. He was a devout Methodist, held religious meetings at Bohemia Manor, and supported the church financially. He died in 1815 at the age of 70 and is interred at the Wilmington and Brandywine Cemetery, Wilmington, DE.

*Image: Courtesy of The Baltimore Museum of Art*

##### Gunning Bedford, Jr., Delaware

Bedford was born in 1747 at Philadelphia and reared there. The fifth of seven children, he was



descended from a distinguished family that originally settled in Jamestown, VA. He usually referred to himself as Gunning Bedford, Jr., to avoid confusion with his cousin and contemporary Delaware statesman and soldier, Col. Gunning Bedford.

In 1771 signer Bedford graduated with honors from the College of New Jersey (later Princeton), where he was a classmate of James Madison. Apparently while still in school, Bedford wed Jane B. Parker, who bore at least one daughter. After reading law with Joseph Read in Philadelphia, Bedford won admittance to the bar and set up a practice. Subsequently, he moved to Dover and then to Wilmington. He apparently served in the Continental Army, possibly as an aide to General

Washington.

Following the war, Bedford figured prominently in the politics of his state and nation. He sat in the legislature, on the state council, and in the Continental Congress (1783-85). In the latter year, he was chosen as a delegate to the Annapolis Convention but for some reason did not attend. From 1784 to 1789 he was attorney general of Delaware.

Bedford numbered among the more active members of the Constitutional Convention, and he missed few sessions. A large and forceful man, he spoke on several occasions and was a member of the committee that drafted the Great Compromise. An ardent small-state advocate, he attacked the pretensions of the large states over the small and warned that the latter might be forced to seek foreign alliances unless their interests were accommodated. He attended the Delaware ratifying convention.

For another 2 years, Bedford continued as Delaware's attorney general. In 1789 Washington designated him as a federal district judge for his state, an office he was to occupy for the rest of his life. His only other ventures into national politics came in 1789 and 1793, as a Federalist presidential elector. In the main, however, he spent his later years in judicial pursuits, in aiding Wilmington Academy, in fostering abolitionism, and in enjoying his Lombardy Hall farm.

Bedford died at the age of 65 in 1812 and was buried in the First Presbyterian Churchyard in Wilmington. Later, when the cemetery was abandoned, his body was transferred to the Masonic Home, on the Lancaster Turnpike in Christiana Hundred, DE.

*Image: Courtesy of The Architect of the Capital*

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### **Jacob Broom, Delaware**

Broom was born in 1752 at Wilmington, DE., the eldest son of a blacksmith who prospered in farming. The youth was educated at home and probably at the local Old Academy. Although he followed his father into farming and also studied surveying, he was to make his career primarily in mercantile pursuits, including shipping and the import trade, and in real estate. In 1773 he married Rachel Pierce, who bore eight children.

Broom was not a distinguished patriot. His only recorded service was the preparation of maps for George Washington before the Battle of Brandywine, PA. In 1776, at 24 years of age, Broom became assistant burgess of Wilmington. Over the next several decades, he held that office six times and that of chief burgess four times, as well as those of borough assessor, president of the city "street regulators," and justice of the peace for New Castle County.

Broom sat in the state legislature in the years 1784-86 and 1788, during which time he was chosen as a delegate to the Annapolis Convention, but he did not attend. At the Constitutional Convention, he never missed a session and spoke on several occasions, but his role was only a minor one.

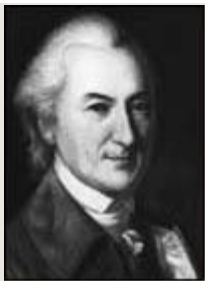
After the convention, Broom returned to Wilmington, where in 1795 he erected a home near the Brandywine River on the outskirts of the city. He was its first postmaster (1790-92) and continued to hold various local offices and to participate in a variety of economic endeavors. For many years, he chaired the board of directors of Wilmington's Delaware Bank. He also operated a cotton mill, as well as a machine shop that produced and repaired mill machinery. He was involved, too, in an unsuccessful scheme to mine bog iron ore. A further interest was internal improvements: toll roads, canals, and bridges.

Broom also found time for philanthropic and religious activities. He served on the board of trustees of the College of Wilmington and as a lay leader at Old Swedes Church. He died at the age of 58 in 1810 while in Philadelphia on business and was buried there at Christ Church Burial Ground.

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### **John Dickinson, Delaware**





Dickinson, "Penman of the Revolution," was born in 1732 at Crosiadore estate, near the village of Trappe in Talbot County, MD. He was the second son of Samuel Dickinson, the prosperous farmer, and his second wife, Mary (Cadwalader) Dickinson. In 1740 the family moved to Kent County near Dover, DE., where private tutors educated the youth. In 1750 he began to study law with John Moland in Philadelphia. In 1753 Dickinson went to England to continue his studies at London's Middle Temple. Four years later, he returned to Philadelphia and became a prominent lawyer there. In 1770 he married Mary Norris, daughter of a wealthy merchant. The couple had at least one daughter.

By that time, Dickinson's superior education and talents had propelled him into politics. In 1760 he had served in the assembly of the Three Lower Counties (Delaware), where he held the speakership. Combining his Pennsylvania and Delaware careers in 1762, he won a seat as a Philadelphia member in the Pennsylvania assembly and sat there again in 1764. He became the leader of the conservative side in the colony's political battles. His defense of the proprietary governor against the faction led by Benjamin Franklin hurt his popularity but earned him respect for his integrity. Nevertheless, as an immediate consequence, he lost his legislative seat in 1764.

Meantime, the struggle between the colonies and the mother country had waxed strong and Dickinson had emerged in the forefront of Revolutionary thinkers. In the debates over the Stamp Act (1765), he played a key part. That year, he wrote *The Late Regulations Respecting the British Colonies . . .* Considered, an influential pamphlet that urged Americans to seek repeal of the act by pressuring British merchants. Accordingly, the Pennsylvania legislature appointed him as a delegate to the Stamp Act Congress, whose resolutions he drafted.

In 1767-68 Dickinson wrote a series of newspaper articles in the *Pennsylvania Chronicle* that came to be known collectively as *Letters from a Farmer in Pennsylvania*. They attacked British taxation policy and urged resistance to unjust laws, but also emphasized the possibility of a peaceful resolution. So popular were the *Letters* in the colonies that Dickinson received an honorary LL.D. from the College of New Jersey (later Princeton) and public thanks from a meeting in Boston. In 1768, responding to the Townshend Duties, he championed rigorous colonial resistance in the form of nonimportation and nonexportation agreements.

In 1771, Dickinson returned to the Pennsylvania legislature and drafted a petition to the king that was unanimously approved. Because of his continued opposition to the use of force, however, he lost much of his popularity by 1774. He particularly resented the tactics of New England leaders in that year and refused to support aid requested by Boston in the wake of the Intolerable Acts, though he sympathized with the city's plight. Reluctantly, Dickinson was drawn into the Revolutionary fray. In 1774 he chaired the Philadelphia committee of correspondence and briefly sat in the First Continental Congress as a representative from Pennsylvania.

Throughout 1775, Dickinson supported the Whig cause, but continued to work for peace. He drew up petitions asking the king for redress of grievances. At the same time, he chaired a Philadelphia committee of safety and defense and held a colonelcy in the first battalion recruited in Philadelphia to defend the city.

After Lexington and Concord, Dickinson continued to hope for a peaceful solution. In the Second Continental Congress (1775-76), still a representative of Pennsylvania, he drew up them> Declaration of the Causes of Taking Up Arms. In the Pennsylvania assembly, he drafted an authorization to send delegates to Congress in 1776. It directed them to seek redress of grievances, but ordered them to oppose separation of the colonies from Britain.

By that time, Dickinson's moderate position had left him in the minority. In Congress he voted against the Declaration of Independence (1776) and refused to sign it. Nevertheless, he then became one of only two contemporary congressional members (with Thomas McKean) who entered the military. When he was not reelected he resigned his brigadier general's commission and withdrew to his estate in Delaware. Later in 1776, though reelected to Congress by his new constituency, he declined to serve and also resigned from the Pennsylvania Assembly. He may have taken part in the Battle of Brandywine, PA (September 11, 1777), as a private in a special Delaware force but otherwise saw no further military action.

Dickinson came out of retirement to take a seat in the Continental Congress (1779-80), where he signed the Articles of Confederation; earlier he had headed the committee that had drafted them. In 1781 he became president of Delaware's Supreme Executive Council. Shortly thereafter, he moved back to Philadelphia. There, he became president of Pennsylvania (1782-85). In 1786, representing Delaware, he attended and chaired the Annapolis Convention.

The next year, Delaware sent Dickinson to the Constitutional Convention. He missed a number of sessions and left early because of illness, but he made worthwhile contributions, including service on the Committee on Postponed Matters. Although he resented the forcefulness of Madison and the other nationalists, he helped engineer the Great Compromise and wrote public letters supporting constitutional ratification. Because of his premature departure from the convention, he did not actually sign the Constitution but authorized his friend and fellow-delegate George Read to do so for him.

Dickinson lived for two decades more but held no public offices. Instead, he devoted himself to writing on politics and in 1801 published two volumes of his collected works. He died at Wilmington in 1808 at the age of 75 and was entombed in the Friends Burial Ground.

*Image: Courtesy of Independence National Historical Park*

## George Read, Delaware



Read's mother was the daughter of a Welsh planter, and his Dublin-born father a landholder of means. Soon after George's birth in 1733 near the village of North East in Cecil County, MD, his family moved to New Castle, DE, where the youth, who was one of six sons, grew up. He attended school at Chester, PA, and Rev. Francis Alison's academy at New London, PA, and about the age of 15 he began reading with a Philadelphia lawyer.

In 1753 Read was admitted to the bar and began to practice. The next year, he journeyed back to New Castle, hung out his shingle, and before long enlisted a clientele that extended into Maryland. During this period he resided in New Castle but maintained Stonum a country retreat near the city. In 1763 he wed Gertrude Ross Till, the widowed sister of George Ross, like Read a future signer of the Declaration of Independence. She bore four sons and a daughter.

While crown attorney general (1763-74) for the Three Lower Counties (present Delaware), Read protested against the Stamp Act. In 1765 he began a career in the colonial legislature that lasted more than a decade. A moderate Whig, he supported nonimportation measures and dignified protests. His attendance at the Continental Congress (1774-77) was irregular. Like his friend John Dickinson, he was willing to protect colonial rights but was wary of extremism. He voted against independence on July 2, 1776, the only signer of the Declaration to do so, apparently either bowing to the strong Tory sentiment in Delaware, or believing reconciliation with Britain was still possible.

That same year, Read gave priority to state responsibilities. He presided over the Delaware constitutional convention, in which he chaired the drafting committee, and began a term as speaker of the legislative council, which in effect made him vice president of the state. When the British took Wilmington the next fall, they captured the president, a resident of the city. At first, because Read was away in Congress, Thomas McKean, speaker of the lower house, took over as acting president. But in November, after barely escaping from the British himself while he and his family were en route to Dover from Philadelphia, newly occupied by the redcoats, Read assumed the office and held it until the spring of 1778. Back in the legislative council, in 1779 he drafted the act directing Delaware congressional delegates to sign the Articles of Confederation.

During 1779, in poor health, Read resigned from the legislative council, refused reelection to Congress, and began a period of inactivity. During the years 1782-88, he again sat on the council and concurrently held the position of judge of the court of appeals in admiralty cases.

Meantime, in 1784, Read had served on a commission that adjusted New York-Massachusetts land claims. In 1786 he attended the Annapolis Convention. The next year, he participated in the Constitutional Convention, where he missed few if any sessions and championed the rights of the small states. Otherwise, he adopted a Hamiltonian stance, favoring a strong executive. He later led the ratification movement in Delaware, the first state to ratify.

In the U.S. Senate (1789-93), Read's attendance was again erratic, but when present he allied with the Federalists. He resigned to accept the post of chief justice of Delaware. He held it until his death at New Castle 5 years later, just 3 days after he celebrated his 65th birthday. His grave is there in the Immanuel Episcopal Churchyard.

*Image: Courtesy of The National Portrait Gallery, Smithsonian Institution*

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## *America's Founding Fathers*

### DELEGATES TO THE CONSTITUTIONAL CONVENTION

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#### The Founding Fathers: Georgia

##### Abraham Baldwin, Georgia



Baldwin was born at Guilford, Conn., in 1754, the second son of a blacksmith who fathered 12 children by 2 wives. Besides Abraham, several of the family attained distinction. His sister Ruth married the poet and diplomat Joel Barlow, and his half-brother Henry attained the position of justice of the U.S. Supreme Court. Their ambitious father went heavily into debt to educate his children.

After attending a local village school, Abraham matriculated at Yale, in nearby New Haven. He graduated in 1772. Three years later, he became a minister and tutor at the college. He held that position until 1779, when he served as a chaplain in the Continental Army. Two years later, he declined an offer from his alma mater of a professorship of divinity. Instead of resuming his ministerial or educational duties after the war, he turned to the study of law and in 1783 gained admittance to the bar at Fairfield, CT.

Within a year, Baldwin moved to Georgia, won legislative approval to practice his profession, and obtained a grant of land in Wilkes County. In 1785 he sat in the assembly and the Continental Congress. Two years later, his father died and Baldwin undertook to pay off his debts and educate, out of his own pocket, his half-brothers and half-sisters.

That same year, Baldwin attended the Constitutional Convention, from which he was absent for a few weeks. Although usually inconspicuous, he sat on the Committee on Postponed Matters and helped resolve the large-small state representation crisis. At first, he favored representation in the Senate based upon property holdings, but possibly because of his close relationship with the Connecticut delegation he later came to fear alienation of the small states and changed his mind to representation by state.

After the convention, Baldwin returned to the Continental Congress (1787-89). He was then elected to the U.S. Congress, where he served for 18 years (House of Representatives, 1789-99; Senate, 1799-1807). During these years, he became a bitter opponent of Hamiltonian policies and, unlike most other native New Englanders, an ally of Madison and Jefferson and the Democratic-Republicans. In the Senate, he presided for a while as president pro tem.

By 1790 Baldwin had taken up residence in Augusta. Beginning in the preceding decade, he had begun efforts to advance the educational system in Georgia. Appointed with six others in 1784 to oversee the founding of a state college, he saw his dream come true in 1798 when Franklin College was founded. Modeled after Yale, it became the nucleus of the University of Georgia.

Baldwin, who never married, died after a short illness during his 53d year in 1807. Still serving in the Senate at the time, he was buried in Washington's Rock Creek Cemetery.

*Image: Courtesy of The National Portrait Gallery, Smithsonian Institution*

## William Few, Georgia



Few was born in 1748. His father's family had emigrated from England to Pennsylvania in the 1680s, but the father had subsequently moved to Maryland, where he married and settled on a farm near Baltimore. William was born there. He encountered much hardship and received minimal schooling. When he was 10 years of age, his father, seeking better opportunity, moved his family to North Carolina.

In 1771 Few, his father, and a brother associated themselves with the "Regulators," a group of frontiersmen who opposed the royal governor. As a result, the brother was hanged, the Few family farm was destroyed, and the father was forced to move once again, this time to Georgia. William remained behind, helping to settle his father's affairs, until 1776 when he joined his family near Wrightsboro, Ga. About this time, he won admittance to the bar, based on earlier informal study, and set up practice in Augusta.

When the War for Independence began, Few enthusiastically aligned himself with the Whig cause. Although largely self-educated, he soon proved his capacity for leadership and won a lieutenant-colonelcy in the dragoons. In addition, he entered politics. He was elected to the Georgia provincial congress of 1776 and during the war twice served in the assembly, in 1777 and 1779. During the same period, he also sat on the state executive council besides holding the positions of surveyor-general and Indian commissioner. He also served in the Continental Congress (1780-88), during which time he was reelected to the Georgia Assembly (1783).

Four years later, Few was appointed as one of six state delegates to the Constitutional Convention, two of whom never attended and two others of whom did not stay for the duration. Few himself missed large segments of the proceedings, being absent during all of July and part of August because of congressional service, and never made a speech. Nonetheless, he contributed nationalist votes at critical times. Furthermore, as a delegate to the last sessions of the Continental Congress, he helped steer the Constitution past its first obstacle, approval by Congress. And he attended the state ratifying convention.

Few became one of his state's first U.S. senators (1789-93). When his term ended, he headed back home and served again in the assembly. In 1796 he received an appointment as a federal judge for the Georgia circuit. For reasons unknown, he resigned his judgeship in 1799 at the age of 52 and moved to New York City.

Few's career continued to blossom. He served 4 years in the legislature (1802-5) and then as inspector of prisons (1802-10), alderman (1813-14), and U.S. commissioner of loans (1804). From 1804 to 1814 he held a directorship at the Manhattan Bank and later the presidency of City Bank. A devout Methodist, he also donated generously to philanthropic causes.

When Few died in 1828 at the age of 80 in Fishkill-on-the-Hudson (present Beacon), he was survived by his wife (born Catherine Nicholson) and three daughters. Originally buried in the yard of the local Reformed Dutch Church, his body was later reinterred at St. Paul's Church, Augusta, GA.

*Image: Courtesy of National Archives, Records of Exposition, Anniversary, and Memorial Commissions (148-CP-157)*

## William Houston, Georgia



William Houston was the son of Sir Patrick Houston, a member of the council under the royal government of Georgia. He was born in 1755 in Savannah, GA. Houston received a liberal education, which included legal training at Inner Temple in London. The War for Independence cut short his training, and Houston returned home to Georgia. For many years members of Houston's family had been high officials in the colony. With the onset of war, many remained loyal to the crown, but William, a zealous advocate of colonists' rights, was among the first to counsel resistance to British aggression.

Houston represented Georgia in the Continental Congress from 1783 through 1786. He was chosen as one of Georgia's agents to settle a boundary dispute with South Carolina in 1785 and was one of the original trustees of the University of Georgia at Athens.

When the Constitutional Convention convened in 1787, Houston presented his credentials as one of Georgia's delegates. He stayed for only a short time, from June 1 until about July 23, but he was present during the debate on the representation question. Houston split Georgia's vote on equal representation in the Senate, voting "nay" against Abraham Baldwin's "aye."

Houston died in Savannah on March 17, 1813, and was interred in St. Paul's Chapel, New York City.

*Image: Courtesy of The Georgia Historical Society*

### William Leigh Pierce, Georgia

Very little is known about William Pierce's early life. He was probably born in Georgia in 1740, but he grew up in Virginia. During the Revolutionary War Pierce acted as an aide-de-camp to Gen. Nathanael Greene and eventually attained the rank of brevet major. For his conduct at the battle of Eutaw Springs, Congress presented him with a ceremonial sword.

The year Pierce left the army, 1783, he married Charlotte Fenwick of South Carolina. They had two sons, one of whom died as a child. Pierce made his home in Savannah, where he engaged in business. He first organized an import-export company, Pierce, White, and Call, in 1783, but it dissolved less than a year later. He made a new start with his wife's dowry and formed William Pierce & Company. In 1786 he was a member of the Georgia House of Representatives and was also elected to the Continental Congress.

At the Constitutional Convention Pierce did not play a large role, but he exerted some influence and participated in three debates. He argued for the election of one house of the federal legislature by the people and one house by the states; he favored a 3-year term instead of a 7-year term in the second house. Because he agreed that the Articles had been insufficient, he recommended strengthening the federal government at the expense of state privileges as long as state distinctions were not altogether destroyed. Pierce approved of the resulting Constitution, but he found it necessary to leave in the middle of the proceedings. A decline in the European rice market adversely affected his business. Soon after he returned to Savannah he went bankrupt, having "neither the skill of an experienced merchant nor any reserve capital." Only 2 years later, on December 10, 1789, Pierce died in Savannah at age 49 leaving tremendous debts.

Pierce's notes on the proceedings of the convention were published in the Savannah Georgian in 1828. In them he wrote incisive character sketches that are especially valuable for the information they provide about the lesser-known delegates.

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## America's Founding Fathers

### DELEGATES TO THE CONSTITUTIONAL CONVENTION

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#### The Founding Fathers: Maryland

##### Daniel Carroll, Maryland



Daniel Carroll was member of a prominent Maryland family of Irish descent. A collateral branch was led by Charles Carroll of Carrollton, signer of the Declaration of Independence. Daniel's older brother was John Carroll, the first Roman Catholic bishop in the United States.

Daniel was born in 1730 at Upper Marlboro, MD. Befitting the son of a wealthy Roman Catholic family, he studied for 6 years (1742-48) under the Jesuits at St. Omer's in Flanders. Then, after a tour of Europe, he sailed home and soon married Eleanor Carroll, apparently a first cousin of Charles Carroll of Carrollton. Not much is known about the next two decades of his life except that he backed the War for Independence reluctantly and remained out of the public eye. No doubt he lived the life of a gentleman planter.

In 1781 Carroll entered the political arena. Elected to the Continental Congress that year, he carried to Philadelphia the news that Maryland was at last ready to accede to the Articles of Confederation, to which he soon penned his name. During the decade, he also began a tour in the Maryland senate that was to span his lifetime and helped George Washington promote the Patowmack Company, a scheme to canalize the Potomac River so as to provide a transportation link between the East and the trans-Appalachian West.

Carroll did not arrive at the Constitutional Convention until July 9, but thereafter he attended quite regularly. He spoke about 20 times during the debates and served on the Committee on Postponed Matters. Returning to Maryland after the convention, he campaigned for ratification of the Constitution but was not a delegate to the state convention.

In 1789 Carroll won a seat in the U.S. House of Representatives, where he voted for locating the Nation's Capital on the banks of the Potomac and for Hamilton's program for the federal assumption of state debts. In 1791 George Washington named his friend Carroll as one of three commissioners to survey and define the District of Columbia, where Carroll owned much land. Ill health caused him to resign this post 4 years later, and the next year at the age of 65 he died at his home near Rock Creek in Forest Glen, MD. He was buried there in St. John's Catholic Cemetery.

*Image: Courtesy of The Maryland Historical Society*

##### Daniel of St. Thomas Jenifer, Maryland

Jenifer was born in 1723 of Swedish and English descent at Coates Retirement (now Ellerslie) estate, near Port Tobacco in Charles County, Md. Little is known about his childhood or education, but as an adult he came into possession of a large estate near Annapolis, called Stepney, where he lived most of his life. He never married. The web of his far-reaching



friendships included such illustrious personages as George Washington.

As a young man, Jenifer served as agent and receiver-general for the last two proprietors of Maryland. He also filled the post of justice of the peace in Charles County and later for the western circuit of Maryland. In 1760 he sat on a boundary commission that settled disputes between Pennsylvania and Delaware. Six years later, he became a member of the provincial court and from 1773 to 1776 sat on the Maryland royal governor's council.

Despite his association with conservative proprietary politics, Jenifer supported the Revolutionary movement, albeit at first reluctantly. He served as president of the Maryland council of safety (1775-77), then as president of the first state senate (1777-80). He sat in the Continental Congress (1778-82) and held the position of state revenue and financial manager (1782-85).

A conservative nationalist, Jenifer favored a strong and permanent union of the states and a Congress with taxation power. In 1785 he represented Maryland at the Mount Vernon Conference. Although he was one of 29 delegates who attended nearly every session of the Constitutional Convention, he did not speak often but backed Madison and the nationalist element.

Jenifer lived only 3 more years and never again held public office. He died at the age of 66 or 67 at Annapolis in 1790. The exact location of his grave, possibly at Ellerslie estate, is unknown.

*Image: Courtesy of The National Portrait Gallery, Smithsonian Institution*

## Luther Martin, Maryland



Like many of the delegates to the Constitutional Convention, Luther Martin attended the College of New Jersey (later Princeton), from which he graduated with honors in 1766. Though born in Brunswick, NJ., in 1748, Martin moved to Maryland after receiving his degree and taught there for 3 years. He then began to study the law and was admitted to the Virginia bar in 1771.

Martin was an early advocate of American independence from Great Britain. In the fall of 1774 he served on the patriot committee of Somerset County, and in December he attended a convention of the Province of Maryland in Annapolis, which had been called to consider the recommendations of the Continental Congress. Maryland appointed Luther Martin its attorney general in early 1778. In this capacity, Martin vigorously prosecuted Loyalists, whose numbers were strong in many areas. Tensions had even led to insurrection and open warfare in some counties. While still attorney general, Martin joined the Baltimore Light Dragoons. In July 1781 his unit joined Lafayette's forces near Fredericksburg, VA., but Martin was recalled by the governor to prosecute a treason trial.

Martin married Maria Cresap on Christmas Day 1783. Of their five children, three daughters lived to adulthood. His postwar law practice grew to become one of the largest and most successful in the country. In 1785 Martin was elected to the Continental Congress, but this appointment was purely honorary. His numerous public and private duties prevented him from traveling to Philadelphia.

At the Constitutional Convention Martin opposed the idea of a strong central government. When he arrived on June 9, 1787, he expressed suspicion of the secrecy rule imposed on the proceedings. He consistently sided with the small states and voted against the Virginia Plan. On June 27 Martin spoke for more than 3 hours in opposition to the Virginia Plan's proposal for proportionate representation in both houses of the legislature. Martin served on the committee formed to seek a compromise on representation, where he supported the case for equal numbers of delegates in at least one house. Before the convention closed, he and another Maryland delegate, John Francis Mercer, walked out.

In an address to the Maryland House of Delegates in 1787 and in numerous newspaper articles, Martin attacked the proposed new form of government and continued to fight ratification of the Constitution through 1788. He lamented the ascension of the national government over the states and condemned what he saw as unequal representation in Congress. Martin opposed including slaves in determining representation and believed that the absence of a jury in the Supreme Court gravely endangered freedom. At the convention, Martin complained, the aggrandizement of particular states and individuals often had been pursued more avidly than the welfare of the country. The assumption of the term "federal" by those who favored a national government also irritated Martin. Around 1791, however, Martin turned to the Federalist party because of his animosity toward Thomas Jefferson.



The first years of the 1800s saw Martin as defense counsel in two controversial national cases. In the first Martin won an acquittal for his close friend, Supreme Court Justice Samuel Chase, in his impeachment trial in 1805. Two years later Martin was one of Aaron Burr's defense lawyers when Burr stood trial for treason in 1807.

After a record 28 consecutive years as state attorney general, Luther Martin resigned in December 1805. In 1813 Martin became chief judge of the court of oyer and terminer for the City and County of Baltimore. He was reappointed attorney general of Maryland in 1818, and in 1819 he argued Maryland's position in the landmark Supreme Court case *McCulloch v. Maryland*. The plaintiff, represented by Daniel Webster, William Pinckney, and William Wirt, won the decision, which determined that states could not tax federal institutions.

Martin's fortunes declined dramatically in his last years. Heavy drinking, illness, and poverty all took their toll. Paralysis, which had struck in 1819, forced him to retire as Maryland's attorney general in 1822. In 1826, at the age of 78, Luther Martin died in Aaron Burr's home in New York City and was buried in an unmarked grave in St. John's churchyard.

*Image: Courtesy of The National Portrait Gallery, Smithsonian Institution*

### James McHenry, Maryland



McHenry was born at Ballymena, County Antrim, Ireland, in 1753. He enjoyed a classical education at Dublin, and emigrated to Philadelphia in 1771. The following year, the rest of his family came to the colonies, and his brother and father established an import business at Baltimore. During that year, James continued schooling at Newark Academy in Delaware and then studied medicine for 2 years under the well-known Dr. Benjamin Rush in Philadelphia.

During the War for Independence, McHenry served as a military surgeon. Late in 1776, while he was on the staff of the 5th Pennsylvania Battalion, the British captured him at Fort Mifflin, PA. He was paroled early the next year and exchanged in March 1778. Returning immediately to duty, he was assigned to Valley Forge, PA, and in May became secretary to George Washington.

About this time, McHenry apparently quit the practice of medicine to devote himself to politics and administration; he apparently never needed to return to it after the war because of his excellent financial circumstances.

McHenry stayed on Washington's staff until 1780, when he joined that of the Marquis de Lafayette, and he remained in that assignment until he entered the Maryland Senate (1781-86). During part of this period, he served concurrently in the Continental Congress (1783-86). In 1784 he married Margaret Allison Caldwell.

McHenry missed many of the proceedings at the Philadelphia convention, in part because of the illness of his brother, and played an insubstantial part in the debates when he was present. He did, however, maintain a private journal that has been useful to posterity. He campaigned strenuously for the Constitution in Maryland and attended the state ratifying convention.

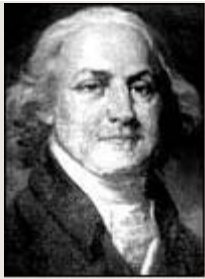
From 1789 to 1791, McHenry sat in the state assembly and in the years 1791-96 again in the senate. A staunch Federalist, he then accepted Washington's offer of the post of Secretary of War and held it into the administration of John Adams. McHenry looked to Hamilton rather than to Adams for leadership. As time passed, the latter became increasingly dissatisfied with McHenry's performance and distrustful of his political motives and in 1800 forced him to resign. Subsequently, the Democratic-Republicans accused him of maladministration, but a congressional committee vindicated him.

McHenry returned to his estate near Baltimore and to semiretirement. He remained a loyal Federalist and opposed the War of 1812. He also held the office of president of a Bible society. He died in 1816 at the age of 62, survived by two of his three children. His grave is in Baltimore's Westminster Presbyterian Cemetery.

*Image: Courtesy of Independence National Historical Park*

### John Francis Mercer, Maryland

John Francis Mercer, born on May 17, 1759, was the fifth of nine children born to John and Ann Mercer of Stafford County, VA. He attended the College of William and Mary, and in early 1776 he joined the 3d Virginia Regiment. Mercer became Gen. Charles Lee's aide-de-camp in 1778, but after General Lee's court-martial in October 1779, Mercer resigned his commission. He spent the next year studying law at the College of William and Mary and then rejoined the army, where he served briefly under Lafayette.



In 1782 Mercer was elected to the Virginia House of Delegates. That December he became one of Virginia's representatives to the Continental Congress. He later returned to the House of Delegates in 1785 and 1786.

Mercer married Sophia Sprigg in 1785 and soon after moved to Anne Arundel County, MD. He attended the Constitutional Convention as part of Maryland's delegation when he was only 28 years old, the second youngest delegate in Philadelphia. Mercer was strongly opposed to centralization, and both spoke and voted against the Constitution. He and fellow Marylander Luther Martin left the proceedings before they ended.

After the convention, Mercer continued in public service. He allied himself with the Republicans and served in the Maryland House of Delegates in 1778-89, 1791-92, 1800-1801, and 1803-6. Between 1791 and 1794 he also sat in the U.S. House of Representatives for Maryland and was chosen governor of the state for two terms, 1801-3. During Thomas Jefferson's term as President, Mercer broke with the Republicans and joined the Federalist camp.

Illness plagued him during his last years. In 1821 Mercer traveled to Philadelphia to seek medical attention, and he died there on August 30. His remains lay temporarily in a vault in St. Peter's Church in Philadelphia and were reinterred on his estate, "Cedar Park" in Maryland.

*Image: Courtesy of Independence National Historical Park*

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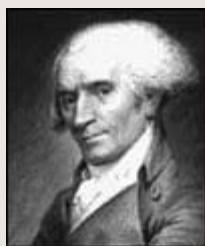
## America's Founding Fathers

### DELEGATES TO THE CONSTITUTIONAL CONVENTION

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#### The Founding Fathers: Massachusetts

##### Elbridge Gerry, Massachusetts



Gerry was born in 1744 at Marblehead, MA, the third of 12 children. His mother was the daughter of a Boston merchant; his father, a wealthy and politically active merchant-shipper who had once been a sea captain. Upon graduating from Harvard in 1762, Gerry joined his father and two brothers in the family business, exporting dried codfish to Barbados and Spain. He entered the colonial legislature (1772-74), where he came under the influence of Samuel Adams, and took part in the Marblehead and Massachusetts committees of correspondence. When Parliament closed Boston harbor in June 1774, Marblehead became a major port of entry for supplies donated by patriots throughout the colonies to relieve Bostonians, and Gerry helped transport the goods.

Between 1774 and 1776 Gerry attended the first and second provincial congresses. He served with Samuel Adams and John Hancock on the council of safety and, as chairman of the committee of supply (a job for which his merchant background ideally suited him) wherein he raised troops and dealt with military logistics. On the night of April 18, 1775

Gerry attended a meeting of the council of safety at an inn in Menotomy (Arlington), between Cambridge and Lexington, and barely escaped the British troops marching on Lexington and Concord.

In 1776 Gerry entered the Continental Congress, where his congressional specialities were military and financial matters. In Congress and throughout his career his actions often appeared contradictory. He earned the nickname "soldiers' friend" for his advocacy of better pay and equipment, yet he vacillated on the issue of pensions. Despite his disapproval of standing armies, he recommended long-term enlistments.

Until 1779 Gerry sat on and sometimes presided over the congressional board that regulated Continental finances. After a quarrel over the price schedule for suppliers, Gerry, himself a supplier, walked out of Congress. Although nominally a member, he did not reappear for 3 years. During the interim, he engaged in trade and privateering and served in the lower house of the Massachusetts legislature.

As a representative in Congress in the years 1783-85, Gerry numbered among those who had possessed talent as Revolutionary agitators and wartime leaders but who could not effectually cope with the painstaking task of stabilizing the national government. He was experienced and conscientious but created many enemies with his lack of humor, suspicion of the motives of others, and obsessive fear of political and military tyranny. In 1786, the year after leaving Congress, he retired from business, married Ann Thompson, and took a seat in the state legislature.

Gerry was one of the most vocal delegates at the Constitutional Convention of 1787. He presided as chairman of the committee that produced the Great Compromise but disliked the compromise itself. He antagonized nearly everyone by his inconsistency and, according to a colleague, "objected to everything he did not propose." At first an advocate of a

strong central government, Gerry ultimately rejected and refused to sign the Constitution because it lacked a bill of rights and because he deemed it a threat to republicanism. He led the drive against ratification in Massachusetts and denounced the document as "full of vices." Among the vices, he listed inadequate representation of the people, dangerously ambiguous legislative powers, the blending of the executive and the legislative, and the danger of an oppressive judiciary. Gerry did see some merit in the Constitution, though, and believed that its flaws could be remedied through amendments. In 1789, after he announced his intention to support the Constitution, he was elected to the First Congress where, to the chagrin of the Antifederalists, he championed Federalist policies.

Gerry left Congress for the last time in 1793 and retired for 4 years. During this period he came to mistrust the aims of the Federalists, particularly their attempts to nurture an alliance with Britain, and sided with the pro-French Democratic-Republicans. In 1797 President John Adams appointed him as the only non-Federalist member of a three-man commission charged with negotiating a reconciliation with France, which was on the brink of war with the United States. During the ensuing XYZ affair (1797-98), Gerry tarnished his reputation. Talleyrand, the French foreign minister, led him to believe that his presence in France would prevent war, and Gerry lingered on long after the departure of John Marshall and Charles Cotesworth Pinckney, the two other commissioners. Finally, the embarrassed Adams recalled him, and Gerry met severe censure from the Federalists upon his return.

In 1800-1803 Gerry, never very popular among the Massachusetts electorate because of his aristocratic haughtiness, met defeat in four bids for the Massachusetts governorship but finally triumphed in 1810. Near the end of his two terms, scarred by partisan controversy, the Democratic-Republicans passed a redistricting measure to ensure their domination of the state senate. In response, the Federalists heaped ridicule on Gerry and coined the pun "gerrymander" to describe the salamander-like shape of one of the redistricted areas.

Despite his advanced age, frail health, and the threat of poverty brought on by neglect of personal affairs, Gerry served as James Madison's Vice President in 1813. In the fall of 1814, the 70-year old politician collapsed on his way to the Senate and died. He left his wife, who was to live until 1849, the last surviving widow of a signer of the Declaration of Independence, as well as three sons and four daughters. Gerry is buried in Congressional Cemetery at Washington, DC.

*Image: Courtesy of The National Portrait Gallery, Smithsonian Institution*

### **Nathaniel Gorham, Massachusetts**

Gorham, an eldest child, was born in 1738 at Charlestown, MA, into an old Bay Colony family of modest means. His father operated a packet boat. The youth's education was minimal. When he was about 15 years of age, he was apprenticed to a New London, CT, merchant. He quit in 1759, returned to his hometown and established a business which quickly succeeded. In 1763 he wed Rebecca Call, who was to bear nine children.

Gorham began his political career as a public notary but soon won election to the colonial legislature (1771-75). During the Revolution, he unswervingly backed the Whigs. He was a delegate to the provincial congress (1774-75), member of the Massachusetts Board of War (1778-81), delegate to the constitutional convention (1779-80), and representative in both the upper (1780) and lower (1781-87) houses of the legislature, including speaker of the latter in 1781, 1782, and 1785. In the last year, though he apparently lacked formal legal training, he began a judicial career as judge of the Middlesex County court of common pleas (1785-96). During this same period, he sat on the Governor's Council (1788-89).

During the war, British troops had ravaged much of Gorham's property, though by privateering and speculation he managed to recoup most of his fortune. Despite these pressing business concerns and his state political and judicial activities, he also served the nation. He was a member of the Continental Congress (1782-83 and 1785-87), and held the office of president from June 1786 until January 1787.

The next year, at age 49, Gorham attended the Constitutional Convention. A moderate nationalist, he attended all the sessions and played an influential role.. He spoke often, acted as chairman of the Committee of the Whole, and sat on the Committee of Detail. As a delegate to the Massachusetts ratifying convention, he stood behind the Constitution.

Some unhappy years followed. Gorham did not serve in the new government he had helped to create. In 1788 he and Oliver Phelps of Windsor, CT, and possibly others, contracted to purchase from the Commonwealth of Massachusetts 6 million acres of unimproved land in western New York. The price was \$1 million in devalued Massachusetts scrip. Gorham and Phelps quickly succeeded in clearing Indian title to 2,600,000 acres in the eastern section of the grant and sold much of it to settlers. Problems soon arose, however. Massachusetts scrip rose dramatically in value, enormously swelling the purchase price of the vast tract. By 1790 the two men were unable to meet their payments. The result was a financial crisis that led to Gorham's insolvency--and a fall from the heights of Boston society and political esteem.

Gorham died in 1796 at the age of 58 and is buried at the Phipps Street Cemetery in Charlestown, MA.

## Rufus King, Massachusetts



King was born at Scarboro (Scarborough), MA (present Maine), in 1755. He was the eldest son of a prosperous farmer-merchant. At age 12, after receiving an elementary education at local schools, he matriculated at Dummer Academy in South Byfield, MA, and in 1777 graduated from Harvard. He served briefly as a general's aide during the War for Independence. Choosing a legal career, he read for the law at Newburyport, MA, and entered practice there in 1780.

King's knowledge, bearing, and oratorical gifts soon launched him on a political career. From 1783 to 1785 he was a member of the Massachusetts legislature, after which that body sent him to the Continental Congress (1784-86). There, he gained a reputation as a brilliant speaker and an early opponent of slavery. Toward the end of his tour, in 1786, he married Mary Alsop, daughter of a rich New York City merchant. He performed his final duties for Massachusetts by representing her at the Constitutional Convention and by serving in the commonwealth's ratifying convention.

At age 32, King was not only one of the most youthful of the delegates at Philadelphia, but was also one of the most important. He numbered among the most capable orators. Furthermore, he attended every session. Although he came to the convention unconvinced that major changes should be made in the Articles of Confederation, his views underwent a startling transformation during the debates. With Madison, he became a leading figure in the nationalist caucus. He served with distinction on the Committee on Postponed Matters and the Committee of Style. He also took notes on the proceedings, which have been valuable to historians.

About 1788 King abandoned his law practice, moved from the Bay State to Gotham, and entered the New York political forum. He was elected to the legislature (1789-90), and in the former year was picked as one of the state's first U.S. senators. As political divisions grew in the new government, King expressed ardent sympathies for the Federalists. In Congress, he supported Hamilton's fiscal program and stood among the leading proponents of the unpopular Jay's Treaty (1794).

Meantime, in 1791, King had become one of the directors of the First Bank of the United States. Reelected to the U.S. Senate in 1795, he served only a year before he was appointed as Minister to Great Britain (1796-1803).

King's years in this post were difficult ones in Anglo-American relations. The wars of the French Revolution endangered U.S. commerce in the maritime clashes between the French and the British. The latter in particular violated American rights on the high seas, especially by the impressment of sailors. Although King was unable to bring about a change in this policy, he smoothed relations between the two nations.

In 1803 King sailed back to the United States and to a career in politics. In 1804 and 1808 fellow-signer Charles Cotesworth Pinckney and he were the Federalist candidates for President and Vice President, respectively, but were decisively defeated. Otherwise, King largely contented himself with agricultural pursuits at King Manor, a Long Island estate he had purchased in 1805. During the War of 1812, he was again elected to the U.S. Senate (1813-25) and ranked as a leading critic of the war. Only after the British attacked Washington in 1814 did he come to believe that the United States was fighting a defensive action and to lend his support to the war effort.

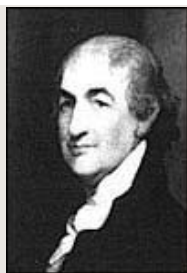
In 1816 the Federalists chose King as their candidate for the presidency, but James Monroe beat him handily. Still in the Senate, that same year King led the opposition to the establishment of the Second Bank of the United States. Four years later, believing that the issue of slavery could not be compromised but must be settled once and for all by the immediate establishment of a system of compensated emancipation and colonization, he denounced the Missouri Compromise.

In 1825, suffering from ill health, King retired from the Senate. President John Quincy Adams, however, persuaded him to accept another assignment as Minister to Great Britain. He arrived in England that same year, but soon fell ill and was forced to return home the following year. Within a year, at the age of 72, in 1827, he died. Surviving him were several offspring, some of whom also gained distinction. He was laid to rest near King Manor in the cemetery of Grace Episcopal Church, Jamaica, Long Island, NY.

*Image: Courtesy of The National Portrait Gallery, Smithsonian Institution*

## Caleb Strong, Massachusetts

Strong was born to Caleb and Phebe Strong on January 9, 1745 in Northampton, MA. He received his college education at Harvard, from which he graduated with highest honors in 1764. Like so many of the delegates to the Constitutional Convention, Strong chose to study law and was admitted to the bar in 1772. He enjoyed a prosperous country practice.



From 1774 through the duration of the Revolution, Strong was a member of Northampton's committee of safety. In 1776 he was elected to the Massachusetts General Court and also held the post of county attorney for Hampshire County for 24 years. He was offered a position on the state supreme court in 1783 but declined it.

At the Constitutional Convention, Strong counted himself among the delegates who favored a strong central government. He successfully moved that the House of Representatives should originate all money bills and sat on the drafting committee. Though he preferred a system that accorded the same rank and mode of election to both houses of Congress, he voted in favor of equal representation in the Senate and proportional in the House. Strong was called home on account of illness in his family and so missed the opportunity to sign the Constitution. However, during the Massachusetts ratifying convention, he took a leading role among the Federalists and campaigned strongly for ratification.

Massachusetts chose Strong as one of its first U.S. senators in 1789. During the 4 years he served in that house, he sat on numerous committees and participated in framing the Judiciary Act. Caleb Strong wholeheartedly supported the Washington administration. In 1793 he urged the government to send a mission to England and backed the resulting Jay's Treaty when it met heated opposition.

Caleb Strong, the Federalist candidate, defeated Elbridge Gerry to become Governor of Massachusetts in 1800. Despite the growing strength of the Democratic party in the state, Strong won reelection annually until 1807. In 1812 he regained the governorship, once again over Gerry, and retained his post until he retired in 1816. During the War of 1812 Strong withstood pressure from the Secretary of War to order part of the Massachusetts militia into federal service. Strong opposed the war and approved the report of the Hartford Convention, a gathering of New England Federalists resentful of Jeffersonian policies.

Strong died on November 7, 1819, 2 years after the death of his wife, Sarah. He was buried in the Bridge Street Cemetery in Northampton. Four of his nine children survived him.

*Image: National Archives, Records of Exposition, Anniversary, and Memorial Commissions (148-CP-156)*

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#### The Founding Fathers: New Hampshire

##### Nicholas Gilman, New Hampshire



Member of a distinguished New Hampshire family and second son in a family of eight, Nicholas Gilman was born at Exeter in 1755. He received his education in local schools and worked at his father's general store. When the War for Independence began, he enlisted in the New Hampshire element of the Continental Army, soon won a captaincy, and served throughout the war.

Gilman returned home, again helped his father in the store, and immersed himself in politics. In the period 1786-88 he sat in the Continental Congress, though his attendance record was poor. In 1787 he represented New Hampshire at the Constitutional Convention. He did not arrive at Philadelphia until July 21, by which time much major business had already occurred. Never much of a debater, he made no speeches and played only a minor part in the deliberations. He did, however, serve on the Committee on Postponed Matters. He was also active in obtaining New Hampshire's acceptance of the Constitution and in shepherding it through the Continental Congress.

Gilman later became a prominent Federalist politician. He served in the U.S. House of Representatives from 1789 until 1797; and in 1793 and 1797 was a presidential elector. He also sat in the New Hampshire legislature in 1795, 1802, and 1804, and in the years 1805-8 and 1811-14 he held the office of state treasurer.

Meantime, Gilman's political philosophy had begun to drift toward the Democratic-Republicans. In 1802, when he was defeated for the U.S. Senate, President Jefferson appointed him as a bankruptcy commissioner, and 2 years later as a Democratic-Republican he won election to the U.S. Senate. He was still serving there when he passed away at Philadelphia, while on his way home from Washington, DC, in 1814 at the age of 58. He is interred at the Winter Street Cemetery at Exeter.

*Image: Courtesy of Phillips Exeter Academy*

##### John Langdon, New Hampshire

Langdon was born in 1741 at or near Portsmouth, NH. His father, whose family had emigrated to America before 1660, was a prosperous farmer who sired a large family. The youth's education was intermittent. He attended a local grammar school, worked as an apprentice clerk, and spent some time at sea. Eventually he went into the mercantile business for himself and prospered.

Langdon, a vigorous supporter of the Revolution, sat on the New Hampshire committee of correspondence and a nonimportation committee. He also attended various patriot assemblies. In 1774 he participated in the seizure and confiscation of British munitions from the Portsmouth fort.



The next year, Langdon served as speaker of the New Hampshire assembly and also sat in the Continental Congress (1775-76). During the latter year, he accepted a colonelcy in the militia of his state and became its agent for British prizes on behalf of the Continental Congress, a post he held throughout the war. In addition, he built privateers for operations against the British--a lucrative occupation.

Langdon also actively took part in the land war. In 1777 he organized and paid for Gen. John Stark's expedition from New Hampshire against British Gen. John Burgoyne and was present in command of a militia unit at Saratoga, NY, when the latter surrendered. Langdon later led a detachment of troops during the Rhode Island campaign, but found his major outlet in politics. He was speaker of the New Hampshire legislature from 1777 to 1781. In 1777, meantime, he had married Elizabeth Sherburne, who was to give birth to one daughter.

In 1783 Langdon was elected to the Continental Congress; the next year, to the state senate; and the following year, as president, or chief executive, of New Hampshire. In 1784 he built a home at Portsmouth. In 1786-87 he was back again as speaker of the legislature and during the latter year for the third time in the Continental Congress.

Langdon was forced to pay his own expenses and those of Nicholas Gilman to the Constitutional Convention because New Hampshire was unable or unwilling to pay them. The pair did not arrive at Philadelphia until late July, by which time much business had already been consummated. Thereafter, Langdon made a significant mark. He spoke more than 20 times during the debates and was a member of the committee that struck a compromise on the issue of slavery. For the most part, his sympathies lay on the side of strengthening the national government. In 1788, once again as state president (1788-89), he took part in the ratifying convention.

From 1789 to 1801 Langdon sat in the U.S. Senate, including service as the first President pro tem for several sessions. During these years, his political affiliations changed. As a supporter of a strong central government, he had been a member of the Federalist Party, but by the time of Jay's Treaty (1794) he was opposing its policies. By 1801 he was firmly backing the Democratic-Republicans.

That year, Langdon declined Jefferson's offer of the Secretaryship of the Navy. Between then and 1812, he kept active in New Hampshire politics. He sat again in the legislature (1801-5), twice holding the position of speaker. After several unsuccessful attempts, in 1805 he was elected as governor and continued in that post until 1811 except for a year's hiatus in 1809. Meanwhile, in 1805, Dartmouth College had awarded him an honorary doctor of laws degree.

In 1812 Langdon refused the Democratic-Republican Vice-Presidential nomination on the grounds of age and health. He enjoyed retirement for another 7 years before he died at the age of 78. His grave is at Old North Cemetery in Portsmouth.

*Image: Courtesy of Independence National Historical Park*

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# THE CHARTERS OF FREEDOM

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## America's Founding Fathers

### DELEGATES TO THE CONSTITUTIONAL CONVENTION

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#### The Founding Fathers: New Jersey

##### David Brearly, New Jersey



Brearly (Brearley) was descended from a Yorkshire, England, family, one of whose members migrated to New Jersey around 1680. Signer Brearly was born in 1745 at Spring Grove near Trenton, was reared in the area, and attended but did not graduate from the nearby College of New Jersey (later Princeton). He chose law as a career and originally practiced at Allentown, NJ. About 1767 he married Elizabeth Mullen.

Brearly avidly backed the Revolutionary cause. The British arrested him for high treason, but a group of patriots freed him. In 1776 he took part in the convention that drew up the state constitution. During the War for Independence, he rose from a captain to a colonel in the militia.

In 1779 Brearly was elected as chief justice of the New Jersey supreme court, a position he held until 1789. He presided over the precedent-setting case of *Holmes v. Walton*. His decision, rendered in 1780, represented an early expression of the principle of judicial review. The next year, the College of New Jersey bestowed an honorary M.A. degree on him.

Brearly was 42 years of age when he participated in the Constitutional Convention. Although he did not rank among the leaders, he attended the sessions regularly. A follower of Paterson, who introduced the New Jersey Plan, Brearly opposed proportional representation of the states and favored one vote for each of them in Congress. He also chaired the Committee on Postponed Matters.

Brearly's subsequent career was short, for he had only 3 years to live. He presided at the New Jersey convention that ratified the Constitution in 1788, and served as a presidential elector in 1789. That same year, President Washington appointed him as a federal district judge, and he served in that capacity until his death.

When free from his judicial duties, Brearly devoted much energy to lodge and church affairs. He was one of the leading members of the Masonic Order in New Jersey, as well as state vice president of the Society of the Cincinnati, an organization of former officers of the Revolutionary War. In addition, he served as a delegate to the Episcopal General Conference (1786) and helped write the church's prayer book. In 1783, following the death of his first wife, he had married Elizabeth Higbee.

Brearly died in Trenton at the age of 45 in 1790. He was buried there at St. Michael's Episcopal Church.

*Image: Courtesy of Trenton Free Public Library*

##### Jonathan Dayton, New Jersey



Dayton was born at Elizabethtown (present Elizabeth), NJ, in 1760. His father was a storekeeper who was also active in local and state politics. The youth obtained a good education, graduating from the College of New Jersey (later Princeton) in 1776. He immediately entered the Continental Army and saw extensive action. Achieving the rank of captain by the age of 19 and serving under his father, Gen. Elias Dayton, and the Marquis de Lafayette, he was a prisoner of the British for a time and participated in the Battle of Yorktown, VA.

After the war, Dayton returned home, studied law, and established a practice. During the 1780s he divided his time between land speculation, legal practice, and politics. He sat in the assembly in 1786-87. In the latter year, he was chosen as a delegate to the Constitutional Convention after the leaders of his political faction, his father and his patron, Abraham Clark, declined to attend. Dayton did not arrive at Philadelphia until June 21 but thereafter faithfully took part in the proceedings. He spoke with moderate frequency during the debates and, though objecting to some provisions of the Constitution, signed it.

After sitting in the Continental Congress in 1788, Dayton became a foremost Federalist legislator in the new government. Although elected as a representative, he did not serve in the First Congress in 1789, preferring instead to become a member of the New Jersey council and speaker of the state assembly. In 1791, however, he entered the U.S. House of Representatives (1791-99), becoming Speaker in the Fourth and Fifth Congresses. During this period, he backed Hamilton's fiscal program, suppression of the Whisky Rebellion, Jay's Treaty, and a host of other Federalist measures.

In personal matters Dayton purchased Boxwood Hall in 1795 as his home in Elizabethtown and resided there until his death. He was elevated to the U.S. Senate (1799-1805). He supported the Louisiana Purchase (1803) and, in conformance with his Federalist views, opposed the repeal of the Judiciary Act of 1801.

In 1806 illness prevented Dayton from accompanying Aaron Burr's abortive expedition to the Southwest, where the latter apparently intended to conquer Spanish lands and create an empire. Subsequently indicted for treason, Dayton was not prosecuted but could not salvage his national political career. He remained popular in New Jersey, however, continuing to hold local offices and sitting in the assembly (1814-15).

In 1824 the 63-year-old Dayton played host to Lafayette during his triumphal tour of the United States, and his death at Elizabeth later that year may have been hastened by the exertion and excitement. He was laid to rest at St. John's Episcopal Church in his hometown. Because he owned 250,000 acres of Ohio land between the Big and Little Miami Rivers, the city of Dayton, was named after him--his major monument. He had married Susan Williamson, but the date of their wedding is unknown. They had two daughters.

*Image: Courtesy of National Archives, Records of Exposition, Anniversary, and Memorial Commissions (148-CC-7-1)*

### **William C. Houston, New Jersey**

William Houston was born about 1746 to Margaret and Archibald Houston. He attended the College of New Jersey (later Princeton) and graduated in 1768 and became master of the college grammar school and then its tutor. In 1771 he was appointed professor of mathematics and natural philosophy.

From 1775 to 1776 Houston was deputy secretary of the Continental Congress. He also saw active military service in 1776 and 1777 when, as captain of the foot militia of Somerset County, he engaged in action around Princeton. During the Revolution, Houston also served in the New Jersey Assembly (1777) and the New Jersey Council of Safety (1778). In 1779 he was once again elected to the Continental Congress, where he worked mainly in the areas of supply and finance. In addition to serving in Congress, Houston remained active in the affairs of the College of New Jersey and also found time to study law. He was admitted to the bar in 1781 and won the appointment of clerk of the New Jersey Supreme Court in the same year. Houston resigned from the college in 1783 and concentrated on his Trenton law practice. He represented New Jersey in Congress once again in 1784 and 1785.

Houston represented New Jersey at both the Annapolis and Philadelphia conventions. Though illness forced him to leave after 1 week, he did serve on a committee to consider the distribution of seats in the lower house. Houston did not sign the Constitution, but he signed the report to the New Jersey legislature.

On August 12, 1788, William Houston succumbed to tuberculosis and died in Frankford, PA., leaving his wife Jane, two daughters, and two sons. His body was laid to rest in the Second Presbyterian Churchyard in Philadelphia.

### **William Livingston, New Jersey**



Livingston was born in 1723 at Albany, NY. His maternal grandmother reared him until he was 14, and he then spent a year with a missionary among the Mohawk Indians. He attended Yale and graduated in 1741.

Rejecting his family's hope that he would enter the fur trade at Albany or mercantile pursuits in New York City, young Livingston chose to pursue a career in law at the latter place. Before he completed his legal studies, in 1745 he married Susanna French, daughter of a well-to-do New Jersey landowner. She was to bear 13 children.

Three years later, Livingston was admitted to the bar and quickly gained a reputation as the supporter of popular causes against the more conservative factions in the city. Associated with the Calvinists in religion, he opposed the dominant Anglican leaders in the colony and wielded a sharply satirical pen in verses and broadsides. Livingston attacked the Anglican attempt to charter and control King's College (later Columbia College and University) and the dominant De Lancey party for its Anglican sympathies, and by 1758 rose to the leadership of his faction. For a decade, it controlled the colonial assembly and fought against parliamentary interference in the colony's affairs. During this time, 1759-61, Livingston sat in the assembly.

In 1769 Livingston's supporters, split by the growing debate as to how to respond to British taxation of the colonies, lost control of the assembly. Not long thereafter, Livingston, who had also grown tired of legal practice, moved to the Elizabethtown (present Elizabeth), NJ, area, where he had purchased land in 1760. There, in 1772-73, he built the estate, Liberty Hall, continued to write verse, and planned to live the life of a gentleman farmer.

The Revolutionary upsurge, however, brought Livingston out of retirement. He soon became a member of the Essex County, NJ, committee of correspondence; in 1774 a representative in the First Continental Congress; and in 1775-76 a delegate to the Second Continental Congress. In June 1776 he left Congress to command the New Jersey militia as a brigadier general and held this post until he was elected later in the year as the first governor of the state.

Livingston held the position throughout and beyond the war--in fact, for 14 consecutive years until his death in 1790. During his administration, the government was organized, the war won, and New Jersey launched on her path as a sovereign state. Although the pressure of affairs often prevented it, he enjoyed his estate whenever possible, conducted agricultural experiments, and became a member of the Philadelphia Society for Promoting Agriculture. He was also active in the antislavery movement.

In 1787 Livingston was selected as a delegate to the Constitutional Convention, though his gubernatorial duties prevented him from attending every session. He did not arrive until June 5 and missed several weeks in July, but he performed vital committee work, particularly as chairman of the one that reached a compromise on the issue of slavery. He also supported the New Jersey Plan. In addition, he spurred New Jersey's rapid ratification of the Constitution (1787). The next year, Yale awarded him an honorary doctor of laws degree.

Livingston died at Liberty Hall in his 67th year in 1790. He was originally buried at the local Presbyterian Churchyard, but a year later his remains were moved to a vault his son owned at Trinity Churchyard in Manhattan and in 1844 were again relocated, to Brooklyn's Greenwood Cemetery.

*Image: Courtesy of New York Historical Society*

### **William Paterson, New Jersey**



William Paterson (Patterson) was born in County Antrim, Ireland, in 1745. When he was almost 2 years of age, his family emigrated to America, disembarking at New Castle, DE. While the father traveled about the country, apparently selling tinware, the family lived in New London, other places in Connecticut, and in Trenton, NJ. In 1750 he settled in Princeton, NJ. There, he became a merchant and manufacturer of tin goods. His prosperity enabled William to attend local private schools and the College of New Jersey (later Princeton). He took a B.A. in 1763 and an M.A. 3 years later.

Meantime, Paterson had studied law in the city of Princeton under Richard Stockton, who later was to sign the Declaration of Independence, and near the end of the decade began practicing at New Bromley, in Hunterdon County. Before long, he moved to South Branch, in Somerset County, and then in 1779 relocated near New Brunswick at Raritan estate.

When the War for Independence broke out, Paterson joined the vanguard of the New Jersey patriots. He served in the provincial congress (1775-76), the constitutional convention (1776), legislative council (1776-77), and council of safety (1777). During the last year, he also held a militia commission. From 1776 to 1783 he was attorney general of New

Jersey, a task that occupied so much of his time that it prevented him from accepting election to the Continental Congress in 1780. Meantime, the year before, he had married Cornelia Bell, by whom he had three children before her death in 1783. Two years later, he took a new bride, Euphemia White, but it is not known whether or not they had children.

From 1783, when he moved into the city of New Brunswick, until 1787, Paterson devoted his energies to the law and stayed out of the public limelight. Then he was chosen to represent New Jersey at the Constitutional Convention, which he attended only until late July. Until then, he took notes of the proceedings. More importantly, he figured prominently because of his advocacy and coauthorship of the New Jersey, or Paterson, Plan, which asserted the rights of the small states against the large. He apparently returned to the convention only to sign the final document. After supporting its ratification in New Jersey, he began a career in the new government.

In 1789 Paterson was elected to the U.S. Senate (1789-90), where he played a pivotal role in drafting the Judiciary Act of 1789. His next position was governor of his state (1790-93). During this time, he began work on the volume later published as Laws of the State of New Jersey (1800) and began to revise the rules and practices of the chancery and common law courts.

During the years 1793-1806, Paterson served as an associate justice of the U.S. Supreme Court. Riding the grueling circuit to which federal judges were subjected in those days and sitting with the full Court, he presided over a number of major trials.

In September 1806, his health failing, the 60-year-old Paterson embarked on a journey to Ballston Spa, NY, for a cure but died en route at Albany in the home of his daughter, who had married Stephen Van Rensselaer. Paterson was at first laid to rest in the nearby Van Rensselaer manor house family vault, but later his body was apparently moved to the Albany Rural Cemetery, Menands, NY

*Image: Courtesy of U.S. Supreme Court*

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## America's Founding Fathers

### DELEGATES TO THE CONSTITUTIONAL CONVENTION

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#### The Founding Fathers: New York

##### Alexander Hamilton, New York



Hamilton was born in 1757 on the island of Nevis, in the Leeward group, British West Indies. He was the illegitimate son of a common-law marriage between a poor itinerant Scottish merchant of aristocratic descent and an English-French Huguenot mother who was a planter's daughter. In 1766, after the father had moved his family elsewhere in the Leewards to St. Croix in the Danish (now United States) Virgin Islands, he returned to St. Kitts while his wife and two sons remained on St. Croix.

The mother, who opened a small store to make ends meet, and a Presbyterian clergyman provided Hamilton with a basic education, and he learned to speak fluent French. About the time of his mother's death in 1768, he became an apprentice clerk at Christiansted in a mercantile establishment, whose proprietor became one of his benefactors. Recognizing his ambition and superior intelligence, they raised a fund for his education.

In 1772, bearing letters of introduction, Hamilton traveled to New York City. Patrons he met there arranged for him to attend Barber's Academy at Elizabethtown (present Elizabeth), NJ. During this time, he met and stayed for a while at the home of William Livingston, who would one day be a fellow signer of the Constitution. Late the next year, 1773, Hamilton entered King's College (later Columbia College and University) in New York City, but the Revolution interrupted his studies.

Although not yet 20 years of age, in 1774-75 Hamilton wrote several widely read pro-Whig pamphlets. Right after the war broke out, he accepted an artillery captaincy and fought in the principal campaigns of 1776-77. In the latter year, winning the rank of lieutenant colonel, he joined the staff of General Washington as secretary and aide-de-camp and soon became his close confidant as well.

In 1780 Hamilton wed New Yorker Elizabeth Schuyler, whose family was rich and politically powerful; they were to have eight children. In 1781, after some disagreements with Washington, he took a command position under Lafayette in the Yorktown, VA, campaign (1781). He resigned his commission that November.

Hamilton then read law at Albany and quickly entered practice, but public service soon attracted him. He was elected to the Continental Congress in 1782-83. In the latter year, he established a law office in New York City. Because of his interest in strengthening the central government, he represented his state at the Annapolis Convention in 1786, where he urged the calling of the Constitutional Convention.

In 1787 Hamilton served in the legislature, which appointed him as a delegate to the convention. He played a surprisingly small part in the debates, apparently because he was frequently absent on legal business, his extreme nationalism put him at odds with most of the delegates, and he was frustrated by the conservative views of his two

fellow delegates from New York. He did, however, sit on the Committee of Style, and he was the only one of the three delegates from his state who signed the finished document. Hamilton's part in New York's ratification the next year was substantial, though he felt the Constitution was deficient in many respects. Against determined opposition, he waged a strenuous and successful campaign, including collaboration with John Jay and James Madison in writing *The Federalist*. In 1787 Hamilton was again elected to the Continental Congress.

When the new government got under way in 1789, Hamilton won the position of Secretary of the Treasury. He began at once to place the nation's disorganized finances on a sound footing. In a series of reports (1790-91), he presented a program not only to stabilize national finances but also to shape the future of the country as a powerful, industrial nation. He proposed establishment of a national bank, funding of the national debt, assumption of state war debts, and the encouragement of manufacturing.

Hamilton's policies soon brought him into conflict with Jefferson and Madison. Their disputes with him over his pro-business economic program, sympathies for Great Britain, disdain for the common man, and opposition to the principles and excesses of the French revolution contributed to the formation of the first U.S. party system. It pitted Hamilton and the Federalists against Jefferson and Madison and the Democratic-Republicans.

During most of the Washington administration, Hamilton's views usually prevailed with the President, especially after 1793 when Jefferson left the government. In 1795 family and financial needs forced Hamilton to resign from the Treasury Department and resume his law practice in New York City. Except for a stint as inspector-general of the Army (1798-1800) during the undeclared war with France, he never again held public office.

While gaining stature in the law, Hamilton continued to exert a powerful impact on New York and national politics. Always an opponent of fellow-Federalist John Adams, he sought to prevent his election to the presidency in 1796. When that failed, he continued to use his influence secretly within Adams' cabinet. The bitterness between the two men became public knowledge in 1800 when Hamilton denounced Adams in a letter that was published through the efforts of the Democratic-Republicans.

In 1802 Hamilton and his family moved into *The Grange*, a country home he had built in a rural part of Manhattan not far north of New York City. But the expenses involved and investments in northern land speculations seriously strained his finances.

Meanwhile, when Jefferson and Aaron Burr tied in Presidential electoral votes in 1800, Hamilton threw valuable support to Jefferson. In 1804, when Burr sought the governorship of New York, Hamilton again managed to defeat him. That same year, Burr, taking offense at remarks he believed to have originated with Hamilton, challenged him to a duel, which took place at present Weehawken, NJ, on July 11. Mortally wounded, Hamilton died the next day. He was in his late forties at death. He was buried in Trinity Churchyard in New York City.

*Image: Courtesy of The National Portrait Gallery, Smithsonian Institution*

### **John Lansing, Jr., New York**



On January 30, 1754, John Lansing was born in Albany, NY, to Gerrit Jacob and Jannetje Lansing. At age 21 Lansing had completed his study of the law and was admitted to practice. In 1781 he married Cornelia Ray. They had 10 children, 5 of whom died in infancy. Lansing was quite wealthy; he owned a large estate at Lansingburg and had a lucrative law practice.

From 1776 to 1777 Lansing acted as military secretary to Gen. Philip Schuyler. From the military world Lansing turned to the political and served six terms in the New York Assembly--1780-84, 1786, and 1788. During the last two terms he was speaker of the assembly. In the 2-year gap between his first four terms in the assembly and the fifth, Lansing sat in the Confederation Congress. He rounded out his public service by serving as Albany's mayor between 1786 and 1790.

Lansing went to Philadelphia as part of the New York delegation to the Constitutional Convention. As the convention progressed, Lansing became disillusioned because he believed it was exceeding its instructions. Lansing believed the delegates had gathered together simply to amend the Articles of Confederation and was dismayed at the movement to write an entirely new constitution. After 6 weeks, John Lansing and fellow New York delegate Robert Yates left the convention and explained their departure in a joint letter to New York Governor George Clinton. They stated that they opposed any system that would consolidate the United States into one government, and they had understood that the convention would not consider any such consolidation. Furthermore, warned Lansing and Yates, the kind of government recommended by the convention could not "afford that security to equal and permanent liberty which we wished to make an invariable object of our pursuit." In 1788, as a member of the New York ratifying convention,

Lansing again vigorously opposed the Constitution.

Under the new federal government Lansing pursued a long judicial career. In 1790 he began an 11-year term on the supreme court of New York; from 1798 until 1801 he served as its chief justice. Between 1801 and 1814 Lansing was chancellor of the state. Retirement from that post did not slow him down; in 1817 he accepted an appointment as a regent of the University of the State of New York.

Lansing's death was the most mysterious of all the delegates to the Constitutional Convention. While on a visit to New York City in 1829, he left his hotel to post some letters. No trace of him was ever found, and it was supposed that he had been murdered.

*Image: Courtesy of Schaffer Library, Union College, Schenectady, NY*

## Robert Yates, New York

The son of Joseph and Maria Yates, Robert Yates was born in Schenectady, NY, on January 27, 1738. He received a classical education in New York City and later studied law with William Livingston. Yates was admitted to the New York bar in 1760 and thereafter resided in Albany.

Between 1771 and 1775 Yates sat on the Albany board of aldermen. During the pre-Revolution years Yates counted himself among the Radical Whigs, whose vigilance against corruption and emphasis on the protection of liberty in England appealed to many in the colonies. Once the Revolution broke out, Yates served on the Albany committee of safety and represented his county in four provincial congresses and in the convention of 1775-77. At the convention he sat on various committees, including the one that drafted the first constitution for New York State.

On May 8, 1777, Yates was appointed to New York's supreme court and presided as its chief justice from 1790 through 1798. While on the bench he attracted criticism for his fair treatment of Loyalists. Other duties included serving on commissions that were called to settle boundary disputes with Massachusetts and Vermont.

In the 1780s Robert Yates stood as a recognized leader of the Antifederalists. He opposed any concessions to the federal congress, such as the right to collect impost duties, that might diminish the sovereignty of the states. When he travelled to Philadelphia in May 1787 for the federal convention, he expected that the delegates would simply discuss revising the existing Articles. Yates was on the committee that debated the question of representation in the legislature, and it soon became apparent that the convention intended much more than modification of the current plan of union. On July 5, the day the committee presented its report, Yates and John Lansing (to whom Yates was related by marriage) left the proceedings. In a joint letter to Gov. George Clinton of New York, they spelled out the reasons for their early departure. They warned against the dangers of centralizing power and urged opposition to adopting the Constitution. Yates continued to attack the Constitution in a series of letters signed "Brutus" and "Sydney" and voted against ratification at the Poughkeepsie convention.

In 1789 Yates ran for governor of New York but lost the election. Three years after his retirement from the state supreme court, on September 9, 1801, he died, leaving his wife, Jannetje Van Ness Yates, and four of his six children. Though he had enjoyed a comfortable income at the start of his career, his capital had dwindled away until very little was left. In 1821 his notes from the Constitutional Convention were published under the title *Secret Proceedings and Debates of the Convention Assembled . . . for the Purpose of Forming the Constitution of the United States*.

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## America's Founding Fathers

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#### The Founding Fathers: North Carolina

##### William Blount, North Carolina



William Blount was the great-grandson of Thomas Blount, who came from England to Virginia soon after 1660 and settled on a North Carolina plantation. William, the eldest in a large family, was born in 1749 while his mother was visiting his grandfather's Rosefield estate, on the site of present Windsor near Pamlico Sound. The youth apparently received a good education.

Shortly after the War for Independence began, in 1776, Blount enlisted as a paymaster in the North Carolina forces. Two years later, he wed Mary Grainier (Granger); of their six children who reached adulthood, one son also became prominent in Tennessee politics.

Blount spent most of the remainder of his life in public office. He sat in the lower house of the North Carolina legislature (1780-84), including service as speaker, as well as in the upper (1788-90). In addition, he took part in national politics, serving in the Continental Congress in 1782-83 and 1786-87.

Appointed as a delegate to the Constitutional Convention at the age of 38, Blount was absent for more than a month because he chose to attend the Continental Congress on behalf of his state. He said almost nothing in the debates and signed the Constitution reluctantly--only, he said, to make it "the unanimous act of the States in Convention." Nonetheless, he favored his state's ratification of the completed document.

Blount hoped to be elected to the first U.S. Senate. When he failed to achieve that end, in 1790 he pushed westward beyond the Appalachians, where he held speculative land interests and had represented North Carolina in dealings with the Indians. He settled in what became Tennessee, to which he devoted the rest of his life. He resided first at Rocky Mount, a cabin near present Johnson City and in 1792 built a mansion in Knoxville.

Two years earlier, Washington had appointed Blount as Governor for the Territory South of the River Ohio (which included Tennessee) and also as Superintendent of Indian Affairs for the Southern Department, in which positions he increased his popularity with the frontiersmen. In 1796 he presided over the constitutional convention that transformed part of the territory into the State of Tennessee. He was elected as one of its first U.S. senators (1796-97).

During this period, Blount's affairs took a sharp turn for the worse. In 1797 his speculations in western lands led him into serious financial difficulties. That same year, he also apparently concocted a plan involving use of Indians, frontiersmen, and British naval forces to conquer for Britain the Spanish provinces of Florida and Louisiana. A letter he wrote alluding to the plan fell into the hands of President Adams, who turned it over to the Senate on July 3, 1797. Five days later, that body voted 25 to 1 to expel Blount. The House impeached him, but the Senate dropped the charges in 1799 on the grounds that no further action could be taken beyond his dismissal.

The episode did not hamper Blount's career in Tennessee. In 1798 he was elected to the senate and rose to the



speakership. He died 2 years later at Knoxville in his early fifties. He is buried there in the cemetery of the First Presbyterian Church.

*Image: Courtesy of Tennessee State Museum, Tennessee Historical Society Collection*

### **William Richardson Davie, North Carolina**



One of the eight delegates born outside of the thirteen colonies, Davie was born in Egremont, Cumberlandshire, England, on June 20, 1756. In 1763 Archibald Davie brought his son William to Waxhaw, SC, where the boy's maternal uncle, William Richardson, a Presbyterian clergyman, adopted him. Davie attended Queen's Museum College in Charlotte, North Carolina, and graduated from the College of New Jersey (later Princeton) in 1776.

Davie's law studies in Salisbury, NC, were interrupted by military service, but he won his license to practice before county courts in 1779 and in the superior courts in 1780. When the War for Independence broke out, he helped raise a troop of cavalry near Salisbury and eventually achieved the rank of colonel. While attached to Pulaski's division, Davie was wounded leading a charge at Stono, near Charleston, on June 20, 1779. Early in 1780 he raised another troop and operated mainly in western North Carolina. In January 1781 Davie was appointed commissary-general for the Carolina campaign. In this capacity he oversaw the collection of arms and supplies to Gen. Nathanael Greene's army and the state militia.

After the war, Davie embarked on his career as a lawyer, traveling the circuit in North Carolina. In 1782 he married Sarah Jones, the daughter of his former commander, Gen. Allen Jones, and settled in Halifax. His legal knowledge and ability won him great respect, and his presentation of arguments was admired. Between 1786 and 1798 Davie represented Halifax in the North Carolina legislature. There he was the principal agent behind that body's actions to revise and codify state laws, send representatives to the Annapolis and Philadelphia conventions, cede Tennessee to the Union, and fix disputed state boundaries.

During the Constitutional Convention Davie favored plans for a strong central government. He was a member of the committee that considered the question of representation in Congress and swung the North Carolina delegation's vote in favor of the Great Compromise. He favored election of senators and presidential electors by the legislature and insisted on counting slaves in determining representation. Though he left the convention on August 13, before its adjournment, Davie fought hard for the Constitution's ratification and took a prominent part in the North Carolina convention.

The political and military realms were not the only ones in which Davie left his mark. The University of North Carolina, of which he was the chief founder, stands as an enduring reminder of Davie's interest in education. Davie selected the location, instructors, and a curriculum that included the literary and social sciences as well as mathematics and classics. In 1810 the trustees conferred upon him the title of "Father of the University" and in the next year granted him the degree of Doctor of Laws.

Davie became Governor of North Carolina in 1798. His career also turned back briefly to the military when President John Adams appointed him a brigadier general in the U.S. Army that same year. Davie later served as a peace commissioner to France in 1799.

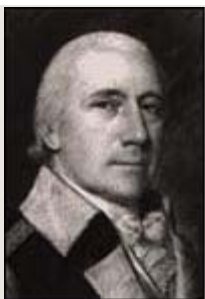
Davie stood as a candidate for Congress in 1803 but met defeat. In 1805, after the death of his wife, Davie retired from politics to his plantation, "Tivoli," in Chester County, South Carolina. In 1813 he declined an appointment as major-general from President Madison. Davie was 64 years old when he died on November 29, 1820, at "Tivoli," and he was buried in the Old Waxhaw Presbyterian Churchyard in northern Lancaster County.

*Image: Courtesy of Independence National Historical Park*

### **Alexander Martin, North Carolina**

Though he represented North Carolina at the Constitutional Convention, Alexander Martin was born in Hunterdon County, NJ, in 1740. His parents, Hugh and Jane Martin, moved first to Virginia, then to Guilford County, NC, when Alexander was very young. Martin attended the College of New Jersey (later Princeton), received his degree in 1756, and moved to Salisbury. There he started his career as a merchant but turned to public service as he became justice of the peace, deputy king's attorney, and, in 1774 and 1775, judge of Salisbury district.

At the September 1770 session of the superior court at Hillsboro, 150 Regulators armed with sticks, switches, and cudgels crowded into the courtroom. They had come to present a petition to



the judge demanding unprejudiced juries and a public accounting of taxes by sheriffs. Violence erupted, and several, including Alexander Martin, were beaten. In 1771 Martin signed an agreement with the Regulators to refund all fees taken illegally and to arbitrate all differences.

From 1773 to 1774 Martin served in the North Carolina House of Commons and in the second and third provincial congresses in 1775. In September 1775 he was appointed a lieutenant colonel in the 2d North Carolina Continental Regiment. Martin saw military action in South Carolina and won promotion to a colonelcy. He joined Washington's army in 1777, but after the Battle of Germantown he was arrested for cowardice. A court-martial tried and acquitted Martin, but he resigned his commission on November 22, 1777.

Martin's misfortune in the army did not impede his political career. The year after his court-martial he entered the North Carolina Senate, where he served for 8 years (1778-82, 1785, and 1787-88). For every session except those of 1778-79, Martin served as speaker. From 1780 to 1781 he also sat on the Board of War and its successor, the Council Extraordinary. In 1781 Martin became acting governor of the state, and in 1782 through 1785 he was elected in his own right.

After his 1785 term in the North Carolina Senate, Martin represented his state in the Continental Congress, but he resigned in 1787. Of the five North Carolina delegates to the Constitutional Convention, Martin was the least strongly Federalist. He did not take an active part in the proceedings, and he left Philadelphia in late August 1787, before the Constitution was signed. Martin was considered a good politician but not suited to public debate. A colleague, Hugh Williamson, remarked that Martin needed time to recuperate after his great exertions as governor "to enable him again to exert his abilities to the advantage of the nation."

Under the new national government, Martin again served as Governor of North Carolina, from 1789 until 1792. After 1790 he moved away from the Federalists to the Republicans. In 1792 Martin, elected by the Republican legislature, entered the U.S. Senate. His vote in favor of the Alien and Sedition Acts cost him reelection. Back in North Carolina, Martin returned to the state senate in 1804 and 1805 to represent Rockingham County. In 1805 he once again served as speaker. From 1790 until 1807 he was a trustee of the University of North Carolina. Martin never married, and he died on November 2, 1807 at the age of 67 at his plantation, "Danbury," in Rockingham County and was buried on the estate.

*Image: Courtesy of Independence National Historical Park*

### **Richard Dobbs Spaight, Sr., North Carolina**



Spaight was born at New Bern, NC of distinguished English-Irish parentage in 1758. When he was orphaned at 8 years of age, his guardians sent him to Ireland, where he obtained an excellent education. He apparently graduated from Scotland's Glasgow University before he returned to North Carolina in 1778.

At that time, the War for Independence was in full swing, and Spaight's superior attainments soon gained him a commission. He became an aide to the state militia commander and in 1780 took part in the Battle of Camden, SC. The year before, he had been elected to the lower house of the legislature.

In 1781 Spaight left the military service to devote full time to his legislative duties. He represented New Bern and Craven County (1781-83 and 1785-87); in 1785 he became speaker. Between terms, he also served in the Continental Congress (1783-85).

In 1787, at the age of 29, Spaight joined the North Carolina delegation to the Philadelphia convention. He was not a leader but spoke on several occasions and numbered among those who attended every session. After the convention, he worked in his home state for acceptance of the Constitution.

Spaight met defeat in bids for the governorship in 1787 and the U.S. Senate 2 years later. From then until 1792, illness

forced his retirement from public life, during which time he visited the West Indies, but he captured the governorship in the latter year (1792-95). In 1793 he served as presidential elector. Two years later, he wed Mary Leach, who bore three children.

In 1798 Spaight entered the U.S. House of Representatives as a Democratic-Republican and remained in office until 1801. During this time, he advocated repeal of the Alien and Sedition Acts and voted for Jefferson in the contested election of 1800. The next year, Spaight was voted into the lower house of the North Carolina legislature; the following year, to the upper.

Only 44 years old in 1802, Spaight was struck down in a duel at New Bern with a political rival, Federalist John Stanly. So ended the promising career of one of the state's foremost leaders. He was buried in the family sepulcher at Clermont estate, near New Bern.

*Image: Courtesy of Independence National Historical Park*

### **Hugh Williamson, North Carolina**



The versatile Williamson was born of Scotch-Irish descent at West Nottingham, PA., in 1735. He was the eldest son in a large family, whose head was a clothier. Hoping he would become a Presbyterian minister, his parents oriented his education toward that calling. After attending preparatory schools at New London Cross Roads, DE, and Newark, DE, he entered the first class of the College of Philadelphia (later part of the University of Pennsylvania) and took his degree in 1757.

The next 2 years, at Shippensburg, PA, Williamson spent settling his father's estate. Then training in Connecticut for the ministry, he soon became a licensed Presbyterian preacher but was never ordained. Around this time, he also took a position as professor of mathematics at his alma mater.

In 1764 Williamson abandoned these pursuits and studied medicine at Edinburgh, London, and Utrecht, eventually obtaining a degree from the University of Utrecht. Returning to Philadelphia, he began to practice but found it to be emotionally exhausting. His pursuit of scientific interests continued, and in 1768 he became a member of the American Philosophical Society. The next year, he served on a commission that observed the transits of Venus and Mercury. In 1771 he wrote *An Essay on Comets*, in which he advanced several original ideas. As a result, the University of Leyden awarded him an LL.D. degree.

In 1773, to raise money for an academy in Newark, DE., Williamson made a trip to the West Indies and then to Europe. Sailing from Boston, he saw the Tea Party and carried news of it to London. When the British Privy Council called on him to testify as to what he had seen, he warned the councilors that the colonies would rebel if the British did not change their policies. While in England, he struck up a close friendship with fellow-scientist Benjamin Franklin, and they cooperated in electrical experiments. Moreover, Williamson furnished to Franklin the letters of Massachusetts Royal Governor Thomas Hutchinson to his lieutenant governor that created a sensation and tended to further alienate the mother country and colonies.

In 1775 a pamphlet Williamson had written while in England, called *The Plea of the Colonies*, was published. It solicited the support of the English Whigs for the American cause. When the United States proclaimed their independence the next year, Williamson was in the Netherlands. He soon sailed back to the United States, settling first in Charleston, SC, and then in Edenton, NC. There, he prospered in a mercantile business that traded with the French West Indies and once again took up the practice of medicine.

Williamson applied for a medical post with the patriot forces, but found all such positions filled. The governor of North Carolina, however, soon called on his specialized skills, and he became surgeon-general of state troops. After the Battle of Camden, SC, he frequently crossed British lines to tend to the wounded. He also prevented sickness among the troops by paying close attention to food, clothing, shelter, and hygiene.

After the war, Williamson began his political career. In 1782 he was elected to the lower house of the state legislature and to the Continental Congress. Three years later, he left Congress and returned to his legislative seat. In 1786 he was chosen to represent his state at the Annapolis Convention but arrived too late to take part. The next year, he again served in Congress (1787-89) and was chosen as a delegate to the Constitutional Convention. Attending faithfully and demonstrating keen debating skill, he served on five committees, notably on the Committee on Postponed Matters, and played a significant part in the proceedings, particularly the major compromise on representation.

After the convention, Williamson worked for ratification of the Constitution in North Carolina. In 1788 he was chosen to settle outstanding accounts between the state and the federal government. The next year, he was elected to the first

U.S. House of Representatives, where he served two terms. In 1789 he married Maria Apthorpe, who bore at least two sons.

In 1793 Williamson moved to New York City to facilitate his literary and philanthropic pursuits. Over the years, he published many political, educational, economic, historical, and scientific works, but the last earned him the most praise. The University of Leyden awarded him an honorary degree. In addition, he was an original trustee of the University of North Carolina and later held trusteeships at the College of Physicians and Surgeons and the University of the State of New York. He was also a founder of the Literary and Philosophical Society of New York and a prominent member of the New-York Historical Society.

In 1819, at the age of 83, Williamson died in New York City and was buried at Trinity Church.

*Image: Courtesy of National Archives, Records of Exposition, Anniversary, and Memorial Commissions (148-CCD-70a)*

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## America's Founding Fathers

### DELEGATES TO THE CONSTITUTIONAL CONVENTION

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#### The Founding Fathers: Pennsylvania

##### George Clymer, Pennsylvania



Clymer was orphaned in 1740, only a year after his birth in Philadelphia. A wealthy uncle reared and informally educated him and advanced him from clerk to full-fledged partner in his mercantile firm, which on his death he bequeathed to his ward. Later Clymer merged operations with the Merediths, a prominent business family, and cemented the relationship by marrying his senior partner's daughter, Elizabeth, in 1765.

Motivated at least partly by the impact of British economic restrictions on his business, Clymer early adopted the Revolutionary cause and was one of the first to recommend independence. He attended patriotic meetings, served on the Pennsylvania council of safety, and in 1773 headed a committee that forced the resignation of Philadelphia tea consignees appointed by Britain under the Tea Act. Inevitably, in light of his economic background, he channeled his energies into financial matters. In 1775-76 he acted as one of the first two Continental treasurers, even personally underwriting the war by exchanging all his own specie for Continental currency.

In the Continental Congress (1776-77 and 1780-82) the quiet and unassuming Clymer rarely spoke in debate but made his mark in committee efforts, especially those pertaining to commerce, finance, and military affairs. During the War for Independence, he also served on a series of commissions that conducted important field investigations. In December 1776, when Congress fled from Philadelphia to Baltimore, he and George Walton and Robert Morris remained behind to carry on congressional business. Within a year, after their victory at the Battle of Brandywine, Pa. (September 11, 1777), British troops advancing on Philadelphia detoured for the purpose of vandalizing Clymer's home in Chester County about 25 miles outside the city. His wife and children hid nearby in the woods.

After a brief retirement following his last term in the Continental Congress, Clymer was reelected for the years 1784-88 to the Pennsylvania legislature, where he had also served part time in 1780-82 while still in Congress. As a state legislator, he advocated a bicameral legislature and reform of the penal code and opposed capital punishment. At the Constitutional Convention, where he rarely missed a meeting, he spoke seldom but effectively and played a modest role in shaping the final document.

The next phase of Clymer's career consisted of service in the U.S. House of Representatives in the First Congress (1789-91), followed by appointment as collector of excise taxes on alcoholic beverages in Pennsylvania (1791-94). In 1795-96 he sat on a Presidential commission that negotiated a treaty with the Cherokee and Creek Indians in Georgia. During his retirement, Clymer advanced various community projects, including the Philadelphia Society for Promoting Agriculture and the Pennsylvania Academy of the Fine Arts, and served as the first president of the Philadelphia Bank. At the age of 73, in 1813, he died at Summerseat, an estate a few miles outside Philadelphia at Morrisville that he had purchased and moved to in 1806. His grave is in the Friends Meeting House Cemetery at Trenton, NJ.

*Image: Courtesy of National Portrait Gallery, Smithsonian Institution*

### **Thomas Fitzsimons, Pennsylvania**

Fitzsimons (FitzSimons; Fitzsimmons) was born in Ireland in 1741. Coming to America about 1760, he pursued a mercantile career in Philadelphia. The next year, he married Catherine Meade, the daughter of a prominent local merchant, Robert Meade, and not long afterward went into business with one of his brothers-in-law. The firm of George Meade and Company soon became one of the leading commercial houses in the city and specialized in the West India trade.

When the Revolution erupted, Fitzsimons enthusiastically endorsed the Whig position. During the war, he commanded a company of militia (1776-77). He also sat on the Philadelphia committee of correspondence, council of safety, and navy board. His firm provided supplies and "fire" ships to the military forces and, toward the end of the war, donated £: 5,000 to the Continental Army.

In 1782-83 Fitzsimons entered politics as a delegate to the Continental Congress. In the latter year, he became a member of the Pennsylvania council of censors and served as a legislator (1786-89). His attendance at the Constitutional Convention was regular, but he did not make any outstanding contributions to the proceedings. He was, however, a strong nationalist.

After the convention, Fitzsimons continued to demonstrate his nationalistic proclivities as a three-term U.S. representative (1789-95). He allied himself closely with the program of Hamilton and the emerging Federalist Party. Once again demonstrating his commercial orientation, he advocated a protective tariff and retirement of the national debt.

Fitzsimons spent most of the remainder of his life in private business, though he retained an interest in public affairs. His views remained essentially Federalist. During the maritime difficulties in the late 1790s, he urged retaliation against British and French interference with American shipping. In the first decade of the 19th century, he vigorously opposed Jefferson's embargo of 1807-9. In 1810, again clashing with the Jeffersonians, he championed the recharter of the First United States Bank.

But Fitzsimons's prominence stemmed from his business leadership. In 1781 he had been one of the founders of the Bank of North America. He also helped organize and held a directorship in the Insurance Company of North America and several times acted as president of the Philadelphia Chamber of Commerce. His financial affairs, like those somewhat earlier of his associate and fellow-signer Robert Morris, took a disastrous turn in 1805. He later regained some of his affluence, but his reputation suffered.

Despite these troubles, Fitzsimons never ceased his philanthropy. He was an outstanding supporter of Philadelphia's St. Augustine's Roman Catholic Church. He also strived to improve public education in the commonwealth and served as trustee of the University of Pennsylvania.

Fitzsimons died at Philadelphia in 1811 after seven decades of life. His tomb is there in the graveyard at St. Mary's Roman Catholic Church, which is in present Independence National Historical Park.

### **Benjamin Franklin, Pennsylvania**



Franklin was born in 1706 at Boston. He was the tenth son of a soap and candlemaker. He received some formal education but was principally self-taught. After serving an apprenticeship to his father between the ages of 10 and 12, he went to work for his half-brother James, a printer. In 1721 the latter founded the New England Courant, the fourth newspaper in the colonies. Benjamin secretly contributed 14 essays to it, his first published writings.

In 1723, because of dissension with his half-brother, Franklin moved to Philadelphia, where he obtained employment as a printer. He spent only a year there and then sailed to London for 2 more years. Back in Philadelphia, he rose rapidly in the printing industry. He published The Pennsylvania Gazette (1730-48), which had been founded by another man in 1728, but his most successful literary venture was the annual Poor Richard 's Almanac (1733-58). It won a popularity in the colonies second only to the Bible, and its fame eventually spread to Europe.

Meantime, in 1730 Franklin had taken a common-law wife, Deborah Read, who was to bear him a son and daughter, and he also apparently had children with another nameless woman out of wedlock. By 1748 he had achieved financial independence and gained recognition for his philanthropy and the stimulus he provided to such civic causes as libraries,

educational institutions, and hospitals. Energetic and tireless, he also found time to pursue his interest in science, as well as to enter politics.

Franklin served as clerk (1736-51) and member (1751-64) of the colonial legislature and as deputy postmaster of Philadelphia (1737-53) and deputy postmaster general of the colonies (1753-74). In addition, he represented Pennsylvania at the Albany Congress (1754), called to unite the colonies during the French and Indian War. The congress adopted his "Plan of Union," but the colonial assemblies rejected it because it encroached on their powers.

During the years 1757-62 and 1764-75, Franklin resided in England, originally in the capacity of agent for Pennsylvania and later for Georgia, New Jersey, and Massachusetts. During the latter period, which coincided with the growth of colonial unrest, he underwent a political metamorphosis. Until then a contented Englishman in outlook, primarily concerned with Pennsylvania provincial politics, he distrusted popular movements and saw little purpose to be served in carrying principle to extremes. Until the issue of parliamentary taxation undermined the old alliances, he led the Quaker party attack on the Anglican proprietary party and its Presbyterian frontier allies. His purpose throughout the years at London in fact had been displacement of the Penn family administration by royal authority-the conversion of the province from a proprietary to a royal colony.

It was during the Stamp Act crisis that Franklin evolved from leader of a shattered provincial party's faction to celebrated spokesman at London for American rights. Although as agent for Pennsylvania he opposed by every conceivable means the enactment of the bill in 1765, he did not at first realize the depth of colonial hostility. He regarded passage as unavoidable and preferred to submit to it while actually working for its repeal.

Franklin's nomination of a friend and political ally as stamp distributor for Pennsylvania, coupled with his apparent acceptance of the legislation, armed his proprietary opponents with explosive issues. Their energetic exploitation of them endangered his reputation at home until reliable information was published demonstrating his unabated opposition to the act. For a time, mob resentment threatened his family and new home in Philadelphia until his tradesmen supporters rallied. Subsequently, Franklin's defense of the American position in the House of Commons during the debates over the Stamp Act's repeal restored his prestige at home.

Franklin returned to Philadelphia in May 1775 and immediately became a distinguished member of the Continental Congress. Thirteen months later, he served on the committee that drafted the Declaration of Independence. He subsequently contributed to the government in other important ways, including service as postmaster general, and took over the duties of president of the Pennsylvania constitutional convention.

But, within less than a year and a half after his return, the aged statesman set sail once again for Europe, beginning a career as diplomat that would occupy him for most of the rest of his life. In the years 1776-79, as one of three commissioners, he directed the negotiations that led to treaties of commerce and alliance with France, where the people adulated him, but he and the other commissioners squabbled constantly. While he was sole commissioner to France (1779-85), he and John Jay and John Adams negotiated the Treaty of Paris (1783), which ended the War for Independence.

Back in the United States, in 1785 Franklin became president of the Supreme Executive Council of Pennsylvania. At the Constitutional Convention, though he did not approve of many aspects of the finished document and was hampered by his age and ill-health, he missed few if any sessions, lent his prestige, soothed passions, and compromised disputes.

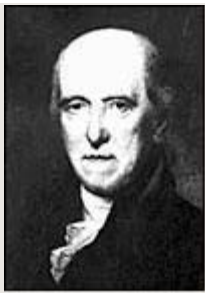
In his twilight years, working on his Autobiography, Franklin could look back on a fruitful life as the toast of two continents. Energetic nearly to the last, in 1787 he was elected as first president of the Pennsylvania Society for Promoting the Abolition of Slavery-a cause to which he had committed himself as early as the 1730s. His final public act was signing a memorial to Congress recommending dissolution of the slavery system. Shortly thereafter, in 1790 at the age of 84, Franklin passed away in Philadelphia and was laid to rest in Christ Church Burial Ground.

*Image: Courtesy of National Portrait Gallery, Smithsonian Institution*

### **Jared Ingersoll, Pennsylvania**

The son of Jared Ingersoll, Sr., a British colonial official and later prominent Loyalist, Ingersoll was born at New Haven, CT, in 1749. He received an excellent education and graduated from Yale in 1766. He then oversaw the financial affairs of his father, who had relocated from New Haven to Philadelphia. Later, the youth joined him, took up the study of law, and won admittance to the Pennsylvania bar.

In the midst of the Revolutionary fervor, which neither father nor son shared, in 1773, on the advice of the elder Ingersoll, Jared, Jr., sailed to London and studied law at the Middle Temple.



Completing his work in 1776, he made a 2-year tour of the Continent, during which time for some reason he shed his Loyalist sympathies.

Returning to Philadelphia and entering the legal profession, Ingersoll attended to the clients of one of the city's leading lawyers and a family friend, Joseph Reed, who was then occupied with the affairs of the Supreme Executive Council of Pennsylvania. In 1781 Ingersoll married Elizabeth Pettit (Petit). The year before, he had entered politics by winning election to the Continental Congress (1780-81).

Although Ingersoll missed no sessions at the Constitutional Convention, had long favored revision of the Articles of Confederation, and as a lawyer was used to debate, he seldom spoke during the proceedings.

Subsequently, Ingersoll held a variety of public positions: member of the Philadelphia common council (1789); attorney general of Pennsylvania (1790-99 and 1811-17); Philadelphia city solicitor (1798-1801); U.S. District Attorney for Pennsylvania (1800-01); and presiding judge of the Philadelphia District Court (1821-22). Meantime, in 1812, he had been the Federalist Vice-Presidential candidate, but failed to win election.

While pursuing his public activities, Ingersoll attained distinction in his legal practice. For many years, he handled the affairs of Stephen Girard, one of the nation's leading businessmen. In 1791 Ingersoll began to practice before the U.S. Supreme Court and took part in some memorable cases. Although in both *Chisholm v. Georgia* (1792) and *Hylton v. United States* (1796) he represented the losing side, his arguments helped to clarify difficult constitutional issues. He also represented fellow-signer William Blount, a senator, when he was threatened with impeachment in the late 1790s.

Ingersoll's long career ended in 1822, when he died less than a week after his 73d birthday. Survived by three children, he was buried in the cemetery of Philadelphia's First Presbyterian Church.

*Image: Courtesy of National Archives, Records of Exposition, Anniversary, and Memorial Commissions (148-CP-130)*

## Thomas Mifflin, Pennsylvania



A member of the fourth generation of a Pennsylvania Quaker family who had emigrated from England, Mifflin was born at Philadelphia in 1744, the son of a rich merchant and local politician. He studied at a Quaker school and then at the College of Philadelphia (later part of the University of Pennsylvania), from which he won a diploma at the age of 16 and whose interests he advanced for the rest of his life.

Mifflin then worked for 4 years in a Philadelphia countinghouse. In 1764 he visited Europe, and the next year entered the mercantile business in Philadelphia with his brother. In 1767 he wed Sarah Morris. Although he prospered in business, politics enticed him.

In the Pennsylvania legislature (1772-76), Mifflin championed the colonial position against the crown. In 1774 he attended the Continental Congress (1774-76). Meanwhile, he had helped to raise troops and in May 1775 won appointment as a major in the Continental Army, which caused him to be expelled from his Quaker faith. In the summer of 1775 he first became an aide-de-camp to Washington and then Quartermaster General of the Continental Army. Late in 1775 he became a colonel and in May 1776 a brigadier general. Preferring action to administration, after a time he began to perform his quartermaster duties perfunctorily. Nevertheless, he participated directly in the war effort. He took part in the Battles of Long Island, NY, Trenton, NJ, and Princeton, NJ. Furthermore, through his persuasive oratory, he apparently convinced many men not to leave the military service.

In 1777 Mifflin attained the rank of major general but, restive at criticism of his quartermaster activities, he resigned. About the same time, though he later became a friend of Washington, he became involved in the cabal that advanced Gen. Horatio Gates to replace him in command of the Continental Army. In 1777-78 Mifflin sat on the Congressional Board of War. In the latter year, he briefly reentered the military, but continuing attacks on his earlier conduct of the quartermastership soon led him to resign once more.

Mifflin returned immediately to politics. He sat in the state assembly (1778-79) and again in the Continental Congress



(1782-84), from December 1783 to the following June as its president. In 1787 he was chosen to take part in the Constitutional Convention. He attended regularly, but made no speeches and did not play a substantial role.

Mifflin continued in the legislature (1785-88 and 1799-1800); succeeded Franklin as president of the Supreme Executive Council (1788-90); chaired the constitutional convention (1789-90); and held the governorship (1790-99), during which time he affiliated himself with the emerging Democratic-Republican Party.

Although wealthy most of his life, Mifflin was a lavish spender. Pressure from his creditors forced him to leave Philadelphia in 1799, and he died at Lancaster the next year, aged 56. The Commonwealth of Pennsylvania paid his burial expenses at the local Trinity Lutheran Church.

*Image: Courtesy of Independence National Historical Park*

## Gouverneur Morris, Pennsylvania



Gouverneur Morris was born at Morrisania estate, in Westchester (present Bronx) County, NY, in 1752. His family was wealthy and enjoyed a long record of public service. His elder half-brother, Lewis, signed the Declaration of Independence.

Gouverneur was educated by private tutors and at a Huguenot school in New Rochelle. In early life, he lost a leg in a carriage accident. He attended King's College (later Columbia College and University) in New York City, graduating in 1768 at the age of 16. Three years later, after reading law in the city, he gained admission to the bar.

When the Revolution loomed on the horizon, Morris became interested in political affairs.

Because of his conservatism, however, he at first feared the movement, which he believed would bring mob rule. Furthermore, some of his family and many of his friends were Loyalists. But, beginning in 1775, for some reason he sided with the Whigs. That same year, representing Westchester County, he took a seat in New York's Revolutionary provincial congress (1775-77). In 1776, when he also served in the militia, along with John Jay and Robert R. Livingston he drafted the first constitution of the state. Subsequently he joined its council of safety (1777).

In 1777-78 Morris sat in the legislature and in 1778-79 in the Continental Congress, where he numbered among the youngest and most brilliant members. During this period, he signed the Articles of Confederation and drafted instructions for Benjamin Franklin, in Paris, as well as those that provided a partial basis for the treaty ending the War for Independence. Morris was also a close friend of Washington and one of his strongest congressional supporters.

Defeated in his bid for reelection to Congress in 1779 because of the opposition of Gov. George Clinton's faction, Morris relocated to Philadelphia and resumed the practice of law. This temporarily removed him from the political scene, but in 1781 he resumed his public career when he became the principal assistant to Robert Morris, Superintendent of Finance for the United States, to whom he was unrelated. Gouverneur held this position for 4 years.

Morris emerged as one of the leading figures at the Constitutional Convention. His speeches, more frequent than those by anyone else, numbered 173. Although sometimes presented in a light vein, they were usually substantive. A strong advocate of nationalism and aristocratic rule, he served on many committees, including those on postponed matters and style, and stood in the thick of the decision-making process. Above all, it was apparently he who actually drafted the Constitution. Morris subsequently left public life for a time to devote his attention to business. Having purchased the family home from his half-brother, Lewis, he moved back to New York. Afterward, in 1789, Gouverneur joined in a business venture with Robert Morris, and traveled to France, where he witnessed the beginnings of the French Revolution.

Morris was to remain in Europe for about a decade. In 1790-91 he undertook a diplomatic mission to London to try to negotiate some of the outstanding problems between the United States and Great Britain. The mission failed, but in 1792 Washington appointed him as Minister to France, to replace Thomas Jefferson. Morris was recalled 2 years later but did not come home. Instead, he traveled extensively in Europe for more than 4 years, during which time he handled his complicated business affairs and contemplated the complex political situation.

Morris returned to the United States in 1799. The next year, he was elected to finish an unexpired term in the U.S. Senate. An ardent Federalist, he was defeated in his bid for reelection in 1802 and left office the following year.

Morris retired to a glittering life at Morrisania, where he had built a new residence. In 1809 he married Anne Cary (Carey) Randolph of Virginia, and they had one son. During his last years, he continued to speak out against the Democratic-Republicans and violently opposed the War of 1812. In the years 1810-13 he served as chairman of the Erie Canal Commission.

Morris died at Morrisania in 1816 at the age of 64 and was buried at St. Anne's Episcopal Churchyard, in the Bronx, New York City.

*Image: Courtesy of National Portrait Gallery, Smithsonian Institution*

## Robert Morris, Pennsylvania



Robert Morris was born at or near Liverpool, England, in 1734. When he reached 13 years of age, he emigrated to Maryland to join his father, a tobacco exporter at Oxford, Md. After brief schooling at Philadelphia, the youth obtained employment with Thomas and Charles Willing's well-known shipping-banking firm. In 1754 he became a partner and for almost four decades was one of the company's directors as well as an influential Philadelphia citizen. Wedding Mary White at the age of 35, he fathered five sons and two daughters.

During the Stamp Act turmoil in 1765, Morris joined other merchants in protest, but not until the outbreak of hostilities a decade later did he fully commit himself to the Revolution. In 1775 the Continental Congress contracted with his firm to import arms and ammunition, and he was elected to the Pennsylvania council of safety (1775-76), the committee of correspondence, the provincial assembly (1775-76), the legislature (1776-78), and the Continental Congress (1775-78). In the last body, on July 1, 1776, he voted against independence, which he personally considered premature, but the next day he purposely absented himself to facilitate an affirmative ballot by his delegation.

Morris, a key congressman, specialized in financial affairs and military procurement. Although he and his firm profited handsomely, had it not been for his assiduous labors the Continental Army would probably have been forced to demobilize. He worked closely with General Washington, wheedled money and supplies from the states, borrowed money in the face of overwhelming difficulties, and on occasion even obtained personal loans to further the war cause.

Immediately following his congressional service, Morris sat for two more terms in the Pennsylvania legislature (1778-81). During this time, Thomas Paine and others attacked him for profiteering in Congress, which investigated his accounts and vindicated him. Nevertheless, his reputation suffered.

Morris embarked on the most dramatic phase of his career by accepting the office of Superintendent of Finance (1781-84) under the Articles of Confederation. Congress, recognizing the perilous state of the nation's finances and its impotence to provide remedies, granted him dictatorial powers and acquiesced to his condition that he be allowed to continue his private commercial enterprises. He slashed all governmental and military expenditures, personally purchased army and navy supplies, tightened accounting procedures, prodded the states to fulfill quotas of money and supplies, and when necessary strained his personal credit by issuing notes over his own signature or borrowing from friends.

To finance Washington's Yorktown campaign in 1781, in addition to the above techniques, Morris obtained a sizable loan from France. He used part of it, along with some of his own fortune, to organize the Bank of North America, chartered that December. The first government-incorporated bank in the United States, it aided war financing.

Although Morris was reelected to the Pennsylvania legislature for 1785-86, his private ventures consumed most of his time. In the latter year, he attended the Annapolis Convention, and the following year the Constitutional Convention, where he sympathized with the Federalists but was, for a man of his eminence, strangely silent. Although in attendance at practically every meeting, he spoke only twice in debates and did not serve on any committees. In 1789, declining Washington's offer of appointment as the first Secretary of the Treasury, he took instead a U.S. Senate seat (1789-95).

During the later years of his public life, Morris speculated wildly, often on overextended credit, in lands in the West and at the site of Washington, DC. To compound his difficulties, in 1794 he began constructing on Philadelphia's Chestnut Street a mansion designed by Maj. Pierre Charles L'Enfant. Not long thereafter, Morris attempted to escape creditors by retreating to The Hills, the country estate along the Schuylkill River on the edge of Philadelphia that he had acquired in 1770.

Arrested at the behest of creditors in 1798 and forced to abandon completion of the mansion, thereafter known in its unfinished state as "Morris' Folly," Morris was thrown into the Philadelphia debtor's prison, where he was nevertheless well treated. By the time he was released in 1801, under a federal bankruptcy law, however, his property and fortune had vanished, his health had deteriorated, and his spirit had been broken. He lingered on in poverty and obscurity, living in a simple Philadelphia home on an annuity obtained for his wife by fellow-signer Gouverneur Morris.

Robert Morris died in 1806 in his 73d year and was buried in the yard of Christ Church.

*Image: Independence National Historical Park*

**James Wilson, Pennsylvania**

Wilson was born in 1741 or 1742 at Carskerdo, near St. Andrews, Scotland, and educated at the universities of St. Andrews, Glasgow, and Edinburgh. He then emigrated to America, arriving in the midst of the Stamp Act agitations in 1765. Early the next year, he accepted a position as Latin tutor at the College of Philadelphia (later part of the University of Pennsylvania) but almost immediately abandoned it to study law under John Dickinson.

In 1768, the year after his admission to the Philadelphia bar, Wilson set up practice at Reading, Pa. Two years later, he moved westward to the Scotch-Irish settlement of Carlisle, and the following year he took a bride, Rachel Bird. He specialized in land law and built up a broad clientele. On borrowed capital, he also began to speculate in land. In some way he managed, too, to lecture on English literature at the College of Philadelphia, which had awarded him an honorary master of arts degree in 1766.

Wilson became involved in Revolutionary politics. In 1774 he took over chairmanship of the Carlisle committee of correspondence, attended the first provincial assembly, and completed preparation of *Considerations on the Nature and Extent of the Legislative Authority of the British Parliament*. This tract circulated widely in England and America and established him as a Whig leader.

The next year, Wilson was elected to both the provincial assembly and the Continental Congress, where he sat mainly on military and Indian affairs committees. In 1776, reflecting the wishes of his constituents, he joined the moderates in Congress voting for a 3-week delay in considering Richard Henry Lee's resolution of June 7 for independence. On the July 1 and 2 ballots on the issue, however, he voted in the affirmative and signed the Declaration of Independence on August 2.

Wilson's strenuous opposition to the republican Pennsylvania constitution of 1776, besides indicating a switch to conservatism on his part, led to his removal from Congress the following year. To avoid the clamor among his frontier constituents, he repaired to Annapolis during the winter of 1777-78 and then took up residence in Philadelphia.

Wilson affirmed his newly assumed political stance by closely identifying with the aristocratic and conservative republican groups, multiplying his business interests, and accelerating his land speculation. He also took a position as Advocate General for France in America (1779-83), dealing with commercial and maritime matters, and legally defended Loyalists and their sympathizers.

In the fall of 1779, during a period of inflation and food shortages, a mob which included many militiamen and was led by radical constitutionalists, set out to attack the republican leadership. Wilson was a prime target. He and some 35 of his colleagues barricaded themselves in his home at Third and Walnut Streets, thereafter known as "Fort Wilson." During a brief skirmish, several people on both sides were killed or wounded. The shock cooled sentiments and pardons were issued all around, though major political battles over the commonwealth constitution still lay ahead.

During 1781 Congress appointed Wilson as one of the directors of the Bank of North America, newly founded by his close associate and legal client Robert Morris. In 1782, by which time the conservatives had regained some of their power, the former was reelected to Congress, and he also served in the period 1785-87.

Wilson reached the apex of his career in the Constitutional Convention (1787), where his influence was probably second only to that of Madison. Rarely missing a session, he sat on the Committee of Detail and in many other ways applied his excellent knowledge of political theory to convention problems. Only Gouverneur Morris delivered more speeches.

That same year, overcoming powerful opposition, Wilson led the drive for ratification in Pennsylvania, the second state to endorse the instrument. The new commonwealth constitution, drafted in 1789-90 along the lines of the U.S. Constitution, was primarily Wilson's work and represented the climax of his 14-year fight against the constitution of 1776.

For his services in the formation of the federal government, though Wilson expected to be appointed Chief Justice of the Supreme Court, in 1789 President Washington named him as an associate justice. He was chosen that same year as the first law professor at the College of Philadelphia. Two years later he began an official digest of the laws of Pennsylvania, a project he never completed, though he carried on for a while after funds ran out.

Wilson, who wrote only a few opinions, did not achieve the success on the Supreme Court that his capabilities and experience promised. Indeed, during those years he was the object of much criticism and barely escaped impeachment. For one thing, he tried to influence the enactment of legislation in Pennsylvania favorable to land speculators. Between

1792 and 1795 he also made huge but unwise land investments in western New York and Pennsylvania, as well as in Georgia. This did not stop him from conceiving a grandiose but ill-fated scheme, involving vast sums of European capital, for the recruitment of European colonists and their settlement in the West. Meantime, in 1793, as a widower with six children, he remarried to Hannah Gray; their one son died in infancy.

Four years later, to avoid arrest for debt, the distraught Wilson moved from Philadelphia to Burlington, NJ. The next year, apparently while on federal circuit court business, he arrived at Edenton, NC, in a state of acute mental stress and was taken into the home of James Iredell, a fellow Supreme Court justice. He died there within a few months. Although first buried at Hayes Plantation near Edenton, his remains were later reinterred in the yard of Christ Church at Philadelphia.

*Image: Courtesy of National Portrait Gallery, Smithsonian Institution*

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## the Charters of Freedom

"A NEW WORLD IS AT HAND"



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## America's Founding Fathers

### DELEGATES TO THE CONSTITUTIONAL CONVENTION

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#### The Founding Fathers: South Carolina

##### Pierce Butler, South Carolina



One of the most aristocratic delegates at the convention, Butler was born in 1744 in County Carlow, Ireland. His father was Sir Richard Butler, member of Parliament and a baronet.

Like so many younger sons of the British aristocracy who could not inherit their fathers' estates because of primogeniture, Butler pursued a military career. He became a major in His Majesty's 29th Regiment and during the colonial unrest was posted to Boston in 1768 to quell disturbances there. In 1771 he married Mary Middleton, daughter of a wealthy South Carolinian, and before long resigned his commission to take up a planter's life in the Charleston area. The couple was to have at least one daughter.

When the Revolution broke out, Butler took up the Whig cause. He was elected to the assembly in 1778, and the next year he served as adjutant general in the South Carolina militia. While in the legislature through most of the 1780s, he took over leadership of the democratic upcountry faction in the state and refused to support his own planter group. The War for Independence cost him much of his property, and his finances were so precarious for a time that he was forced to travel to Amsterdam to seek a personal loan. In 1786 the assembly appointed him to a commission charged with settling a state boundary dispute.

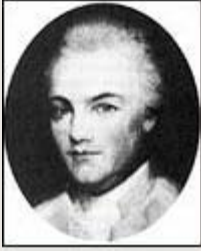
The next year, Butler won election to both the Continental Congress (1787-88) and the Constitutional Convention. In the latter assembly, he was an outspoken nationalist who attended practically every session and was a key spokesman for the Madison-Wilson caucus. Butler also supported the interests of southern slaveholders. He served on the Committee on Postponed Matters.

On his return to South Carolina Butler defended the Constitution but did not participate in the ratifying convention. Service in the U.S. Senate (1789-96) followed. Although nominally a Federalist, he often crossed party lines. He supported Hamilton's fiscal program but opposed Jay's Treaty and Federalist judiciary and tariff measures.

Out of the Senate and back in South Carolina from 1797 to 1802, Butler was considered for but did not attain the governorship. He sat briefly in the Senate again in 1803-4 to fill out an unexpired term, and he once again demonstrated party independence. But, for the most part, his later career was spent as a wealthy planter. In his last years, he moved to Philadelphia, apparently to be near a daughter who had married a local physician. Butler died there in 1822 at the age of 77 and was buried in the yard of Christ Church.

*Image: Courtesy of National Archives, Records of Exposition, Anniversary, and Memorial Commissions (148-CCD-81a)*

##### Charles Pinckney, South Carolina



Charles Pinckney, the second cousin of fellow-signer Charles Cotesworth Pinckney, was born at Charleston, SC, in 1757. His father, Col. Charles Pinckney, was a rich lawyer and planter, who on his death in 1782 was to bequeath Snee Farm, a country estate outside the city, to his son Charles. The latter apparently received all his education in the city of his birth, and he started to practice law there in 1779.

About that time, well after the War for Independence had begun, young Pinckney enlisted in the militia, though his father demonstrated ambivalence about the Revolution. He became a lieutenant, and served at the siege of Savannah (September-October 1779). When Charleston fell to the British the next year, the youth was captured and remained a prisoner until June 1781.

Pinckney had also begun a political career, serving in the Continental Congress (1777-78 and 1784-87) and in the state legislature (1779-80, 1786-89, and 1792-96). A nationalist, he worked hard in Congress to ensure that the United States would receive navigation rights to the Mississippi and to strengthen congressional power.

Pinckney's role in the Constitutional Convention is controversial. Although one of the youngest delegates, he later claimed to have been the most influential one and contended he had submitted a draft that was the basis of the final Constitution. Most historians have rejected this assertion. They do, however, recognize that he ranked among the leaders. He attended full time, spoke often and effectively, and contributed immensely to the final draft and to the resolution of problems that arose during the debates. He also worked for ratification in South Carolina (1788). That same year, he married Mary Eleanor Laurens, daughter of a wealthy and politically powerful South Carolina merchant; she was to bear at least three children.

Subsequently, Pinckney's career blossomed. From 1789 to 1792 he held the governorship of South Carolina, and in 1790 chaired the state constitutional convention. During this period, he became associated with the Federalist Party, in which he and his cousin Charles Cotesworth Pinckney were leaders. But, with the passage of time, the former's views began to change. In 1795 he attacked the Federalist backed Jay's Treaty and increasingly began to cast his lot with Carolina back-country Democratic-Republicans against his own eastern aristocracy. In 1796 he became governor once again, and in 1798 his Democratic-Republican supporters helped him win a seat in the U.S. Senate. There, he bitterly opposed his former party, and in the presidential election of 1800 served as Thomas Jefferson's campaign manager in South Carolina.

The victorious Jefferson appointed Pinckney as Minister to Spain (1801-5), in which capacity he struggled valiantly but unsuccessfully to win cession of the Floridas to the United States and facilitated Spanish acquiescence in the transfer of Louisiana from France to the United States in 1803.

Upon completion of his diplomatic mission, his ideas moving ever closer to democracy, Pinckney headed back to Charleston and to leadership of the state Democratic-Republican Party. He sat in the legislature in 1805-6 and then was again elected as governor (1806-8). In this position, he favored legislative reapportionment, giving better representation to back-country districts, and advocated universal white manhood suffrage. He served again in the legislature from 1810 to 1814 and then temporarily withdrew from politics. In 1818 he won election to the U.S. House of Representatives, where he fought against the Missouri Compromise.

In 1821, Pinckney's health beginning to fail, he retired for the last time from politics. He died in 1824, just 3 days after his 67th birthday. He was laid to rest in Charleston at St. Philip's Episcopal Churchyard.

*Image: Courtesy of National Archives, Records of Exposition, Anniversary, and Memorial Commissions (148-CCD-54)*

### Charles Cotesworth Pinckney, South Carolina



The eldest son of a politically prominent planter and a remarkable mother who introduced and promoted indigo culture in South Carolina, Charles Cotesworth Pinckney was born in 1746 at Charleston. Only 7 years later, he accompanied his father, who had been appointed colonial agent for South Carolina, to England. As a result, the youth enjoyed a European education.

Pinckney received tutoring in London, attended several preparatory schools, and went on to Christ Church College, Oxford, where he heard the lectures of the legal authority Sir William Blackstone and graduated in 1764. Pinckney next pursued legal training at London's Middle Temple and was accepted for admission into the English bar in 1769. He then spent part of a year touring Europe and studying chemistry, military science, and botany under leading authorities.

Late in 1769, Pinckney sailed home and the next year entered practice in South Carolina. His political career began in 1769, when he was elected to the provincial assembly. In 1773 he acted as attorney general for several towns in the colony. By 1775 he had identified with the patriot cause and that year sat in the provincial congress. Then, the next year, he was elected to the local committee of safety and made chairman of a committee that drew up a plan for the interim government of South Carolina.

When hostilities broke out, Pinckney, who had been a royal militia officer since 1769, pursued a full-time military calling. When South Carolina organized its forces in 1775, he joined the First South Carolina Regiment as a captain. He soon rose to the rank of colonel and fought in the South in defense of Charleston and in the North at the Battles of Brandywine, PA, and Germantown, PA. He commanded a regiment in the campaign against the British in the Floridas in 1778 and at the siege of Savannah. When Charleston fell in 1780, he was taken prisoner and held until 1782. The following year, he was discharged as a brevet brigadier general.

After the war, Pinckney resumed his legal practice and the management of estates in the Charleston area but found time to continue his public service, which during the war had included tours in the lower house of the state legislature (1778 and 1782) and the senate (1779).

Pinckney was one of the leaders at the Constitutional Convention. Present at all the sessions, he strongly advocated a powerful national government. His proposal that senators should serve without pay was not adopted, but he exerted influence in such matters as the power of the Senate to ratify treaties and the compromise that was reached concerning abolition of the international slave trade. After the convention, he defended the Constitution in South Carolina.

Under the new government, Pinckney became a devoted Federalist. Between 1789 and 1795 he declined presidential offers to command the U.S. Army and to serve on the Supreme Court and as Secretary of War and Secretary of State. In 1796, however, he accepted the post of Minister to France, but the revolutionary regime there refused to receive him and he was forced to proceed to the Netherlands. The next year, though, he returned to France when he was appointed to a special mission to restore relations with that country. During the ensuing XYZ affair, refusing to pay a bribe suggested by a French agent to facilitate negotiations, he was said to have replied "No! No! Not a sixpence!"

When Pinckney arrived back in the United States in 1798, he found the country preparing for war with France. That year, he was appointed as a major general in command of American forces in the South and served in that capacity until 1800, when the threat of war ended. That year, he represented the Federalists as Vice-Presidential candidate, and in 1804 and 1808 as the Presidential nominee. But he met defeat on all three occasions.

For the rest of his life, Pinckney engaged in legal practice, served at times in the legislature, and engaged in philanthropic activities. He was a charter member of the board of trustees of South Carolina College (later the University of South Carolina), first president of the Charleston Bible Society, and chief executive of the Charleston Library Society. He also gained prominence in the Society of the Cincinnati, an organization of former officers of the War for Independence.

During the later period of his life, Pinckney enjoyed his Belmont estate and Charleston high society. He was twice married; first to Sarah Middleton in 1773 and after her death to Mary Stead in 1786. Survived by three daughters, he died in Charleston in 1825 at the age of 79. He was interred there in the cemetery at St. Michael's Episcopal Church.

*Image: Courtesy of National Portrait Gallery, Smithsonian Institution*

### John Rutledge, South Carolina



John Rutledge, elder brother of Edward Rutledge, signer of the Declaration of Independence, was born into a large family at or near Charleston, SC, in 1739. He received his early education from his father, an Irish immigrant and physician, and from an Anglican minister and a tutor. After studying law at London's Middle Temple in 1760, he was admitted to English practice. But, almost at once, he sailed back to Charleston to begin a fruitful legal career and to amass a fortune in plantations and slaves. Three years later, he married Elizabeth Grimke, who eventually bore him 10 children, and moved into a townhouse, where he resided most of the remainder of his life.

In 1761 Rutledge became politically active. That year, on behalf of Christ Church Parish, he was elected to the provincial assembly and held his seat until the War for Independence. For 10 months in 1764 he temporarily held the post of provincial attorney general. When the troubles with Great Britain intensified about the time of the Stamp Act in 1765, Rutledge, who hoped to ensure continued self-government for the colonies, sought to avoid severance from the British and maintained a restrained stance. He did, however, chair a committee of the Stamp Act Congress that drew up a petition to the House of Lords.

In 1774 Rutledge was sent to the First Continental Congress, where he pursued a moderate course. After spending the next year in the Second Continental Congress, he returned to South Carolina and helped reorganize its government. In 1776 he served on the committee of safety and took part in the writing of the state constitution. That year, he also became president of the lower house of the legislature, a post he held until 1778. During this period, the new government met many stern tests.

In 1778 the conservative Rutledge, disapproving of democratic revisions in the state constitution, resigned his position. The next year, however, he was elected as governor. It was a difficult time. The British were invading South Carolina, and the military situation was desperate. Early in 1780, by which time the legislature had adjourned, Charleston was besieged. In May it fell, the American army was captured, and the British confiscated Rutledge's property. He ultimately escaped to North Carolina and set about attempting to rally forces to recover South Carolina. In 1781, aided by Gen. Nathanael Greene and a new Continental Army force, he reestablished the government. In January 1782 he resigned the governorship and took a seat in the lower house of the legislature. He never recouped the financial losses he suffered during the war.

In 1782-83 Rutledge was a delegate to the Continental Congress. He next sat on the state chancery court (1784) and again in the lower house of the legislature (1784-90). One of the most influential delegates at the Constitutional Convention, where he maintained a moderate nationalist stance and chaired the Committee of Detail, he attended all the sessions, spoke often and effectively, and served on five committees. Like his fellow South Carolina delegates, he vigorously advocated southern interests.

The new government under the Constitution soon lured Rutledge. He was a Presidential elector in 1789 and Washington then appointed him as Associate Justice of the U.S. Supreme Court, but for some reason he apparently served only a short time. In 1791 he became chief justice of the South Carolina supreme court. Four years later, Washington again appointed him to the U.S. Supreme Court, this time as Chief Justice to replace John Jay. But Rutledge's outspoken opposition to Jay's Treaty (1794), and the intermittent mental illness he had suffered from since the death of his wife in 1792, caused the Federalist-dominated Senate to reject his appointment and end his public career. Meantime, however, he had presided over one term of the Court.

Rutledge died in 1800 at the age of 60 and was interred at St. Michael's Episcopal Church in Charleston.

*Image: Courtesy of The J.B. Speed Art Museum*

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## the Charters of Freedom "A NEW WORLD IS AT HAND"



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## America's Founding Fathers

### DELEGATES TO THE CONSTITUTIONAL CONVENTION

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#### The Founding Fathers: Virginia

##### John Blair, Virginia



Scion of a prominent Virginia family, Blair was born at Williamsburg in 1732. He was the son of John Blair, a colonial official and nephew of James Blair, founder and first president of the College of William and Mary. Signer Blair graduated from that institution and studied law at London's Middle Temple. Thereafter, he practiced at Williamsburg. In the years 1766-70 he sat in the Virginia House of Burgesses as the representative of William and Mary. From 1770 to 1775 he held the position of clerk of the colony's council.

An active patriot, Blair signed the Virginia Association of June 22, 1770, which pledged to abandon importation of British goods until the Townshend Duties were repealed. He also underwrote the Association of May 27, 1774, calling for a meeting of the colonies in a Continental Congress and supporting the Bostonians. He took part in the Virginia constitutional convention (1776), at which he sat on the committee that framed a declaration of rights as well as the plan for a new government. He next served on the Privy Council (1776-78). In the latter year, the legislature elected him as a judge of the General Court, and he soon took over the chief justiceship. In 1780 he won election to Virginia's high chancery court, where his colleague was George Wythe.

Blair attended the Constitutional Convention religiously but never spoke or served on a committee. He usually sided with the position of the Virginia delegation. And, in the commonwealth ratifying convention, Blair helped win backing for the new framework of government.

In 1789 Washington named Blair as an associate justice of the U.S. Supreme Court, where he helped decide many important cases. Resigning that post in 1796, he spent his remaining years in Williamsburg. A widower, his wife (born Jean Balfour) having died in 1792, he lived quietly until he succumbed in 1800. He was 68 years old. His tomb is in the graveyard of Bruton Parish Church.

Image: Courtesy of National Archives, Records of Exposition, Anniversary, and Memorial Commissions (148-GW-533b)

##### James Madison, Virginia

The oldest of 10 children and a scion of the planter aristocracy, Madison was born in 1751 at Port Conway, King George County, VA, while his mother was visiting her parents. In a few weeks she journeyed back with her newborn son to Montpelier estate, in Orange County, which became his lifelong home. He received his early education from his mother, from tutors, and at a private school. An excellent scholar though frail and sickly in his youth, in 1771 he graduated from the



College of New Jersey (later Princeton), where he demonstrated special interest in government and the law. But, considering the ministry for a career, he stayed on for a year of postgraduate study in theology.

Back at Montpelier, still undecided on a profession, Madison soon embraced the patriot cause, and state and local politics absorbed much of his time. In 1775 he served on the Orange County committee of safety; the next year at the Virginia convention, which, besides advocating various Revolutionary steps, framed the Virginia constitution; in 1776-77 in the House of Delegates; and in 1778-80 in the Council of State. His ill health precluded any military service.

In 1780 Madison was chosen to represent Virginia in the Continental Congress (1780-83 and 1786-88). Although originally the youngest delegate, he played a major role in the deliberations of that body. Meantime, in the years 1784-86, he had again sat in the Virginia House of Delegates. He was a guiding force behind the Mount Vernon Conference (1785), attended the Annapolis Convention (1786), and was otherwise highly instrumental in the convening of the Constitutional Convention in 1787. He had also written extensively about deficiencies in the Articles of Confederation.

Madison was clearly the preeminent figure at the convention. Some of the delegates favored an authoritarian central government; others, retention of state sovereignty; and most occupied positions in the middle of the two extremes. Madison, who was rarely absent and whose Virginia Plan was in large part the basis of the Constitution, tirelessly advocated a strong government, though many of his proposals were rejected. Despite his poor speaking capabilities, he took the floor more than 150 times, third only after Gouverneur Morris and James Wilson. Madison was also a member of numerous committees, the most important of which were those on postponed matters and style. His journal of the convention is the best single record of the event. He also played a key part in guiding the Constitution through the Continental Congress.

Playing a lead in the ratification process in Virginia, too, Madison defended the document against such powerful opponents as Patrick Henry, George Mason, and Richard Henry Lee. In New York, where Madison was serving in the Continental Congress, he collaborated with Alexander Hamilton and John Jay in a series of essays that in 1787-88 appeared in the newspapers and were soon published in book form as *The Federalist* (1788). This set of essays is a classic of political theory and a lucid exposition of the republican principles that dominated the framing of the Constitution.

In the U.S. House of Representatives (1789-97), Madison helped frame and ensure passage of the Bill of Rights. He also assisted in organizing the executive department and creating a system of federal taxation. As leaders of the opposition to Hamilton's policies, he and Jefferson founded the Democratic-Republican Party.

In 1794 Madison married a vivacious widow who was 16 years his junior, Dolley Payne Todd, who had a son; they were to raise no children of their own. Madison spent the period 1797-1801 in semiretirement, but in 1798 he wrote the Virginia Resolutions, which attacked the Alien and Sedition Acts. While he served as Secretary of State (1801-9), his wife often served as President Jefferson's hostess.

In 1809 Madison succeeded Jefferson. Like the first three Presidents, Madison was enmeshed in the ramifications of European wars. Diplomacy had failed to prevent the seizure of U.S. ships, goods, and men on the high seas, and a depression wracked the country. Madison continued to apply diplomatic techniques and economic sanctions, eventually effective to some degree against France. But continued British interference with shipping, as well as other grievances, led to the War of 1812.

The war, for which the young nation was ill prepared, ended in stalemate in December 1814 when the inconclusive Treaty of Ghent which nearly restored prewar conditions, was signed. But, thanks mainly to Andrew Jackson's spectacular victory at the Battle of New Orleans (Chalmette) in January 1815, most Americans believed they had won. Twice tested, independence had survived, and an ebullient nationalism marked Madison's last years in office, during which period the Democratic-Republicans held virtually uncontested sway.

In retirement after his second term, Madison managed Montpelier but continued to be active in public affairs. He devoted long hours to editing his journal of the Constitutional Convention, which the government was to publish 4 years after his death. He served as co-chairman of the Virginia constitutional convention of 1829-30 and as rector of the University of Virginia during the period 1826-36. Writing newspaper articles defending the administration of Monroe, he also acted as his foreign policy adviser.

Madison spoke out, too, against the emerging sectional controversy that threatened the existence of the Union. Although

a slaveholder all his life, he was active during his later years in the American Colonization Society, whose mission was the resettlement of slaves in Africa.

Madison died at the age of 85 in 1836, survived by his wife and stepson.

*Image: Courtesy of the Collection of Gilcrease Museum, Tulsa*

## George Mason, Virginia



In 1725 George Mason was born to George and Ann Thomson Mason. When the boy was 10 years old his father died, and young George's upbringing was left in the care of his uncle, John Mercer. The future jurist's education was profoundly shaped by the contents of his uncle's 1500-volume library, one-third of which concerned the law.

Mason established himself as an important figure in his community. As owner of Gunston Hall he was one of the richest planters in Virginia. In 1750 he married Anne Eilbeck, and in 23 years of marriage they had five sons and four daughters. In 1752 he acquired an interest in the Ohio Company, an organization that speculated in western lands. When the crown revoked the company's rights in 1773, Mason, the company's treasurer, wrote his first major state paper,

*Extracts from the Virginia Charters, with Some Remarks upon Them.*

During these years Mason also pursued his political interests. He was a justice of the Fairfax County court, and between 1754 and 1779 Mason was a trustee of the city of Alexandria. In 1759 he was elected to the Virginia House of Burgesses. When the Stamp Act of 1765 aroused outrage in the colonies, George Mason wrote an open letter explaining the colonists' position to a committee of London merchants to enlist their support.

In 1774 Mason again was in the forefront of political events when he assisted in drawing up the Fairfax Resolves, a document that outlined the colonists' constitutional grounds for their objections to the Boston Port Act. Virginia's Declaration of Rights, framed by Mason in 1776, was widely copied in other colonies, served as a model for Jefferson in the first part of the Declaration of Independence, and was the basis for the federal Constitution's Bill of Rights.

The years between 1776 and 1780 were filled with great legislative activity. The establishment of a government independent of Great Britain required the abilities of persons such as George Mason. He supported the disestablishment of the church and was active in the organization of military affairs, especially in the West. The influence of his early work, *Extracts from the Virginia Charters*, is seen in the 1783 peace treaty with Great Britain, which fixed the Anglo-American boundary at the Great Lakes instead of the Ohio River. After independence, Mason drew up the plan for Virginia's cession of its western lands to the United States.

By the early 1780s, however, Mason grew disgusted with the conduct of public affairs and retired. He married his second wife, Sarah Brent, in 1780. In 1785 he attended the Mount Vernon meeting that was a prelude to the Annapolis convention of 1786, but, though appointed, he did not go to Annapolis.

At Philadelphia in 1787 Mason was one of the five most frequent speakers at the Constitutional Convention. He exerted great influence, but during the last 2 weeks of the convention he decided not to sign the document.

Mason's refusal prompts some surprise, especially since his name is so closely linked with constitutionalism. He explained his reasons at length, citing the absence of a declaration of rights as his primary concern. He then discussed the provisions of the Constitution point by point, beginning with the House of Representatives. The House he criticized as not truly representative of the nation, the Senate as too powerful. He also claimed that the power of the federal judiciary would destroy the state judiciaries, render justice unattainable, and enable the rich to oppress and ruin the poor. These fears led Mason to conclude that the new government was destined to either become a monarchy or fall into the hands of a corrupt, oppressive aristocracy.

Two of Mason's greatest concerns were incorporated into the Constitution. The Bill of Rights answered his primary objection, and the 11th amendment addressed his call for strictures on the judiciary.

Throughout his career Mason was guided by his belief in the rule of reason and in the centrality of the natural rights of man. He approached problems coolly, rationally, and impersonally. In recognition of his accomplishments and dedication to the principles of the Age of Reason, Mason has been called the American manifestation of the Enlightenment. Mason died on October 7, 1792, and was buried on the grounds of Gunston Hall.

*Image: Courtesy of National Archives, Records of Exposition, Anniversary, and Memorial Commissions (148-CP-121)*

## James McClurg, Virginia

James McClurg was born near Hampton, VA, in 1746. He attended the College of William and Mary and graduated in 1762. McClurg then studied medicine at the University of Edinburgh and received his degree in 1770. He pursued postgraduate medical studies in Paris and London and published *Experiments upon the Human Bile and Reflections on the Biliary Secretions* (1772) in London. His work and writings were well-received and respected by the medical community, and his article was translated into several languages. In 1773 McClurg returned to Virginia and served as a surgeon in the state militia during the Revolution.

Before the end of the war the College of William and Mary appointed McClurg its professor of anatomy and medicine. The same year, 1779, he married Elizabeth Seldon. James McClurg's reputation continued to grow, and he was regarded as one of the most eminent physicians in Virginia. In 1820 and 1821 he was president of the state medical society.

In addition to his medical practice, McClurg pursued politics. In 1782 James Madison advocated McClurg's appointment as secretary of foreign affairs for the United States but was unsuccessful. When Richard Henry Lee and Patrick Henry declined to serve as representatives to the Constitutional Convention in 1787, McClurg was asked to join Virginia's delegation. In Philadelphia McClurg advocated a life tenure for the President and argued for the ability of the federal government to override state laws. Even as some at the convention expressed apprehension of the powers allotted to the presidency, McClurg championed greater independence of the executive from the legislative branch. He left the convention in early August, however, and did not sign the Constitution.

James McClurg's political service did not end with the convention. During George Washington's administration McClurg served on Virginia's executive council. He died in Richmond, VA, on July 9, 1823.

## Edmund Randolph, Virginia



On August 10, 1753, Edmund Randolph was born in Tazewell Hall, Williamsburg, VA. His parents were Ariana Jenings and John Randolph. Edmund attended the College of William and Mary and continued his education by studying the law under his father's tutelage.

When the Revolution broke out, father and son followed different paths. John Randolph, a Loyalist, followed the royal governor, Lord Dunmore, to England, in 1775. Edmund then lived with his uncle Peyton Randolph, a prominent figure in Virginia politics. During the war Edmund served as an aide-de-camp to General Washington and also attended the convention that adopted Virginia's first state constitution in 1776. He was the convention's youngest member at age 23. Randolph married Elizabeth Nicholas in 1776.

Randolph continued to advance in the political world. He became mayor of Williamsburg and Virginia's attorney-general. In 1779 he was elected to the Continental Congress, and in November 1786 Randolph became Governor of Virginia. In 1786 he was a delegate to the Annapolis Convention.

Four days after the opening of the federal convention in Philadelphia, on May 29, 1787, Edmund Randolph presented the Virginia Plan for creating a new government. This plan proposed a strong central government composed of three branches, legislative, executive, and judicial, and enabled the legislative to veto state laws and use force against states that failed to fulfill their duties. After many debates and revisions, including striking the section permitting force against a state, the Virginia Plan became in large part the basis of the Constitution.

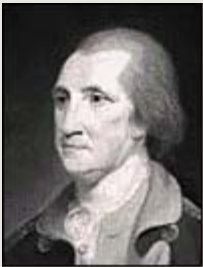
Though Randolph introduced the highly centralized Virginia Plan, he fluctuated between the Federalist and Antifederalist points of view. He sat on the Committee of Detail that prepared a draft of the Constitution, but by the time the document was adopted, Randolph declined to sign. He felt it was not sufficiently republican, and he was especially wary of creating a one-man executive. He preferred a three-man council since he regarded "a unity in the Executive" to be the "foetus of monarchy." In a Letter . . . on the Federal Constitution, dated October 10, 1787, Randolph explained at length his objections to the Constitution. The old Articles of Confederation were inadequate, he agreed, but the proposed new plan of union contained too many flaws. Randolph was a strong advocate of the process of amendment. He feared that if the Constitution were submitted for ratification without leaving the states the opportunity to amend it, the document might be rejected and thus close off any hope of another plan of union. However, he hoped that amendments would be permitted and second convention called to incorporate the changes.

By the time of the Virginia convention for ratification, Randolph supported the Constitution and worked to win his state's approval of it. He stated his reason for his switch: "The accession of eight states reduced our deliberations to the single question of Union or no Union."

Under President Washington, Edmund Randolph became Attorney General of the United States. After Thomas Jefferson resigned as Secretary of State, Randolph assumed that post for the years 1794-95. During the Jefferson-Hamilton conflict he tried to remain unaligned. After retiring from politics in 1795, Randolph resumed his law practice and was regarded as a leading figure in the legal community. During his retirement he wrote a history of Virginia. When Aaron Burr went on trial for treason in 1807, Edmund Randolph acted as his senior counsel. In 1813, at age 60 and suffering from paralysis, Randolph died while visiting Nathaniel Burwell at Carter Hall. His body is buried in the graveyard of the nearby chapel.

*Image: Courtesy of National Archives, Records of Exposition, Anniversary, and Memorial Commissions (148-CCD-40)*

## George Washington, Virginia



The eldest of six children from his father's second marriage, George Washington was born into the landed gentry in 1732 at Wakefield Plantation, VA. Until reaching 16 years of age, he lived there and at other plantations along the Potomac and Rappahannock Rivers, including the one that later became known as Mount Vernon. His education was rudimentary, probably being obtained from tutors but possibly also from private schools, and he learned surveying. After he lost his father when he was 11 years old, his half-brother Lawrence, who had served in the Royal Navy, acted as his mentor. As a result, the youth acquired an interest in pursuing a naval career, but his mother discouraged him from doing so.

At the age of 16, in 1748, Washington joined a surveying party sent out to the Shenandoah Valley by Lord Fairfax, a land baron. For the next few years, Washington conducted surveys in Virginia and present West Virginia and gained a lifetime interest in the West. In 1751-52 he also accompanied Lawrence on a visit he made to Barbados, West Indies, for health reasons just before his death.

The next year, Washington began his military career when the royal governor appointed him to an adjutanship in the militia, as a major. That same year, as a gubernatorial emissary, accompanied by a guide, he traveled to Fort Le Boeuf, PA, in the Ohio River Valley, and delivered to French authorities an ultimatum to cease fortification and settlement in English territory. During the trip, he tried to better British relations with various Indian tribes.

In 1754, winning the rank of lieutenant colonel and then colonel in the militia, Washington led a force that sought to challenge French control of the Ohio River Valley, but met defeat at Fort Necessity, PA - an event that helped trigger the French and Indian War (1754-63). Late in 1754, irked by the dilution of his rank because of the pending arrival of British regulars, he resigned his commission. That same year, he leased Mount Vernon, which he was to inherit in 1761.

In 1755 Washington reentered military service with the courtesy title of colonel, as an aide to Gen. Edward Braddock, and barely escaped death when the French defeated the general's forces in the Battle of the Monongahela, PA. As a reward for his bravery, Washington won his colonelcy and command of the Virginia militia forces, charged with defending the colony's frontier. Because of the shortage of men and equipment, he found the assignment challenging. Late in 1758 or early in 1759, disillusioned over governmental neglect of the militia and irritated at not rising in rank, he resigned and headed back to Mount Vernon.

Washington then wed Martha Dandridge Custis, a wealthy widow and mother of two children. The marriage produced no offspring, but Washington reared those of his wife as his own. During the period 1759-74, he managed his plantations and sat in the Virginia House of Burgesses. He supported the initial protests against British policies; took an active part in the nonimportation movement in Virginia; and, in time, particularly because of his military experience, became a Whig leader.

By the 1770s, relations of the colony with the mother country had become strained. Measured in his behavior but strongly sympathetic to the Whig position and resentful of British restrictions and commercial exploitation, Washington represented Virginia at the First and Second Continental Congresses. In 1775, after the bloodshed at Lexington and Concord, Congress appointed him as commander in chief of the Continental Army. Overcoming severe obstacles, especially in supply, he eventually fashioned a well-trained and disciplined fighting force.

The strategy Washington evolved consisted of continual harassment of British forces while avoiding general actions. Although his troops yielded much ground and lost a number of battles, they persevered even during the dark winters at Valley Forge, PA, and Morristown, NJ. Finally, with the aid of the French fleet and army, he won a climactic victory at the Battle of Yorktown, VA, in 1781.

During the next 2 years, while still commanding the agitated Continental Army, which was underpaid and poorly

supplied, Washington denounced proposals that the military take over the government, including one that planned to appoint him as king, but supported army petitions to the Continental Congress for proper compensation. Once the Treaty of Paris (1783) was signed, he resigned his commission and returned once again to Mount Vernon. His wartime financial sacrifices and long absence, as well as generous loans to friends, had severely impaired his extensive fortune, which consisted mainly of his plantations, slaves, and landholdings in the West. At this point, however, he was to have little time to repair his finances, for his retirement was brief.

Dissatisfied with national progress under the Articles of Confederation, Washington advocated a stronger central government. He hosted the Mount Vernon Conference (1785) at his estate after its initial meetings in Alexandria, though he apparently did not directly participate in the discussions. Despite his sympathy with the goals of the Annapolis Convention (1786), he did not attend. But, the following year, encouraged by many of his friends, he presided over the Constitutional Convention, whose success was immeasurably influenced by his presence and dignity. Following ratification of the new instrument of government in 1788, the electoral college unanimously chose him as the first President.

The next year, after a triumphal journey from Mount Vernon to New York City, Washington took the oath of office at Federal Hall. During his two precedent-setting terms, he governed with dignity as well as restraint. He also provided the stability and authority the emergent nation so sorely needed, gave substance to the Constitution, and reconciled competing factions and divergent policies within the government and his administration. Although not averse to exercising presidential power, he respected the role of Congress and did not infringe upon its prerogatives. He also tried to maintain harmony between his Secretary of State Thomas Jefferson and Secretary of the Treasury Alexander Hamilton, whose differences typified evolving party divisions from which Washington kept aloof.

Yet, usually leaning upon Hamilton for advice, Washington supported his plan for the assumption of state debts, concurred in the constitutionality of the bill establishing the Bank of the United States, and favored enactment of tariffs by Congress to provide federal revenue and protect domestic manufacturers.

Washington took various other steps to strengthen governmental authority, including suppression of the Whisky Rebellion (1794). To unify the country, he toured the Northeast in 1789 and the South in 1791. During his tenure, the government moved from New York to Philadelphia in 1790, he superintended planning for relocation to the District of Columbia, and he laid the cornerstone of the Capitol (1793).

In foreign affairs, despite opposition from the Senate, Washington exerted dominance. He fostered United States interests on the North American continent by treaties with Britain and Spain. Yet, until the nation was stronger, he insisted on the maintenance of neutrality. For example, when the French Revolution created war between France and Britain, he ignored the remonstrances of pro-French Jefferson and pro-English Hamilton.

Although many people encouraged Washington to seek a third term, he was weary of politics and refused to do so. In his "Farewell Address" (1796), he urged his countrymen to forswear party spirit and sectional differences and to avoid entanglement in the wars and domestic policies of other nations.

Washington enjoyed only a few years of retirement at Mount Vernon. Even then, demonstrating his continued willingness to make sacrifices for his country in 1798 when the nation was on the verge of war with France he agreed to command the army, though his services were not ultimately required. He died at the age of 67 in 1799. In his will, he emancipated his slaves.

*Image: Courtesy of National Portrait Gallery, Smithsonian Institution*

## George Wythe, Virginia



George Wythe, the second of Thomas and Margaret Wythe's three children, was born in 1726 on his family's plantation on the Back River in Elizabeth City County, VA. Both parents died when Wythe was young, and he grew up under the guardianship of his older brother, Thomas. Though Wythe was to become an eminent jurist and teacher, he received very little formal education. He learned Latin and Greek from his well-educated mother, and he probably attended for a time a grammar school operated by the College of William and Mary.

Wythe's brother later sent him to Prince George County to read law under an uncle. In 1746, at age 20, he joined the bar, moved to Spotsylvania County, and became associated with a lawyer there. In 1747 he married his partner's sister, Ann Lewis, but she died the next year. In 1754 Lt.

Gov. Robert Dinwiddie appointed him as acting colonial attorney general, a position that he held for only a few months. The next year, Wythe's brother died and he inherited the family estate. He chose, however, to live in Williamsburg in the house that his new father-in-law, an architect, designed and built for him and his wife, Elizabeth Taliaferro. They

married in 1755, and their only child died in infancy.

At Williamsburg, Wythe immersed himself in further study of the classics and the law and achieved accreditation by the colonial supreme court. He served in the House of Burgesses from the mid-1750s until 1775, first as delegate and after 1769 as clerk. In 1768 he became mayor of Williamsburg, and the next year he sat on the board of visitors of the College of William and Mary. During these years he also directed the legal studies of young scholars, notably Thomas Jefferson. Wythe and Jefferson maintained a lifelong friendship, first as mentor and pupil and later as political allies.

Wythe first exhibited revolutionary leanings in 1764 when Parliament hinted to the colonies that it might impose a stamp tax. By then an experienced legislator, he drafted for the House of Burgesses a remonstrance to Parliament so strident that his fellow delegates modified it before adoption. Wythe was one of the first to express the concept of separate nationhood for the colonies within the British empire.

When war broke out, Wythe volunteered for the army but was sent to the Continental Congress. Although present from 1775 through 1776, Wythe exerted little influence and signed the Declaration of Independence after the formal signing in August 1776. That same year, Wythe, Jefferson, and Edmund Pendleton undertook a 3-year project to revise Virginia's legal code. In 1777 Wythe also presided as speaker of the Virginia House of Delegates.

An appointment as one of the three judges of the newly created Virginia high court of chancery followed in 1778. For 28 years, during 13 of which he was the only chancellor, Wythe charted the course of Virginia jurisprudence. In addition, he was an ex officio member of the state superior court.

Wythe's real love was teaching. In 1779 Jefferson and other officials of the College of William and Mary created the first chair of law in a U.S. institution of higher learning and appointed Wythe to fill it. In that position, he educated America's earliest college-trained lawyers, among them John Marshall and James Monroe. In 1787 he attended the Constitutional Convention but played an insignificant role. He left the proceedings early and did not sign the Constitution. The following year, however, he was one of the Federalist leaders at the Virginia ratifying convention. There he presided over the Committee of the Whole and offered the resolution for ratification.

In 1791, the year after Wythe resigned his professorship, his chancery duties caused him to move to Richmond, the state capital. He was reluctant to give up his teaching, however, and opened a private law school. One of his last and most promising pupils was young Henry Clay.

In 1806, in his eightieth year, Wythe died at Richmond under mysterious circumstances, probably of poison administered by his grandnephew and heir, George Wythe Sweeney. Reflecting a lifelong aversion to slavery, Wythe emancipated his slaves in his will. His grave is in the yard of St. John's Episcopal Church in Richmond.

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# The Declaration

Mural by Barry Faulkner



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|---|---------------|---------------------------------|---------------|-------------------------------|----------------|
| <b>1.</b> Robert Morris                 | Pennsylvania  | <b>10.</b> John Witherspoon     | New Jersey    | <b>20.</b> Thomas Nelson, Jr. | Virginia       |
| <b>2.</b> Samuel Chase                  | Maryland      | <b>11.</b> John Hancock         | Massachusetts | <b>21.</b> Joseph Hewes       | North Carolina |
| <b>3.</b> Charles Carroll of Carrollton | Maryland      | <b>12.</b> Benjamin Harrison    | Virginia      | <b>22.</b> Edward Rutledge    | South Carolina |
| <b>4.</b> Stephen Hopkins               | Rhode Island  | <b>13.</b> Samuel Huntington    | Connecticut   | <b>23.</b> Lyman Hall         | Georgia        |
| <b>5.</b> Samuel Adams                  | Massachusetts | <b>14.</b> Thomas Jefferson     | Virginia      | <b>24.</b> Josiah Bartlett    | New Hampshire  |
| <b>6.</b> Thomas McKean                 | Delaware      | <b>15.</b> Roger Sherman        | Connecticut   | <b>25.</b> Thomas Stone       | Maryland       |
| <b>7.</b> John Dickinson                | Pennsylvania  | <b>16.</b> John Adams           | Massachusetts | <b>26.</b> Francis Hopkinson  | New Jersey     |
| <b>8.</b> Abraham Clark                 | New Jersey    | <b>17.</b> Robert R. Livingston | New York      | <b>27.</b> George Wythe       | Virginia       |
| <b>9.</b> William Ellery                | Rhode Island  | <b>18.</b> Benjamin Franklin    | Pennsylvania  | <b>28.</b> William Floyd      | New York       |
|   |               | <b>19.</b> Richard Henry Lee    | Virginia      |                               |                |

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# The Constitution

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|---------------------|----------------|---------------------------------|----------------|--------------------------|----------------|
| 1. Edmund Randolph  | Virginia       | 9. Elbridge Gerry               | Massachusetts  | 18. Alexander Hamilton   | New York       |
| 2. Nathaniel Gorham | Massachusetts  | 10. William Samuel Johnson      | Connecticut    | 19. George Read          | Delaware       |
| 3. John Dickinson   | Delaware       | 11. George Mason                | Virginia       | 20. William R. Davie     | North Carolina |
| 4. John Rutledge    | South Carolina | 12. George Washington           | Virginia       | 21. John Langdon         | New Hampshire  |
| 5. James Wilson     | Pennsylvania   | 13. Benjamin Franklin           | Pennsylvania   | 22. Luther Martin        | Maryland       |
| 6. Oliver Ellsworth | Connecticut    | 14. Rufus King                  | Massachusetts  | 23. Roger Sherman        | Connecticut    |
| 7. Charles Pinckney | South Carolina | 15. William Paterson            | New Jersey     | 24. Gunning Bedford, Jr. | Delaware       |
| 8. James Madison    | Virginia       | 16. Charles Cotesworth Pinckney | South Carolina | 25. Abraham Baldwin      | Georgia        |
|                     |                | 17. Gouverneur Morris           | Pennsylvania   |                          |                |

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## Declaration of Independence

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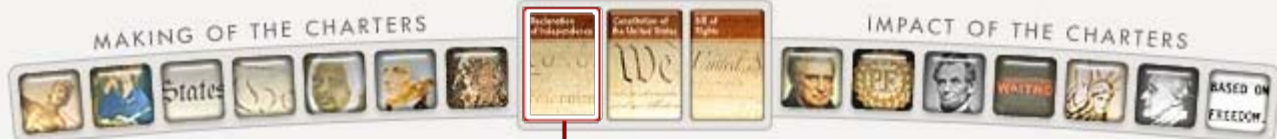
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## Declaration of Independence

### CREATING THE DECLARATION: A TIMELINE

#### Creating the Declaration of Independence - A Time Line

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**June 7, 1776**

##### Lee Resolution

Richard Henry Lee, a delegate from Virginia, read a resolution before the Continental Congress "that these United Colonies are, and of right ought to be, free and independent States, that they are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved."

[Lee Resolution Document](#)



**June 11, 1776**

##### Committee of Five Appointed

Consideration of the Lee Resolution was postponed-- the "Committee of Five" was appointed to draft a statement presenting to the world the colonies' case for independence.

**June 11**

**July 1, 1776**

##### Declaration of Independence Drafted

On June 11, Congress recessed for three weeks. During this period the "Committee of Five" (John Adams, Roger Sherman, Benjamin Franklin, Robert Livingston, and Thomas Jefferson) drafted the Declaration of Independence. Thomas Jefferson drafted it, Adams and Franklin made changes to it. Congress reconvened on July 1, 1776.

(Drafting the Declaration of Independence. The Committee--Franklin, Jefferson, Adams, Livingston and Sherman. Copy of engraving after Alonzo Chappel. (NWDNS-30-N-31(170))



**July 2, 1776**

##### Lee Resolution Adopted & Consideration of Declaration

On July 2, the Lee resolution was adopted by 12 of the 13 colonies (New York did not vote). Immediately afterward, Congress began to consider the Declaration. Congress made some alterations and deletions to it on July 2, 3, and the morning of the 4th.

[More Information in the American Originals Exhibit](#)

**July 4, 1776**

##### Declaration of Independence Adopted and Printed

Late in the morning of July 4, the Declaration was officially adopted, and the "Committee of Five" took the manuscript copy of the document to John Dunlap, official printer to the Congress.

[Printed Declaration of Independence](#)

**July 5, 1776**

**Copies of the Declaration Dispatched**

On the morning of the July 5, copies printed by John Dunlap were dispatched by members of Congress to various committees, assemblies, and to the commanders of the Continental troops.

(On July 9, the action of Congress was officially approved by the NY Convention.)

**July 19, 1776**

**Congress Orders the Declaration Engrossed on Parchment**

Congress ordered that the Declaration be "fairly engrossed on parchment, with the title and stile {sic} of 'The unanimous declaration of the thirteen United States of America' and that the same, when engrossed, be signed by every member of Congress."

**August 2, 1776**

**Declaration Signed**

The document was signed by most of the members on August 2. George Wythe signed on August 27. On September 4, Richard Henry Lee, Elbridge Gerry, and Oliver Wilcott signed. Matthew Thornton signed on November 19, and Thomas McKean signed in 1781.



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## the Charters of Freedom "A NEW WORLD IS AT HAND"

MAKING OF THE CHARTERS



IMPACT OF THE CHARTERS



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## Declaration of Independence

### THE SIGNER'S GALLERY

Who was the oldest Signer in 1776?

Which Signer lived the longest?

How many Signers were born in Europe?

How many Signers were also clergymen?

Which Signer had the most children?

Which colony had the largest number of representatives?

Which Signer was also a musician?

Who was the youngest Signer?

What happened on July 4, 1826?

How many Signers were physicians? Lawyers? Printers?



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## The Declaration of Independence: A Transcription

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### IN CONGRESS, July 4, 1776.

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

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

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, --That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security.--Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.

He has refused his Assent to Laws, the most wholesome and necessary for the public good.  
He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.  
He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.  
He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public Records, for the sole purpose of fatiguing them into compliance with his measures.  
He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.  
He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.  
He has endeavoured to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new Appropriations of Lands.  
He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary powers.  
He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.  
He has erected a multitude of New Offices, and sent hither swarms of Officers to harrass our people, and eat out their substance.  
He has kept among us, in times of peace, Standing Armies without the Consent of our legislatures.  
He has affected to render the Military independent of and superior to the Civil power.  
He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation:



For Quartering large bodies of armed troops among us:  
For protecting them, by a mock Trial, from punishment for any Murders which they should commit on the Inhabitants of these States:  
For cutting off our Trade with all parts of the world:  
For imposing Taxes on us without our Consent:  
For depriving us in many cases, of the benefits of Trial by Jury:  
For transporting us beyond Seas to be tried for pretended offences  
For abolishing the free System of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies:  
For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:  
For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.  
He has abdicated Government here, by declaring us out of his Protection and waging War against us.  
He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people.  
He is at this time transporting large Armies of foreign Mercenaries to compleat the works of death, desolation and tyranny, already begun with circumstances of Cruelty & perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation.  
He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.  
He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.

In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people.

Nor have We been wanting in attentions to our Brittish brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which, would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.

We, therefore, the Representatives of the united States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

---

*The 56 signatures on the Declaration appear in the positions indicated:*

**Column 1**

**Georgia:**

Button Gwinnett  
Lyman Hall  
George Walton

**Column 2**

**North Carolina:**

William Hooper

Joseph Hewes

John Penn

**South Carolina:**

Edward Rutledge

Thomas Heyward, Jr.

Thomas Lynch, Jr.

Arthur Middleton

**Column 3**

**Massachusetts:**

John Hancock

**Maryland:**

Samuel Chase

William Paca

Thomas Stone

Charles Carroll of Carrollton

**Virginia:**

George Wythe

Richard Henry Lee

Thomas Jefferson

Benjamin Harrison

Thomas Nelson, Jr.

Francis Lightfoot Lee

Carter Braxton

**Column 4**

**Pennsylvania:**

Robert Morris

Benjamin Rush

Benjamin Franklin

John Morton

George Clymer

James Smith

George Taylor

James Wilson

George Ross

**Delaware:**

Caesar Rodney

George Read

Thomas McKean

**Column 5**

**New York:**

William Floyd

Philip Livingston

Francis Lewis

Lewis Morris

**New Jersey:**

Richard Stockton

John Witherspoon

Francis Hopkinson

John Hart

Abraham Clark

**Column 6**

**New Hampshire:**

Josiah Bartlett

William Whipple

**Massachusetts:**

Samuel Adams

John Adams

Robert Treat Paine

Elbridge Gerry

**Rhode Island:**

Stephen Hopkins

William Ellery

**Connecticut:**

Roger Sherman

Samuel Huntington

William Williams

Oliver Wolcott

**New Hampshire:**

Matthew Thornton

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**U.S. National Archives & Records Administration**

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## The Declaration of Independence: A History

Nations come into being in many ways. Military rebellion, civil strife, acts of heroism, acts of treachery, a thousand greater and lesser clashes between defenders of the old order and supporters of the new--all these occurrences and more have marked the emergences of new nations, large and small. The birth of our own nation included them all. That birth was unique, not only in the immensity of its later impact on the course of world history and the growth of democracy, but also because so many of the threads in our national history run back through time to come together in one place, in one time, and in one document: the Declaration of Independence.

### Moving Toward Independence

The clearest call for independence up to the summer of 1776 came in Philadelphia on June 7. On that date in session in the Pennsylvania State House (later Independence Hall), the Continental Congress heard Richard Henry Lee of Virginia read his resolution beginning: "Resolved: That these United Colonies are, and of right ought to be, free and independent States, that they are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved."

The Lee Resolution was an expression of what was already beginning to happen throughout the colonies. When the Second Continental Congress, which was essentially the government of the United States from 1775 to 1788, first met in May 1775, King George III had not replied to the petition for redress of grievances that he had been sent by the First Continental Congress. The Congress gradually took on the responsibilities of a national government. In June 1775 the Congress established the Continental Army as well as a continental currency. By the end of July of that year, it created a post office for the "United Colonies."

In August 1775 a royal proclamation declared that the King's American subjects were "engaged in open and avowed rebellion." Later that year, Parliament passed the American Prohibitory Act, which made all American vessels and cargoes forfeit to the Crown. And in May 1776 the Congress learned that the King had negotiated treaties with German states to hire mercenaries to fight in America. The weight of these actions combined to convince many Americans that the mother country was treating the colonies as a foreign entity.

One by one, the Continental Congress continued to cut the colonies' ties to Britain. The Privateering Resolution, passed in March 1776, allowed the colonists "to fit out armed vessels to cruize [sic] on the enemies of these United Colonies." On April 6, 1776, American ports were opened to commerce with other nations, an action that severed the economic ties fostered by the Navigation Acts. A "Resolution for the Formation of Local Governments" was passed on May 10, 1776.

At the same time, more of the colonists themselves were becoming convinced of the inevitability of independence. Thomas Paine's *Common Sense*, published in January 1776, was sold by the thousands. By the middle of May 1776, eight colonies had decided that they would support independence. On May 15, 1776, the Virginia Convention passed a resolution that "the delegates appointed to represent this colony in General Congress be instructed to propose to that respectable body to declare the United Colonies free and independent states."

It was in keeping with these instructions that Richard Henry Lee, on June 7, 1776, presented his resolution. There were still some delegates, however, including those bound by earlier instructions, who wished to pursue the path of reconciliation with Britain. On June 11 consideration of the Lee Resolution was postponed by a vote of seven colonies to five, with New York abstaining. Congress then recessed for 3 weeks. The tone of the debate indicated that at the end of that time the Lee Resolution would be adopted. Before Congress recessed, therefore, a Committee of Five was appointed to draft a statement presenting to the world the colonies' case for independence.

### The Committee of Five

The committee consisted of two New England men, John Adams of Massachusetts and Roger Sherman of Connecticut; two men from the Middle Colonies, Benjamin Franklin of Pennsylvania and Robert R. Livingston of New York; and one southerner, Thomas Jefferson of Virginia. In 1823 Jefferson wrote that the other members of the committee "unanimously pressed on myself alone to undertake the draught [sic]. I consented; I drew it;

but before I reported it to the committee I communicated it separately to Dr. Franklin and Mr. Adams requesting their corrections. . . I then wrote a fair copy, reported it to the committee, and from them, unaltered to the Congress." (If Jefferson did make a "fair copy," incorporating the changes made by Franklin and Adams, it has not been preserved. It may have been the copy that was amended by the Congress and used for printing, but in any case, it has not survived. Jefferson's rough draft, however, with changes made by Franklin and Adams, as well as Jefferson's own notes of changes by the Congress, is housed at the Library of Congress.)

Jefferson's account reflects three stages in the life of the Declaration: the document originally written by Jefferson; the changes to that document made by Franklin and Adams, resulting in the version that was submitted by the Committee of Five to the Congress; and the version that was eventually adopted.

On July 1, 1776, Congress reconvened. The following day, the Lee Resolution for independence was adopted by 12 of the 13 colonies, New York not voting. Immediately afterward, the Congress began to consider the Declaration. Adams and Franklin had made only a few changes before the committee submitted the document. The discussion in Congress resulted in some alterations and deletions, but the basic document remained Jefferson's. The process of revision continued through all of July 3 and into the late morning of July 4. Then, at last, church bells rang out over Philadelphia; the Declaration had been officially adopted.

The Declaration of Independence is made up of five distinct parts: the introduction; the preamble; the body, which can be divided into two sections; and a conclusion. The introduction states that this document will "declare" the "causes" that have made it necessary for the American colonies to leave the British Empire. Having stated in the introduction that independence is unavoidable, even necessary, the preamble sets out principles that were already recognized to be "self-evident" by most 18th-century Englishmen, closing with the statement that "a long train of abuses and usurpations . . . evinces a design to reduce [a people] under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security." The first section of the body of the Declaration gives evidence of the "long train of abuses and usurpations" heaped upon the colonists by King George III. The second section of the body states that the colonists had appealed in vain to their "British brethren" for a redress of their grievances. Having stated the conditions that made independence necessary and having shown that those conditions existed in British North America, the Declaration concludes that "these United Colonies are, and of Right ought to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved."

Although Congress had adopted the Declaration submitted by the Committee of Five, the committee's task was not yet completed. Congress had also directed that the committee supervise the printing of the adopted document. The first printed copies of the Declaration of Independence were turned out from the shop of John Dunlap, official printer to the Congress. After the Declaration had been adopted, the committee took to Dunlap the manuscript document, possibly Jefferson's "fair copy" of his rough draft. On the morning of July 5, copies were dispatched by members of Congress to various assemblies, conventions, and committees of safety as well as to the commanders of Continental troops. Also on July 5, a copy of the printed version of the approved Declaration was inserted into the "rough journal" of the Continental Congress for July 4. The text was followed by the words "Signed by Order and in Behalf of the Congress, John Hancock, President. Attest. Charles Thomson, Secretary." It is not known how many copies John Dunlap printed on his busy night of July 4. There are 26 copies known to exist of what is commonly referred to as "the Dunlap broadside," 21 owned by American institutions, 2 by British institutions, and 3 by private owners. (See Appendix A.)

### **The Engrossed Declaration**

On July 9 the action of Congress was officially approved by the New York Convention. All 13 colonies had now signified their approval. On July 19, therefore, Congress was able to order that the Declaration be "fairly engrossed on parchment, with the title and stile [sic] of 'The unanimous declaration of the thirteen United States of America,' and that the same, when engrossed, be signed by every member of Congress."

Engrossing is the process of preparing an official document in a large, clear hand. Timothy Matlack was probably the engrosser of the Declaration. He was a Pennsylvanian who had assisted the Secretary of the Congress, Charles Thomson, in his duties for over a year and who had written out George Washington's commission as commanding general of the Continental Army. Matlack set to work with pen, ink, parchment, and practiced hand, and finally, on August 2, the journal of the Continental Congress records that "The declaration of independence being engrossed and compared at the table was signed." One of the most widely held misconceptions about the Declaration is that it was signed on July 4, 1776, by all the delegates in attendance.

John Hancock, the President of the Congress, was the first to sign the sheet of parchment measuring 24¼ by

29¾ inches. He used a bold signature centered below the text. In accordance with prevailing custom, the other delegates began to sign at the right below the text, their signatures arranged according to the geographic location of the states they represented. New Hampshire, the northernmost state, began the list, and Georgia, the southernmost, ended it. Eventually 56 delegates signed, although all were not present on August 2. Among the later signers were Elbridge Gerry, Oliver Wolcott, Lewis Morris, Thomas McKean, and Matthew Thornton, who found that he had no room to sign with the other New Hampshire delegates. A few delegates who voted for adoption of the Declaration on July 4 were never to sign in spite of the July 19 order of Congress that the engrossed document "be signed by every member of Congress." Nonsigners included John Dickinson, who clung to the idea of reconciliation with Britain, and Robert R. Livingston, one of the Committee of Five, who thought the Declaration was premature.

### **Parchment and Ink**

Over the next 200 years, the nation whose birth was announced with a Declaration "fairly engrossed on parchment" was to show immense growth in area, population, economic power, and social complexity and a lasting commitment to a testing and strengthening of its democracy. But what of the parchment itself? How was it to fare over the course of two centuries?

In the chronicle of the Declaration as a physical object, three themes necessarily entwine themselves: the relationship between the physical aging of the parchment and the steps taken to preserve it from deterioration; the relationship between the parchment and the copies that were made from it; and finally, the often dramatic story of the travels of the parchment during wartime and to its various homes.

Chronologically, it is helpful to divide the history of the Declaration after its signing into five main periods, some more distinct than others. The first period consists of the early travels of the parchment and lasts until 1814. The second period relates to the long sojourn of the Declaration in Washington, DC, from 1814 until its brief return to Philadelphia for the 1876 Centennial. The third period covers the years 1877-1921, a period marked by increasing concern for the deterioration of the document and the need for a fitting and permanent Washington home. Except for an interlude during World War II, the fourth and fifth periods cover the time the Declaration rested in the Library of Congress from 1921 to 1952 and in the National Archives from 1952 to the present.

### **Early Travels, 1776-1814**

Once the Declaration was signed, the document probably accompanied the Continental Congress as that body traveled during the uncertain months and years of the Revolution. Initially, like other parchment documents of the time, the Declaration was probably stored in a rolled format. Each time the document was used, it would have been unrolled and re-rolled. This action, as well as holding the curled parchment flat, doubtless took its toll on the ink and on the parchment surface through abrasion and flexing. The acidity inherent in the iron gall ink used by Timothy Matlack allowed the ink to "bite" into the surface of the parchment, thus contributing to the ink's longevity, but the rolling and unrolling of the parchment still presented many hazards.

After the signing ceremony on August 2, 1776, the Declaration was most likely filed in Philadelphia in the office of Charles Thomson, who served as the Secretary of the Continental Congress from 1774 to 1789. On December 12, threatened by the British, Congress adjourned and reconvened 8 days later in Baltimore, MD. A light wagon carried the Declaration to its new home, where it remained until its return to Philadelphia in March of 1777.

On January 18, 1777, while the Declaration was still in Baltimore, Congress, bolstered by military successes at Trenton and Princeton, ordered the second official printing of the document. The July 4 printing had included only the names of John Hancock and Charles Thomson, and even though the first printing had been promptly circulated to the states, the names of subsequent signers were kept secret for a time because of fear of British reprisals. By its order of January 18, however, Congress required that "an authentic copy of the Declaration of Independency, with the names of the members of Congress subscribing to the same, be sent to each of the United States, and that they be desired to have the same put upon record." The "authentic copy" was duly printed, complete with signers' names, by Mary Katherine Goddard in Baltimore.

Assuming that the Declaration moved with the Congress, it would have been back in Philadelphia from March to September 1777. On September 27, it would have moved to Lancaster, PA, for 1 day only. From September 30, 1777, through June 1778, the Declaration would have been kept in the courthouse at York, PA. From July 1778 to June 1783, it would have had a long stay back in Philadelphia. In 1783, it would have been at Princeton, NJ, from June to November, and then, after the signing of the Treaty of Paris, the Declaration would have been

moved to Annapolis, MD, where it stayed until October 1784. For the months of November and December 1784, it would have been at Trenton, NJ. Then in 1785, when Congress met in New York, the Declaration was housed in the old New York City Hall, where it probably remained until 1790 (although when Pierre L'Enfant was remodeling the building for the convening of the First Federal Congress, it might have been temporarily removed).

In July 1789 the First Congress under the new Constitution created the Department of Foreign Affairs and directed that its Secretary should have "the custody and charge of all records, books and papers" kept by the department of the same name under the old government. On July 24 Charles Thomson retired as Secretary of the Congress and, upon the order of President George Washington, surrendered the Declaration to Roger Alden, Deputy Secretary of Foreign Affairs. In September 1789 the name of the department was changed to the Department of State. Thomas Jefferson, the drafter of the Declaration, returned from France to assume his duties as the first Secretary of State in March of 1790. Appropriately, those duties now included custody of the Declaration.

In July 1790 Congress provided for a permanent capital to be built among the woodlands and swamps bordering the Potomac River. Meanwhile, the temporary seat of government was to return to Philadelphia. Congress also provided that "prior to the first Monday in December next, all offices attached to the seat of the government of the United States" should be removed to Philadelphia. The Declaration was therefore back in Philadelphia by the close of 1790. It was housed in various buildings--on Market Street, at Arch and Sixth, and at Fifth and Chestnut.

In 1800, by direction of President John Adams, the Declaration and other government records were moved from Philadelphia to the new federal capital now rising in the District of Columbia. To reach its new home, the Declaration traveled down the Delaware River and Bay, out into the ocean, into the Chesapeake Bay, and up the Potomac to Washington, completing its longest water journey.

For about 2 months the Declaration was housed in buildings built for the use of the Treasury Department. For the next year it was housed in one of the "Seven Buildings" then standing at Nineteenth Street and Pennsylvania Avenue. Its third home before 1814 was in the old War Office Building on Seventeenth Street.

In August 1814, the United States being again at war with Great Britain, a British fleet appeared in the Chesapeake Bay. Secretary of State James Monroe rode out to observe the landing of British forces along the Patuxent River in Maryland. A message from Monroe alerted State Department officials, in particular a clerk named Stephen Pleasonton, of the imminent threat to the capital city and, of course, the government's official records. Pleasonton "proceeded to purchase coarse linen, and cause it to be made into bags of convenient size, in which the gentlemen of the office" packed the precious books and records including the Declaration.

A cartload of records was then taken up the Potomac River to an unused gristmill belonging to Edgar Patterson. The structure was located on the Virginia side of the Potomac, about 2 miles upstream from Georgetown. Here the Declaration and the other records remained, probably overnight. Pleasonton, meanwhile, asked neighboring farmers for the use of their wagons. On August 24, the day of the British attack on Washington, the Declaration was on its way to Leesburg, VA. That evening, while the White House and other government buildings were burning, the Declaration was stored 35 miles away at Leesburg.

The Declaration remained safe at a private home in Leesburg for an interval of several weeks--in fact, until the British had withdrawn their troops from Washington and their fleet from the Chesapeake Bay. In September 1814 the Declaration was returned to the national capital. With the exception of a trip to Philadelphia for the Centennial and to Fort Knox during World War II, it has remained there ever since.

### **Washington, 1814-76**

The Declaration remained in Washington from September 1814 to May 1841. It was housed in four locations. From 1814 to 1841, it was kept in three different locations as the State Department records were shifted about the growing city. The last of these locations was a brick building that, it was later observed, "offered no security against fire."

One factor that had no small effect on the physical condition of the Declaration was recognized as interest in reproductions of the Declaration increased as the nation grew. Two early facsimile printings of the Declaration were made during the second decade of the 19th century: those of Benjamin Owen Tyler (1818) and John Binns (1819). Both facsimiles used decorative and ornamental elements to enhance the text of the Declaration. Richard Rush, who was Acting Secretary of State in 1817, remarked on September 10 of that year about the

Tyler copy: "The foregoing copy of the Declaration of Independence has been collated with the original instrument and found correct. I have myself examined the signatures to each. Those executed by Mr. Tyler, are curiously exact imitations, so much so, that it would be difficult, if not impossible, for the closest scrutiny to distinguish them, were it not for the hand of time, from the originals." Rush's reference to "the hand of time" suggests that the signatures were already fading in 1817, only 40 years after they were first affixed to the parchment.

One later theory as to why the Declaration was aging so soon after its creation stems from the common 18th-century practice of taking "press copies." Press copies were made by placing a damp sheet of thin paper on a manuscript and pressing it until a portion of the ink was transferred. The thin paper copy was retained in the same manner as a modern carbon copy. The ink was reimposed on a copper plate, which was then etched so that copies could be run off the plate on a press. This "wet transfer" method may have been used by William J. Stone when in 1820 he was commissioned by Secretary of State John Quincy Adams to make a facsimile of the entire Declaration, signatures as well as text. By June 5, 1823, almost exactly 47 years after Jefferson's first draft of the Declaration, the (Washington) National Intelligencer was able to report "that Mr. William J. Stone, a respectable and enterprising Engraver of this City, has, after a labor of three years, completed a fac simile of the original of the Declaration of Independence, now in the archives of the government; that it is executed with the greatest exactness and fidelity; and that the Department of State has become the purchaser of the plate."

As the Intelligencer went on to observe: "We are very glad to hear this, for the original of that paper which ought to be immortal and imperishable, by being so much handled by copyists and curious visitors, might receive serious injury. The facility of multiplying copies of it now possessed by the Department of State will render further exposure of the original unnecessary." The language of the newspaper report, like that of Rush's earlier comment, would seem to indicate some fear of the deterioration of the Declaration even prior to Stone's work.

The copies made from Stone's copperplate established the clear visual image of the Declaration for generations of Americans. The 200 official parchment copies struck from the Stone plate carry the identification "Engraved by W. J. Stone for the Department of State, by order" in the upper left corner followed by "of J. Q. Adams, Sec. of State July 4th 1823." in the upper right corner. "Unofficial" copies that were struck later do not have the identification at the top of the document. Instead the engraver identified his work by engraving "W. J. Stone SC. Washn." near the lower left corner and burnishing out the earlier identification.

The longest of the early sojourns of the Declaration was from 1841 to 1876. Daniel Webster was Secretary of State in 1841. On June 11 he wrote to Commissioner of Patents Henry L. Ellsworth, who was then occupying a new building (now the National Portrait Gallery), that "having learned that there is in the new building appropriated to the Patent Office suitable accommodations for the safe-keeping, as well as the exhibition of the various articles now deposited in this Department, and usually, exhibited to visitors . . . I have directed them to be transmitted to you." An inventory accompanied the letter. Item 6 was the Declaration.

The "new building" was a white stone structure at Seventh and F Streets. The Declaration and Washington's commission as commander in chief were mounted together in a single frame and hung in a white painted hall opposite a window offering exposure to sunlight. There they were to remain on exhibit for 35 years, even after the Patent Office separated from the State Department to become administratively a part of the Interior Department. This prolonged exposure to sunlight accelerated the deterioration of the ink and parchment of the Declaration, which was approaching 100 years of age toward the end of this period.

During the years that the Declaration was exhibited in the Patent Office, the combined effects of aging, sunlight, and fluctuating temperature and relative humidity took their toll on the document. Occasionally, writers made somewhat negative comments on the appearance of the Declaration. An observer in the United States Magazine (October 1856) went so far as to refer to "that old looking paper with the fading ink." John B. Ellis remarked in *The Sights and Secrets of the National Capital* (Chicago, 1869) that "it is old and yellow, and the ink is fading from the paper." An anonymous writer in the *Historical Magazine* (October 1870) wrote: "The original manuscript of the Declaration of Independence and of Washington's Commission, now in the United States Patent Office at Washington, D.C., are said to be rapidly fading out so that in a few years, only the naked parchment will remain. Already, nearly all the signatures attached to the Declaration of Independence are entirely effaced." In May 1873 the *Historical Magazine* published an official statement by Mortimer Dormer Leggett, Commissioner of Patents, who admitted that "many of the names to the Declaration are already illegible."

The technology of a new age and the interest in historical roots engendered by the approaching Centennial focused new interest on the Declaration in the 1870s and brought about a brief change of home.



## The Centennial and the Debate Over Preservation, 1876-1921

In 1876 the Declaration traveled to Philadelphia, where it was on exhibit for the Centennial National Exposition from May to October. Philadelphia's Mayor William S. Stokley was entrusted by President Ulysses S. Grant with temporary custody of the Declaration. The Public Ledger for May 8, 1876, noted that it was in Independence Hall "framed and glazed for protection, and . . . deposited in a fireproof safe especially designed for both preservation and convenient display. [When the outer doors of the safe were opened, the parchment was visible behind a heavy plate-glass inner door; the doors were closed at night.] Its aspect is of course faded and time-worn. The text is fully legible, but the major part of the signatures are so pale as to be only dimly discernible in the strongest light, a few remain wholly readable, and some are wholly invisible, the spaces which contained them presenting only a blank."

Other descriptions made at Philadelphia were equally unflattering: "scarce bears trace of the signatures the execution of which made fifty-six names imperishable," "aged-dimmed." But on the Fourth of July, after the text was read aloud to a throng on Independence Square by Richard Henry Lee of Virginia (grandson of the signer Richard Henry Lee), "The faded and crumbling manuscript, held together by a simple frame was then exhibited to the crowd and was greeted with cheer after cheer."

By late summer the Declaration's physical condition had become a matter of public concern. On August 3, 1876, Congress adopted a joint resolution providing "that a commission, consisting of the Secretary of the Interior, the Secretary of the Smithsonian Institution, and the Librarian of Congress be empowered to have resort to such means as will most effectually restore the writing of the original manuscript of the Declaration of Independence, with the signatures appended thereto." This resolution had actually been introduced as early as January 5, 1876. One candidate for the task of restoration was William J. Canby, an employee of the Washington Gas Light Company. On April 13 Canby had written to the Librarian of Congress: "I have had over thirty years experience in handling the pen upon parchment and in that time, as an expert, have engrossed hundreds of ornamental, special documents." Canby went on to suggest that "the only feasible plan is to replenish the original with a supply of ink, which has been destroyed by the action of light and time, with an ink well known to be, for all practical purposes, imperishable."

The commission did not, however, take any action at that time. After the conclusion of the Centennial exposition, attempts were made to secure possession of the Declaration for Philadelphia, but these failed and the parchment was returned to the Patent Office in Washington, where it had been since 1841, even though that office had become a part of the Interior Department. On April 11, 1876, Robert H. Duell, Commissioner of Patents, had written to Zachariah Chandler, Secretary of the Interior, suggesting that "the Declaration of Independence, and the commission of General Washington, associated with it in the same frame, belong to your Department as heirlooms."

Chandler appears to have ignored this claim, for in an exchange of letters with Secretary of State Hamilton Fish, it was agreed-with the approval of President Grant-to move the Declaration into the new, fireproof building that the State Department shared with the War and Navy Departments (now the Old Executive Office Building).

On March 3, 1877, the Declaration was placed in a cabinet on the eastern side of the State Department library, where it was to be exhibited for 17 years. It may be noted that not only was smoking permitted in the library, but the room contained an open fireplace. Nevertheless this location turned out to be safer than the premises just vacated; much of the Patent Office was gutted in a fire that occurred a few months later.

On May 5, 1880, the commission that had been appointed almost 4 years earlier came to life again in response to a call from the Secretary of the Interior. It requested that William B. Rogers, president of the National Academy of Sciences appoint a committee of experts to consider "whether such restoration [of the Declaration] be expedient or practicable and if so in what way the object can best be accomplished."

The duly appointed committee reported on January 7, 1881, that Stone used the "wet transfer" method in the creation of his facsimile printing of 1823, that the process had probably removed some of the original ink, and that chemical restoration methods were "at best imperfect and uncertain in their results." The committee concluded, therefore, that "it is not expedient to attempt to restore the manuscript by chemical means." The group of experts then recommended that "it will be best either to cover the present receptacle of the manuscript with an opaque lid or to remove the manuscript from its frame and place it in a portfolio, where it may be protected from the action of light." Finally, the committee recommended that "no press copies of any part of it should in future be permitted."

Recent study of the Declaration by conservators at the National Archives has raised doubts that a "wet transfer" took place. Proof of this occurrence, however, cannot be verified or denied strictly by modern examination

methods. No documentation prior to the 1881 reference has been found to support the theory; therefore we may never know if Stone actually performed the procedure.

Little, if any, action was taken as a result of the 1881 report. It was not until 1894 that the State Department announced: "The rapid fading of the text of the original Declaration of Independence and the deterioration of the parchment upon which it is engrossed, from exposure to light and lapse of time, render it impracticable for the Department longer to exhibit it or to handle it. For the secure preservation of its present condition, so far as may be possible, it has been carefully wrapped and placed flat in a steel case."

A new plate for engravings was made by the Coast and Geodetic Survey in 1895, and in 1898 a photograph was made for the Ladies' Home Journal. On this latter occasion, the parchment was noted as "still in good legible condition" although "some of the signatures" were "necessarily blurred."

On April 14, 1903, Secretary of State John Hay solicited again the help of the National Academy of Sciences in providing "such recommendations as may seem practicable . . . touching [the Declaration's] preservation." Hay went on to explain: "It is now kept out of the light, sealed between two sheets of glass, presumably proof against air, and locked in a steel safe. I am unable to say, however, that, in spite of these precautions, observed for the past ten years, the text is not continuing to fade and the parchment to wrinkle and perhaps to break."

On April 24 a committee of the academy reported its findings. Summarizing the physical history of the Declaration, the report stated: "The instrument has suffered very seriously from the very harsh treatment to which it was exposed in the early years of the Republic. Folding and rolling have creased the parchment. The wet press-copying operation to which it was exposed about 1820, for the purpose of producing a facsimile copy, removed a large portion of the ink. Subsequent exposure to the action of light for more than thirty years, while the instrument was placed on exhibition, has resulted in the fading of the ink, particularly in the signatures. The present method of caring for the instrument seems to be the best that can be suggested."

The committee added its own "opinion that the present method of protecting the instrument should be continued; that it should be kept in the dark and dry as possible, and never placed on exhibition." Secretary Hay seems to have accepted the committee's recommendation; in the following year, William H. Michael, author of *The Declaration of Independence* (Washington, 1904), recorded that the Declaration was "locked and sealed, by order of Secretary Hay, and is no longer shown to anyone except by his direction."

World War I came and went. Then, on April 21, 1920, Secretary of State Bainbridge Colby issued an order creating yet another committee: "A Committee is hereby appointed to study the proper steps that should be taken for the permanent and effective preservation from deterioration and from danger from fire, or other form of destruction, of those documents of supreme value which under the law are deposited with the Secretary of State. The inquiry will include the question of display of certain of these documents for the benefit of the patriotic public."

On May 5, 1920, the new committee reported on the physical condition of the safes that housed the Declaration and the Constitution. It declared: "The safes are constructed of thin sheets of steel. They are not fireproof nor would they offer much obstruction to an evil-disposed person who wished to break into them." About the physical condition of the Declaration, the committee stated: "We believe the fading can go no further. We see no reason why the original document should not be exhibited if the parchment be laid between two sheets of glass, hermetically sealed at the edges and exposed only to diffused light."

The committee also made some important "supplementary recommendations." It noted that on March 3, 1903, President Theodore Roosevelt had directed that certain records relating to the Continental Congress be turned over by the Department of State to the Library of Congress: "This transfer was made under a provision of an Act of February 25, 1903, that any Executive Department may turn over to the Library of Congress books, maps, or other material no longer needed for the use of the Department." The committee recommended that the remaining papers, including the Declaration and the Constitution, be similarly given over to the custody of the Library of Congress. For the Declaration, therefore, two important changes were in the offing: a new home and the possibility of exhibition to "the patriotic public."

### **The Library of Congress . . . and Fort Knox, 1921-52**

There was no action on the recommendations of 1920 until after the Harding administration took office. On September 28, 1921, Secretary of State Charles Evans Hughes addressed the new President: "I enclose an executive order for your signature, if you approve, transferring to the custody of the Library of Congress the original Declaration of Independence and Constitution of the United States which are now in the custody of this

Department. . . . I make this recommendation because in the Library of Congress these muniments will be in the custody of experts skilled in archival preservation, in a building of modern fireproof construction, where they can safely be exhibited to the many visitors who now desire to see them."

President Warren G. Harding agreed. On September 29, 1921, he issued the Executive order authorizing the transfer. The following day Secretary Hughes sent a copy of the order to Librarian of Congress Herbert Putnam, stating that he was "prepared to turn the documents over to you when you are ready to receive them."

Putnam was both ready and eager. He presented himself forthwith at the State Department. The safes were opened, and the Declaration and the Constitution were carried off to the Library of Congress on Capitol Hill in the Library's "mail wagon," cushioned by a pile of leather U.S. mail sacks. Upon arrival, the two national treasures were placed in a safe in Putnam's office.

On October 3, Putnam took up the matter of a permanent location. In a memorandum to the superintendent of the Library building and grounds, Putnam proceeded from the premise that "in the Library" the documents "might be treated in such a way as, while fully safe-guarding them and giving them distinction, they should be open to inspection by the public at large." The memorandum discussed the need for a setting "safe, dignified, adequate, and in every way suitable . . . Material less than bronze would be unworthy. The cost must be considerable."

The Librarian then requested the sum of \$12,000 for his purpose. The need was urgent because the new Bureau of the Budget was about to print forthcoming fiscal year estimates. There was therefore no time to make detailed architectural plans. Putnam told an appropriations committee on January 16, 1922, just what he had in mind. "There is a way . . . we could construct, say, on the second floor on the western side in that long open gallery a railed inclosure, material of bronze, where these documents, with one or two auxiliary documents leading up to them, could be placed, where they need not be touched by anybody but where a mere passer-by could see them, where they could be set in permanent bronze frames and where they could be protected from the natural light, lighted only by soft incandescent lamps. The result could be achieved and you would have something every visitor to Washington would wish to tell about when he returned and who would regard it, as the newspapermen are saying, with keen interest as a sort of 'shrine.'" The Librarian's imaginative presentation was successful: The sum of \$12,000 was appropriated and approved on March 20, 1922.

Before long, the "sort of 'shrine'" was being designed by Francis H. Bacon, whose brother Henry was the architect of the Lincoln Memorial. Materials used included different kinds of marble from New York, Vermont, Tennessee, the Greek island of Tinos, and Italy. The marbles surrounding the manuscripts were American; the floor and balustrade were made of foreign marbles to correspond with the material used in the rest of the Library. The Declaration was to be housed in a frame of gold-plated bronze doors and covered with double panes of plate glass with specially prepared gelatin films between the plates to exclude the harmful rays of light. A 24-hour guard would provide protection.

On February 28, 1924, the shrine was dedicated in the presence of President and Mrs. Calvin Coolidge, Secretary Hughes, and other distinguished guests. Not a word was spoken during a moving ceremony in which Putnam fitted the Declaration into its frame. There were no speeches. Two stanzas of America were sung. In Putnam's words: "The impression on the audience proved the emotional potency of documents animate with a great tradition."

With only one interruption, the Declaration hung on the wall of the second floor of the Great Hall of the Library of Congress until December 1952. During the prosperity of the 1920s and the Depression of the 1930s, millions of people visited the shrine. But the threat of war and then war itself caused a prolonged interruption in the steady stream of visitors.

On April 30, 1941, worried that the war raging in Europe might engulf the United States, the newly appointed Librarian of Congress, Archibald MacLeish, wrote to the Secretary of the Treasury, Henry Morgenthau, Jr. The Librarian was concerned for the most precious of the many objects in his charge. He wrote "to enquire whether space might perhaps be found" at the Bullion Depository in Fort Knox for his most valuable materials, including the Declaration, "in the unlikely event that it becomes necessary to remove them from Washington." Secretary Morgenthau replied that space would indeed be made available as necessary for the "storage of such of the more important papers as you might designate."

On December 7, 1941, the Japanese attacked Pearl Harbor. On December 23, the Declaration and the Constitution were removed from the shrine and placed between two sheets of acid-free manilla paper. The documents were then carefully wrapped in a container of all-rag neutral millboard and placed in a specially designed bronze container. It was late at night when the container was finally secured with padlocks on each side. Preparations were resumed on the day after Christmas, when the Attorney General ruled that the Librarian

needed no "further authority from the Congress or the President" to take such action as he deemed necessary for the "proper protection and preservation" of the documents in his charge.

The packing process continued under constant armed guard. The container was finally sealed with lead and packed in a heavy box; the whole weighed some 150 pounds. It was a far cry from the simple linen bag of the summer of 1814.

At about 5 p.m. the box, along with other boxes containing vital records, was loaded into an armed and escorted truck, taken to Union Station, and loaded into a compartment of the Pullman sleeper Eastlake. Armed Secret Service agents occupied the neighboring compartments. After departing from Washington at 6:30 p.m., the Declaration traveled to Louisville, KY, arriving at 10:30 a.m., December 27, 1941. More Secret Service agents and a cavalry troop of the 13th Armored Division met the train, convoyed its precious contents to the Bullion Depository at Fort Knox, and placed the Declaration in compartment 24 in the outer tier on the ground level.

The Declaration was periodically examined during its sojourn at Fort Knox. One such examination in 1942 found that the Declaration had become detached in part from its mount, including the upper right corner, which had been stuck down with copious amounts of glue. In his journal for May 14, 1942, Verner W. Clapp, a Library of Congress official, noted: "At one time also (about January 12, 1940) an attempt had been made to reunite the detached upper right hand corner to the main portion by means of a strip of 'scotch' cellulose tape which was still in place, discolored to a molasses color. In the various mending efforts glue had been splattered in two places on the obverse of the document."

The opportunity was taken to perform conservation treatment in order to stabilize and rejoin the upper right corner. Under great secrecy, George Stout and Evelyn Erlich, both of the Fogg Museum at Harvard University, traveled to Fort Knox. Over a period of 2 days, they performed mending of small tears, removed excess adhesive and the "scotch" tape, and rejoined the detached upper right corner.

Finally, in 1944, the military authorities assured the Library of Congress that all danger of enemy attack had passed. On September 19, the documents were withdrawn from Fort Knox. On Sunday, October 1, at 11:30 a.m., the doors of the Library were opened. The Declaration was back in its shrine.

With the return of peace, the keepers of the Declaration were mindful of the increasing technological expertise available to them relating to the preservation of the parchment. In this they were readily assisted by the National Bureau of Standards, which even before World War II, had researched the preservation of the Declaration. The problem of shielding it from harsh light, for example, had in 1924 led to the insertion of a sheet of yellow gelatin between the protective plates of glass. Yet this procedure lessened the visibility of an already faded parchment. Could not some improvement be made?

Following reports of May 5, 1949, on studies in which the Library staff, members of the National Bureau of Standards, and representatives of a glass manufacturer had participated, new recommendations were made. In 1951 the Declaration was sealed in a thermopane enclosure filled with properly humidified helium. The exhibit case was equipped with a filter to screen out damaging light. The new enclosure also had the effect of preventing harm from air pollution, a growing peril.

Soon after, however, the Declaration was to make one more move, the one to its present home. (See Appendix B.)

### **The National Archives, 1952 to the Present**

In 1933, while the Depression gripped the nation, President Hoover laid the cornerstone for the National Archives Building in Washington, DC. He announced that the Declaration of Independence and the Constitution would eventually be kept in the impressive structure that was to occupy the site. Indeed, it was for their keeping and display that the exhibition hall in the National Archives had been designed. Two large murals were painted for its walls. In one, Thomas Jefferson is depicted presenting the Declaration to John Hancock, President of the Continental Congress while members of that Revolutionary body look on. In the second, James Madison is portrayed submitting the Constitution to George Washington.

The final transfer of these special documents did not, however, take place until almost 20 years later. In October 1934 President Franklin D. Roosevelt appointed the first Archivist of the United States, Robert Digges Wimberly Connor. The President told Connor that "valuable historic documents," such as the Declaration of Independence and the U.S. Constitution, would reside in the National Archives Building. The Library of Congress, especially

Librarian Herbert Putnam, objected. In a meeting with the President 2 months after his appointment, Connor explained to Roosevelt how the documents came to be in the Library and that Putnam felt another Act of Congress was necessary in order for them to be transferred to the Archives. Connor eventually told the President that it would be better to leave the matter alone until Putnam retired.

When Herbert Putnam retired on April 5, 1939, Archibald MacLeish was nominated to replace him. MacLeish agreed with Roosevelt and Connor that the two important documents belonged in the National Archives. Because of World War II, during much of which the Declaration was stored at Fort Knox, and Connor's resignation in 1941, MacLeish was unable to enact the transfer. By 1944, when the Declaration and Constitution returned to Washington from Fort Knox, MacLeish had been appointed Assistant Secretary of State.

Solon J. Buck, Connor's successor as Archivist of the United States (1941-48), felt that the documents were in good hands at the Library of Congress. His successor, Wayne Grover, disagreed. Luther Evans, the Librarian of Congress appointed by President Truman in June 1945, shared Grover's opinion that the documents should be transferred to the Archives.

In 1951 the two men began working with their staff members and legal advisers to have the documents transferred. The Archives position was that the documents were federal records and therefore covered by the Federal Records Act of 1950, which was "paramount to and took precedence over" the 1922 act that had appropriated money for the shrine at the Library of Congress. Luther Evans agreed with this line of reasoning, but he emphasized getting the approval of the President and the Joint Committee on the Library.

Senator Theodore H. Green, Chairman of the Joint Committee on the Library, agreed that the transfer should take place but stipulated that it would be necessary to have his committee act on the matter. Evans went to the April 30, 1952, committee meeting alone. There is no formal record of what was said at the meeting, except that the Joint Committee on the Library ordered that the documents be transferred to the National Archives. Not only was the Archives the official depository of the government's records, it was also, in the judgment of the committee, the most nearly bombproof building in Washington.

At 11 a.m., December 13, 1952, Brigadier General Stoyte O. Ross, commanding general of the Air Force Headquarters Command, formally received the documents at the Library of Congress. Twelve members of the Armed Forces Special Police carried the 6 pieces of parchment in their helium-filled glass cases, enclosed in wooden crates, down the Library steps through a line of 88 servicewomen. An armored Marine Corps personnel carrier awaited the documents. Once they had been placed on mattresses inside the vehicle, they were accompanied by a color guard, ceremonial troops, the Army Band, the Air Force Drum and Bugle Corps, two light tanks, four servicemen carrying submachine guns, and a motorcycle escort in a parade down Pennsylvania and Constitution Avenues to the Archives Building. Both sides of the parade route were lined by Army, Navy, Coast Guard, Marine, and Air Force personnel. At 11:35 a.m. General Ross and the 12 special policemen arrived at the National Archives Building, carried the crates up the steps, and formally delivered them into the custody of Archivist of the United States Wayne Grover. (Already at the National Archives was the Bill of Rights, protectively sealed according to the modern techniques used a year earlier for the Declaration and Constitution.)

The formal enshrining ceremony on December 15, 1952, was equally impressive. Chief Justice of the United States Fred M. Vinson presided over the ceremony, which was attended by officials of more than 100 national civic, patriotic, religious, veterans, educational, business, and labor groups. After the invocation by the Reverend Frederick Brown Harris, chaplain of the Senate, Governor Elbert N. Carvel of Delaware, the first state to ratify the Constitution, called the roll of states in the order in which they ratified the Constitution or were admitted to the Union. As each state was called, a servicewoman carrying the state flag entered the Exhibition Hall and remained at attention in front of the display cases circling the hall. President Harry S. Truman, the featured speaker, said:

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

Senator Green briefly traced the history of the three documents, and then the Librarian of Congress and the Archivist of the United States jointly unveiled the shrine. Finally, Justice Vinson spoke briefly, the Reverend Bernard Braskamp, chaplain of the House of Representatives gave the benediction, the U.S. Marine Corps Band played the "Star Spangled Banner," the President was escorted from the hall, the 48 flagbearers marched

out, and the ceremony was over. (The story of the transfer of the documents is found in Milton O. Gustafson, "The Empty Shrine: The Transfer of the Declaration of Independence and the Constitution to the National Archives," *The American Archivist* 39 (July 1976): 271-285.)

The present shrine provides an imposing home. The priceless documents stand at the center of a semicircle of display cases showing other important records of the growth of the United States. The Declaration, the Constitution, and the Bill of Rights stand slightly elevated, under armed guard, in their bronze and marble shrine. The Bill of Rights and two of the five leaves of the Constitution are displayed flat. Above them the Declaration of Independence is held impressively in an upright case constructed of ballistically tested glass and plastic laminate. Ultraviolet-light filters in the laminate give the inner layer a slightly greenish hue. At night, the documents are stored in an underground vault.

In 1987 the National Archives and Records Administration installed a \$3 million camera and computerized system to monitor the condition of the three documents. The Charters Monitoring System was designed by the Jet Propulsion Laboratory to assess the state of preservation of the Constitution, the Declaration of Independence, and the Bill of Rights. It can detect any changes in readability due to ink flaking, off-setting of ink to glass, changes in document dimensions, and ink fading. The system is capable of recording in very fine detail 1-inch square areas of documents and later retaking the pictures in exactly the same places and under the same conditions of lighting and charge-coupled device (CCD) sensitivity. (The CCD measures reflectivity.) Periodic measurements are compared to the baseline image to determine if changes or deterioration invisible to the human eye have taken place.

The Declaration has had many homes, from humble lodgings and government offices to the interiors of safes and great public displays. It has been carried in wagons, ships, a Pullman sleeper, and an armored vehicle. In its latest home, it has been viewed with respect by millions of people, everyone of whom has had thereby a brief moment, a private moment, to reflect on the meaning of democracy. The nation to which the Declaration gave birth has had an immense impact on human history, and continues to do so. In telling the story of the parchment, it is appropriate to recall the words of poet and Librarian of Congress Archibald MacLeish. He described the Declaration of Independence and the Constitution as "these fragile objects which bear so great a weight of meaning to our people." The story of the Declaration of Independence as a document can only be a part of the larger history, a history still unfolding, a "weight of meaning" constantly, challenged, strengthened, and redefined.

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## Appendix A

The 26 copies of the Dunlap broadside known to exist are dispersed among American and British institutions and private owners. The following are the current locations of the copies.

National Archives, Washington, DC  
Library of Congress, Washington, DC (two copies)  
Maryland Historical Society, Baltimore, MD  
University of Virginia, Charlottesville, VA (two copies)  
Independence National Historic Park, Philadelphia, PA  
American Philosophical Society, Philadelphia, PA  
Historical Society of Pennsylvania, Philadelphia, PA  
Scheide Library, Princeton University, Princeton, NJ [The Library is privately owned.]  
New York Public Library, New York  
Pierpont Morgan Library, New York  
Massachusetts Historical Society, Boston, MA  
Harvard University, Cambridge, MA  
Chapin Library, Williams College, Williamstown, MA  
Yale University, New Haven, CT  
American Independence Museum, Exeter, NH  
Maine Historical Society, Portland, ME  
Indiana University, Bloomington, IN  
Chicago Historical Society, Chicago, IL  
City of Dallas, City Hall, Dallas, TX  
Declaration of Independence Road Trip [Norman Lear and David Hayden]  
Private collector  
National Archives, United Kingdom (three copies)

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## Appendix B

The locations given for the Declaration from 1776 to 1789 are based on the locations for meetings of the Continental and Confederation Congresses:

Philadelphia: August-December 1776  
Baltimore: December 1776-March 1777  
Philadelphia: March-September 1777  
Lancaster, PA: September 27, 1777  
York, PA: September 30, 1777-June 1778  
Philadelphia: July 1778-June 1783  
Princeton, NJ: June-November 1783  
Annapolis, MD: November 1783-October 1784  
Trenton, NJ: November-December 1784  
New York: 1785-1790  
Philadelphia: 1790-1800  
Washington, DC (three locations): 1800-1814  
Leesburg, VA: August-September 1814  
Washington, DC (three locations): 1814-1841  
Washington, DC (Patent Office Building): 1841-1876  
Philadelphia: May-November 1876  
Washington, DC (State, War, and Navy Building): 1877-1921  
Washington, DC (Library of Congress): 1921-1941  
Fort Knox\*: 1941-1944  
Washington, DC (Library of Congress): 1944-1952  
Washington, DC (National Archives): 1952-present

\*Except that the document was displayed on April 13, 1943, at the dedication of the Thomas Jefferson Memorial in Washington, DC.

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## The Stylistic Artistry of the Declaration of Independence

by Stephen E. Lucas

The Declaration of Independence is perhaps the most masterfully written state paper of Western civilization. As Moses Coit Tyler noted almost a century ago, no assessment of it can be complete without taking into account its extraordinary merits as a work of political prose style. Although many scholars have recognized those merits, there are surprisingly few sustained studies of the stylistic artistry of the Declaration.(1) This essay seeks to illuminate that artistry by probing the discourse microscopically--at the level of the sentence, phrase, word, and syllable. By approaching the Declaration in this way, we can shed light both on its literary qualities and on its rhetorical power as a work designed to convince a "candid world" that the American colonies were justified in seeking to establish themselves as an independent nation.(2)

The text of the Declaration can be divided into five sections--the introduction, the preamble, the indictment of George III, the denunciation of the British people, and the conclusion. Because space does not permit us to explicate each section in full detail, we shall select features from each that illustrate the stylistic artistry of the Declaration as a whole.(3)

The introduction consists of the first paragraph--a single, lengthy, periodic sentence:

When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.(4)

Taken out of context, this sentence is so general it could be used as the introduction to a declaration by any "oppressed" people. Seen within its original context, however, it is a model of subtlety, nuance, and implication that works on several levels of meaning and allusion to orient readers toward a favorable view of America and to prepare them for the rest of the Declaration. From its magisterial opening phrase, which sets the American Revolution within the whole "course of human events," to its assertion that "the Laws of Nature and of Nature's God" entitle America to a "separate and equal station among the powers of the earth," to its quest for sanction from "the opinions of mankind," the introduction elevates the quarrel with England from a petty political dispute to a major event in the grand sweep of history. It dignifies the Revolution as a contest of principle and implies that the American cause has a special claim to moral legitimacy--all without mentioning England or America by name.

Rather than defining the Declaration's task as one of persuasion, which would doubtless raise the defenses of readers as well as imply that there was more than one publicly credible view of the British-American conflict, the introduction identifies the purpose of the Declaration as simply to "declare"--to announce publicly in explicit terms--the "causes" impelling America to leave the British empire. This gives the Declaration, at the outset, an aura of philosophical (in the eighteenth-century sense of the term) objectivity that it will seek to maintain throughout. Rather than presenting one side in a public controversy on which good and decent people could differ, the Declaration purports to do no more than a natural philosopher would do in reporting the causes of any physical event. The issue, it implies, is not one of interpretation but of observation.

The most important word in the introduction is "necessary," which in the eighteenth century carried strongly deterministic overtones. To say an act was necessary implied that it was impelled by fate or determined by the operation of inextricable natural laws and was beyond the control of human agents. Thus Chambers's *Cyclopaedia* defined "necessary" as "that which cannot but be, or cannot be otherwise." "The common notion of necessity and impossibility," Jonathan Edwards wrote in *Freedom of the Will*, "implies something that frustrates endeavor or desire. . . . That is necessary in the original and proper sense of the word, which is, or will be, notwithstanding all supposable opposition." Characterizing the Revolution as necessary suggested that it resulted from constraints that operated with lawlike force throughout the material universe and within the sphere of human action. The Revolution was not merely preferable, defensible, or justifiable. It was as inescapable, as inevitable, as unavoidable within the course of human events as the motions of the tides or the changing of the seasons within the course of natural events.(5)

Investing the Revolution with connotations of necessity was particularly important because, according to the law



of nations, recourse to war was lawful only when it became "necessary"--only when amicable negotiation had failed and all other alternatives for settling the differences between two states had been exhausted. Nor was the burden of necessity limited to monarchs and established nations. At the start of the English Civil War in 1642, Parliament defended its recourse to military action against Charles I in a lengthy declaration demonstrating the "Necessity to take up Arms." Following this tradition, in July 1775 the Continental Congress issued its own Declaration Setting Forth the Causes and Necessity of Their Taking Up Arms. When, a year later, Congress decided the colonies could no longer retain their liberty within the British empire, it adhered to long-established rhetorical convention by describing independence as a matter of absolute and inescapable necessity.(6) Indeed, the notion of necessity was so important that in addition to appearing in the introduction of the Declaration, it was invoked twice more at crucial junctures in the rest of the text and appeared frequently in other congressional papers after July 4, 1776.(7)

Labeling the Americans "one people" and the British "another" was also laden with implication and performed several important strategic functions within the Declaration. First, because two alien peoples cannot be made one, it reinforced the notion that breaking the "political bands" with England was a necessary step in the course of human events. America and England were already separated by the more basic fact that they had become two different peoples. The gulf between them was much more than political; it was intellectual, social, moral, cultural and, according to the principles of nature, could no more be repaired, as Thomas Paine said, than one could "restore to us the time that is past" or "give to prostitution its former innocence." To try to perpetuate a purely political connection would be "forced and unnatural," "repugnant to reason, to the universal order of things."(8)

Second, once it is granted that Americans and Englishmen are two distinct peoples, the conflict between them is less likely to be seen as a civil war. The Continental Congress knew America could not withstand Britain's military might without foreign assistance. But they also knew America could not receive assistance as long as the colonies were fighting a civil war as part of the British empire. To help the colonies would constitute interference in Great Britain's internal affairs. As Samuel Adams explained, "no foreign Power can consistently yield Comfort to Rebels, or enter into any kind of Treaty with these Colonies till they declare themselves free and independent." The crucial factor in opening the way for foreign aid was the act of declaring independence. But by defining America and England as two separate peoples, the Declaration reinforced the perception that the conflict was not a civil war, thereby, as Congress noted in its debates on independence, making it more "consistent with European delicacy for European powers to treat with us, or even to receive an Ambassador."(9)

Third, defining the Americans as a separate people in the introduction eased the task of invoking the right of revolution in the preamble. That right, according to eighteenth-century revolutionary principles, could be invoked only in the most dire of circumstances--when "resistance was absolutely necessary in order to preserve the nation from slavery, misery, and ruin"--and then only by "the Body of the People." If America and Great Britain were seen as one people, Congress could not justify revolution against the British government for the simple reason that the body of the people (of which the Americans would be only one part) did not support the American cause. For America to move against the government in such circumstances would not be a justifiable act of resistance but "a sort of Sedition, Tumult, and War . . . aiming only at the satisfaction of private Lust, without regard to the public Good." By defining the Americans as a separate people, Congress could more readily satisfy the requirement for invoking the right of revolution that "the whole Body of Subjects" rise up against the government "to rescue themselves from the most violent and illegal oppressions."(10)

Like the introduction, the next section of the Declaration--usually referred to as the preamble--is universal in tone and scope. It contains no explicit reference to the British- American conflict, but outlines a general philosophy of government that makes revolution justifiable, even meritorious:

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

Like the rest of the Declaration, the preamble is "brief, free of verbiage, a model of clear, concise, simple statement."<sup>(11)</sup> It capsulizes in five sentences--202--words what it took John Locke thousands of words to explain in his *Second Treatise of Government*. Each word is chosen and placed to achieve maximum impact. Each clause is indispensable to the progression of thought. Each sentence is carefully constructed internally and in relation to what precedes and follows. In its ability to compress complex ideas into a brief, clear statement, the preamble is a paradigm of eighteenth-century Enlightenment prose style, in which purity, simplicity, directness, precision, and, above all, perspicuity were the highest rhetorical and literary virtues. One word follows another with complete inevitability of sound and meaning. Not one word can be moved or replaced without disrupting the balance and harmony of the entire preamble.

The stately and dignified tone of the preamble--like that of the introduction--comes partly from what the eighteenth century called *Style Periodique*, in which, as Hugh Blair explained in his *Lectures on Rhetoric and Belles Lettres*, "the sentences are composed of several members linked together, and hanging upon one another, so that the sense of the whole is not brought out till the close." This, Blair said, "is the most pompous, musical, and oratorical manner of composing" and "gives an air of gravity and dignity to composition." The gravity and dignity of the preamble were reinforced by its conformance with the rhetorical precept that "when we aim at dignity or elevation, the sound [of each sentence] should be made to grow to the last; the longest members of the period, and the fullest and most sonorous words, should be reserved to the conclusion." None of the sentences of the preamble end on a single-syllable word; only one, the second (and least euphonious), ends on a two-syllable word. Of the other four, one ends with a four-syllable word ("security"), while three end with three-syllable words. Moreover, in each of the three-syllable words the closing syllable is at least a medium-length four-letter syllable, which helps bring the sentences to "a full and harmonious close."<sup>(12)</sup>

It is unlikely that any of this was accidental. Thoroughly versed in classical oratory and rhetorical theory as well as in the belletristic treatises of his own time, Thomas Jefferson, draftsman of the Declaration, was a diligent student of rhythm, accent, timing, and cadence in discourse. This can be seen most clearly in his "Thoughts on English Prosody," a remarkable twenty-eight-page unpublished essay written in Paris during the fall of 1786. Prompted by a discussion on language with the Marquis de Chastellux at Monticello four years earlier, it was a careful inquiry designed "to find out the real circumstance which gives harmony to English prose and laws to those who make it." Using roughly the same system of diacritical notation he had employed in 1776 in his reading draft of the Declaration, Jefferson systematically analyzed the patterns of accentuation in a wide range of English writers, including Milton, Pope, Shakespeare, Addison, Gray, and Garth. Although "Thoughts on English Prosody" deals with poetry, it displays Jefferson's keen sense of the interplay between sound and sense in language. There can be little doubt that, like many accomplished writers, he consciously composed for the ear as well as for the eye--a trait that is nowhere better illustrated than in the eloquent cadences of the preamble in the Declaration of Independence.<sup>(13)</sup>

The preamble also has a powerful sense of structural unity. This is achieved partly by the latent chronological progression of thought, in which the reader is moved from the creation of mankind, to the institution of government, to the throwing off of government when it fails to protect the people's unalienable rights, to the creation of new government that will better secure the people's safety and happiness. This dramatic scenario, with its first act implicitly set in the Garden of Eden (where man was "created equal"), may, for some readers, have contained mythic overtones of humanity's fall from divine grace. At the very least, it gives an almost archetypal quality to the ideas of the preamble and continues the notion, broached in the introduction, that the American Revolution is a major development in "the course of human events."

Because of their concern with the philosophy of the Declaration, many modern scholars have dealt with the opening sentence of the preamble out of context, as if Jefferson and the Continental Congress intended it to stand alone. Seen in context, however, it is part of a series of five propositions that build upon one another through the first three sentences of the preamble to establish the right of revolution against tyrannical authority:

- Proposition 1: All men are created equal.
- Proposition 2: They [all men, from proposition 1] are endowed by their creator with certain unalienable rights
- Proposition 3: Among these [man's unalienable rights, from proposition 2] are life, liberty, and the pursuit of happiness
- Proposition 4: To secure these rights [man's unalienable

rights, from propositions 2 and 3] governments are instituted among men

Proposition 5: Whenever any form of government becomes destructive of these ends [securing man's unalienable rights, from propositions 2-4], it is the right of the people to alter or to abolish it.

When we look at all five propositions, we see they are meant to be read together and have been meticulously written to achieve a specific rhetorical purpose. The first three lead into the fourth, which in turn leads into the fifth. And it is the fifth, proclaiming the right of revolution when a government becomes destructive of the people's unalienable rights, that is most crucial in the overall argument of the Declaration. The first four propositions are merely preliminary steps designed to give philosophical grounding to the fifth.

At first glance, these propositions appear to comprise what was known in the eighteenth century as a *sorites*--"a Way of Argument in which a great Number of Propositions are so linked together, that the Predicate of one becomes continually the Subject of the next following, until at last a Conclusion is formed by bringing together the Subject of the First Proposition and the Predicate of the last." In his *Elements of Logick*, William Duncan provided the following example of a *sorites*:

God is omnipotent.  
 An omnipotent Being can do every thing possible.  
 He that can do every thing possible, can do whatever involves not a Contradiction.  
 Therefore God can do whatever involves not a Contradiction.(14)

Although the section of the preamble we have been considering is not a *sorites* (because it does not bring together the subject of the first proposition and the predicate of the last), its propositions are written in such a way as to take on the appearance of a logical demonstration. They are so tightly interwoven linguistically that they seem to make up a sequence in which the final proposition--asserting the right of revolution--is logically derived from the first four propositions. This is accomplished partly by the mimicry of the form of a *sorites* and partly by the sheer number of propositions, the accumulation of which is reinforced by the slow, deliberate pace of the text and by the use of "that" to introduce each proposition. There is also a steplike progression from proposition to proposition, a progression that is accentuated by the skillful use of demonstrative pronouns to make each succeeding proposition appear to be an inevitable consequence of the preceding proposition. Although the preamble is the best known part of the Declaration today, it attracted considerably less attention in its own time. For most eighteenth-century readers, it was an unobjectionable statement of commonplace political principles. As Jefferson explained years later, the purpose of the Declaration was "not to find out new principles, or new arguments, never before thought of . . . but to place before mankind the common sense of the subject, in terms so plain and firm as to command their assent, and to justify ourselves in the independent stand we are compelled to take."(15)

Far from being a weakness of the preamble, the lack of new ideas was perhaps its greatest strength. If one overlooks the introductory first paragraph, the Declaration as a whole is structured along the lines of a deductive argument that can easily be put in syllogistic form:

Major premise: When government deliberately seeks to reduce the people under absolute despotism, the people have a right, indeed a duty, to alter or abolish that form of government and to create new guards for their future security.

Minor premise: The government of Great Britain has deliberately sought to reduce the American people under absolute despotism.

Conclusion: Therefore the American people have a right, indeed a duty, to abolish their present form of government and to create new guards for their future security.

As the major premise in this argument, the preamble allowed Jefferson and the Congress to reason from self-evident principles of government accepted by almost all eighteenth-century readers of the Declaration.(16)

The key premise, however, was the minor premise. Since virtually everyone agreed the people had a right to overthrow a tyrannical ruler when all other remedies had failed, the crucial question in July 1776 was whether the necessary conditions for revolution existed in the colonies. Congress answered this question with a sustained attack on George III, an attack that makes up almost exactly two-thirds of the text.

The indictment of George III begins with a transitional sentence immediately following the preamble:

Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government.

Now, 273 words into the Declaration, appears the first explicit reference to the British-American conflict. The parallel structure of the sentence reinforces the parallel movement of ideas from the preamble to the indictment of the king, while the next sentence states that indictment with the force of a legal accusation:

The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these states.

Unlike the preamble, however, which most eighteenth-century readers could readily accept as self-evident, the indictment of the king required proof. In keeping with the rhetorical conventions Englishmen had followed for centuries when dethroning a "tyrannical" monarch, the Declaration contains a bill of particulars documenting the king's "repeated injuries and usurpations" of the Americans' rights and liberties. The bill of particulars lists twenty-eight specific grievances and is introduced with the shortest sentence of the Declaration:

To prove this [the king's tyranny], let Facts be submitted to a candid world.

This sentence is so innocuous one can easily overlook its artistry and importance. The opening phrase--"To prove this"--indicates the "facts" to follow will indeed prove that George III is a tyrant. But prove to whom? To a "candid world"--that is, to readers who are free from bias or malice, who are fair, impartial, and just. The implication is that any such reader will see the "facts" as demonstrating beyond doubt that the king has sought to establish an absolute tyranny in America. If a reader is not convinced, it is not because the "facts" are untrue or are insufficient to prove the king's villainy; it is because the reader is not "candid."

The pivotal word in the sentence, though, is "facts." As a term in eighteenth-century jurisprudence (Jefferson, like many of his colleagues in Congress, was a lawyer), it meant the circumstances and incidents of a legal case, looked at apart from their legal meaning. This usage fits with the Declaration's similarity to a legal declaration, the plaintiff's written statement of charges showing a "plain and certain" indictment against a defendant. If the Declaration were considered as analogous to a legal declaration or a bill of impeachment, the issue of dispute would not be the status of the law (the right of revolution as expressed in the preamble) but the facts of the specific case at hand (the king's actions to erect a "tyranny" in America).(17)

In ordinary usage "fact" had by 1776 taken on its current meaning of something that had actually occurred, a truth known by observation, reality rather than supposition or speculation.<sup>18</sup> By characterizing the colonists' grievances against George III as "facts," the Declaration implies that they are unmediated representations of empirical reality rather than interpretations of reality. They are the objective constraints that make the Revolution "necessary." This is reinforced by the passive voice in "let Facts be submitted to a candid world." Who is submitting the facts? No one. They have not been gathered, structured, rendered, or in any way contaminated by human agents--least of all by the Continental Congress. They are just being "submitted," direct from experience without the corrupting intervention of any observer or interpreter.

But "fact" had yet another connotation in the eighteenth century. The word derived from the Latin *facere*, to do. Its earliest meaning in English was "a thing done or performed"--an action or deed. In the sixteenth and seventeenth centuries it was used most frequently to denote an evil deed or a crime, a usage still in evidence at the time of the Revolution. In 1769, for example, Blackstone, in his *Commentaries on the Laws of England*, noted that "accessories after the fact" were "allowed the benefit of clergy in all cases." The *Annual Register* for 1772 wrote of a thief who was committed to prison for the "fact" of horse stealing. There is no way to know whether Jefferson and the Congress had this sense of "fact" in mind when they adopted the Declaration. Yet regardless of their intentions, for some eighteenth-century readers "facts" many have had a powerful double-edged meaning when applied to George III's actions toward America.(19)

Although one English critic assailed the Declaration for its "studied confusion in the arrangement" of the

grievances against George III, they are not listed in random order but fall into four distinct groups.(20) The first group, consisting of charges 1-12, refers to such abuses of the king's executive power as suspending colonial laws, dissolving colonial legislatures, obstructing the administration of justice, and maintaining a standing army during peacetime. The second group, consisting of charges 13-22, attacks the king for combining with "others" (Parliament) to subject America to a variety of unconstitutional measures, including taxing the colonists without consent, cutting off their trade with the rest of the world, curtailing their right to trial by jury, and altering their charters.

The third set of charges, numbers 23-27, assails the king's violence and cruelty in waging war against his American subjects. They burden him with a litany of venal deeds that is worth quoting in full:

He has abdicated Government here, by declaring us out of his Protection and waging War against us.

He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the Lives of our people.

He is at this time transporting large Armies of foreign Mercenaries to complete the works of death, desolation and tyranny, already begun with circumstances of Cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation.

He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.

He has excited domestic insurrections amongst us, and has endeavored to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.

The war grievances are followed by the final charge against the king--that the colonists' "repeated Petitions" for redress of their grievances have produced only "repeated injury."

The presentation of what Samuel Adams called George III's "Catalogue of Crimes" is among the Declaration's most skillful features. First, the grievances could have been arranged chronologically, as Congress had done in all but one of its former state papers. Instead they are arranged topically and are listed seriatim, in sixteen successive sentences beginning "He has" or, in the case of one grievance, "He is." Throughout this section of the Declaration, form and content reinforce one another to magnify the perfidy of the king. The steady, laborious piling up of "facts" without comment takes on the character of a legal indictment, while the repetition of "He has" slows the movement of the text, draws attention to the accumulation of grievances, and accentuates George III's role as the prime conspirator against American liberty.(21)

Second, as Thomas Hutchinson complained, the charges were "most wickedly presented to cast reproach upon the King." Consider, for example, grievance 10: "He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our people, and eat out their substance." The language is Biblical and conjures up Old Testament images of "swarms" of flies and locusts covering the face of the earth, "so that the land was darkened," and devouring all they found until "there remained not any green thing in the trees, or in the herbs of the field" (Exodus 10:14-15). It also recalls the denunciation, in Psalms 53:4, of "the workers of iniquity . . . who eat up my people as they eat bread," and the prophecy of Deuteronomy 28:51 that an enemy nation "shall eat the fruit of thy cattle, and the fruit of thy land until thou be destroyed: which also shall not leave thee either corn, wine, or oil, or the increase of thy kine, or flocks of thy sheep, until he have destroyed thee." For some readers the religious connotations may have been enhanced by "substance," which was used in theological discourse to signify "the Essence or Substance of the Godhead" and to describe the Holy Eucharist, in which Christ had "coupled the substance of his flesh and the substance of bread together, so we should receive both."(22)

From the revolutionaries' view, however, the primary advantage of the wording of charge 10 was probably its purposeful ambiguity. The "multitude of New Offices" referred to the customs posts that had been created in the 1760s to control colonial smuggling. The "swarms of Officers" that were purportedly eating out the substance of the colonies' three million people numbered about fifty in the entire continent. But Congress could hardly assail George III as a tyrant for appointing a few dozen men to enforce the laws against smuggling, so it clothed the charge in vague, evocative imagery that gave significance and emotional resonance to what otherwise might have seemed a rather paltry grievance.(23)

Third, although scholars often downplay the war grievances as "the weakest part of the Declaration," they were

vital to its rhetorical strategy. They came last partly because they were the most recent of George III's "abuses and usurpations," but also because they constituted the ultimate proof of his plan to reduce the colonies under "absolute despotism." Whereas the first twenty-two grievances describe the king's acts with such temperate verbs as "refused," "called together," "dissolved," "endeavored," "made," "erected," "kept," and "affected," the war grievances use emotionally charged verbs such as "plundered," "ravaged," "burnt," and "destroyed." With the exception of grievance 10, there is nothing in the earlier charges to compare with the evocative accusation that George III was spreading "death, desolation and tyranny . . . with circumstances of Cruelty and perfidy scarcely paralleled in the most barbarous ages," or with the characterization of "the merciless Indian Savages, whose known mode of warfare is an undistinguished destruction of all ages, sexes and conditions." Coming on the heels of the previous twenty-two charges, the war grievances make George III out as little better than the notorious Richard III, who had forfeited his crown in 1485 for "unnatural, mischievous, and great Perjuries, Treasons, Homicides and Murders, in shedding of Infants' blood, with many other Wrongs, odious Offences, and abominations against God and Man."(24)

To some extent, of course, the emotional intensity of the war grievances was a natural outgrowth of their subject. It is hard to write about warfare without using strong language. Moreover, as Jefferson explained a decade later in his famous "Head and Heart" letter to Maria Cosway, for many of the revolutionaries independence was, at bottom, an emotional--or sentimental--issue. But the emotional pitch of the war grievances was also part of a rhetorical strategy designed to solidify support for independence in those parts of America that had yet to suffer the physical and economic hardships of war. As late as May 1776 John Adams lamented that while independence had strong support in New England and the South, it was less secure in the middle colonies, which "have never tasted the bitter Cup; they have never Smarted--and are therefore a little cooler." As Thomas Paine recognized, "the evil" of British domination was not yet "sufficiently brought to their doors to make them feel the precariousness with which all American property is possessed." Paine sought to bring the evil home to readers of *Common Sense* by inducing them to identify with the "horror" inflicted on other Americans by the British forces "that hath carried fire and sword" into the land. In similar fashion, the Declaration of Independence used images of terror to magnify the wickedness of George III, to arouse "the passions and feelings" of readers, and to awaken "from fatal and unmanly slumbers" those Americans who had yet to be directly touched by the ravages of war.(25)

Fourth, all of the charges against George III contain a substantial amount of strategic ambiguity. While they have a certain specificity in that they refer to actual historical events, they do not identify names, dates, or places. This magnified the seriousness of the grievances by making it seem as if each charge referred not to a particular piece of legislation or to an isolated act in a single colony, but to a violation of the constitution that had been repeated on many occasions throughout America.

The ambiguity of the grievances also made them more difficult to refute. In order to build a convincing case against the grievances, defenders of the king had to clarify each charge and what specific act or events it referred to, and then explain why the charge was not true. Thus it took John Lind, who composed the most sustained British response to the Declaration, 110 pages to answer the charges set forth by the Continental Congress in fewer than two dozen sentences. Although Lind deftly exposed many of the charges to be flimsy at best, his detailed and complex rebuttal did not stand a chance against the Declaration as a propaganda document. Nor has Lind's work fared much better since 1776. While the Declaration continues to command an international audience and has created an indelible popular image of George III as a tyrant, Lind's tract remains a piece of arcana, buried in the dustheap of history.(26)

In addition to petitioning Parliament and George III, Whig leaders had also worked hard to cultivate friends of the American cause in England. But the British people had proved no more receptive to the Whigs than had the government, and so the Declaration follows the attack on George III by noting that the colonies had also appealed in vain to the people of Great Britain:

Nor have we been wanting in attentions to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which, would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.

This is one of the most artfully written sections of the Declaration. The first sentence, beginning "Nor . . .," shifts attention quickly and cleanly away from George III to the colonists' "British brethren." The "have we" of the

first sentence is neatly reversed in the "We have" at the start of the second. Sentences two through four, containing four successive clauses beginning "We Have . . .," give a pronounced sense of momentum to the paragraph while underlining the colonists' active efforts to reach the British people. The repetition of "We have" here also parallels the repetition of "He has" in the grievances against George III.

The fifth sentence--"They too have been deaf to the voice of justice and of consanguinity"--contains one of the few metaphors in the Declaration and acquires added force by its simplicity and brevity, which contrast with the greater length and complexity of the preceding sentence. The final sentence unifies the paragraph by returning to the pattern of beginning with "We," and its intricate periodic structure plays off the simple structure of the fifth sentence so as to strengthen the cadence of the entire paragraph. The closing words--"Enemies in War, in Peace Friends"--employ chiasmus, a favorite rhetorical device of eighteenth-century writers. How effective the device is in this case can be gauged by rearranging the final words to read, "Enemies in War, Friends in Peace," which weakens both the force and harmony of the Declaration's phrasing.

It is worth noting, as well, that this is the only part of the Declaration to employ much alliteration: "British brethren," "time to time," "common kindred," "which would," "connections and correspondence." The euphony gained by these phrases is fortified by the heavy repetition of medial and terminal consonants in adjoining words: "been wanting in attentions to," "them from time to time," "to their native justice," "disavow these usurpations," "have been deaf to the voice of." Finally, this paragraph, like the rest of the Declaration, contains a high proportion of one- and two-syllable words (82 percent). Of those words, an overwhelming number (eighty-one of ninety-six) contain only one syllable. The rest of the paragraph contains nine three-syllable words, eight four-syllable words, and four five-syllable words. This felicitous blend of a large number of very short words with a few very long ones is reminiscent of Lincoln's Gettysburg Address and contributes greatly to the harmony, cadence, and eloquence of the Declaration, much as it contributes to the same features in Lincoln's immortal speech.

The British brethren section essentially finished the case for independence. Congress had set forth the conditions that justified revolution and had shown, as best it could, that those conditions existed in Great Britain's thirteen North American colonies. All that remained was for Congress to conclude the Declaration:

We, therefore, the Representatives of the united States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

This final section of the Declaration is highly formulaic and has attracted attention primarily because of its closing sentence. Carl Becker deemed this sentence "perfection itself":

It is true (assuming that men value life more than property, which is doubtful) that the statement violates the rhetorical rule of climax; but it was a sure sense that made Jefferson place "lives" first and "fortunes" second. How much weaker if he had written "our fortunes, our lives, and our sacred honor"! Or suppose him to have used the word "property" instead of "fortunes"! Or suppose him to have omitted "sacred"! Consider the effect of omitting any of the words, such as the last two "ours"--"our lives, fortunes, and sacred honor." No, the sentence can hardly be improved.(27)

Becker is correct in his judgment about the wording and rhythm of the sentence, but he errs in attributing high marks to Jefferson for his "sure sense" in placing "lives" before "fortunes." "Lives and fortunes" was one of the most hackneyed phrases of eighteenth-century Anglo-American political discourse. Colonial writers had used it with numbing regularity throughout the dispute with England (along with other stock phrases such as "liberties and estates" and "life, liberty, and property"). Its appearance in the Declaration can hardly be taken as a measure of Jefferson's felicity of expression.

What marks Jefferson's "happy talent for composition" in this case is the coupling of "our sacred Honor" with "our Lives" and "our Fortunes" to create the eloquent trilogy that closes the Declaration. The concept of honor

(and its cognates fame and glory) exerted a powerful hold on the eighteenth-century mind. Writers of all kinds--philosophers, preachers, politicians, playwrights, poets--repeatedly speculated about the sources of honor and how to achieve it. Virtually every educated man in England or America was schooled in the classical maxim, "What is left when honor is lost?" Or as Joseph Addison wrote in his *Cato*, whose sentiments were widely admired throughout the eighteenth century on both sides of the Atlantic: "Better to die ten thousand deaths/Than wound my honour." The cult of honor was so strong that in English judicial proceedings a peer of the realm did not answer to bills in chancery or give a verdict "upon oath, like an ordinary jurymen, but upon his honor."(28)

By pledging "our sacred Honor" in support of the Declaration, Congress made a particularly solemn vow. The pledge also carried a latent message that the revolutionaries, contrary to the claims of their detractors, were men of honor whose motives and actions could not only withstand the closest scrutiny by contemporary persons of quality and merit but would also deserve the approbation of posterity. If the Revolution succeeded, its leaders stood to achieve lasting honor as what Francis Bacon called "*Liberatores* or *Salvatores*"-- men who "compound the long Miseries of Civil Wars, or deliver their Countries from Servitude of Strangers or Tyrants." Historical examples included Augustus Caesar, Henry VII of England, and Henry IV of France. On Bacon's five-point scale of supreme honor, such heroes ranked below only "*Conditores Imperiorum*, Founders of States and Commonwealths," such as Romulus, Caesar, and Ottoman, and "Lawgivers" such as Solon, Lycurgus, and Justinian, "also called Second Founders, or *Perpetui Principes*, because they Govern by their Ordinances after they are gone." Seen in this way, "our sacred Honor" lifts the motives of Congress above the more immediate concerns of "our Lives" and "our Fortunes" and places the revolutionaries in the footsteps of history's most honorable figures. As a result it also unifies the whole text by subtly playing out the notion that the Revolution is a major turn in the broad "course of human events."(29)

At the same time, the final sentence completes a crucial metamorphosis in the text. Although the Declaration begins in an impersonal, even philosophical voice, it gradually becomes a kind of drama, with its tensions expressed more and more in personal terms. This transformation begins with the appearance of the villain, "the present King of Great Britain," who dominates the stage through the first nine grievances, all of which note what "He has" done without identifying the victim of his evil deeds. Beginning with grievance 10 the king is joined on stage by the American colonists, who are identified as the victim by some form of first person plural reference: The king has sent "swarms of officers to harass *our* people," has quartered "armed troops among *us*," has imposed "taxes on *us* without *our* consent," "has taken away *our* charters, abolished *our* most valuable laws," and altered "the Forms of *our* Governments." He has "plundered *our* seas, ravaged *our* coasts, burnt *our* towns, . . . destroyed the lives of *our* people," and "excited domestic insurrections amongst *us*." The word "our" is used twenty-six times from its first appearance in grievance 10 through the last sentence of the Declaration, while "us" occurs eleven times from its first appearance in grievance 11 through the rest of the grievances.(30)

Throughout the grievances action is instigated by the king, as the colonists passively accept blow after blow without wavering in their loyalty. His villainy complete, George III leaves the stage and it is occupied next by the colonists and their "British brethren." The heavy use of personal pronouns continues, but by now the colonists have become the instigators of action as they actively seek redress of their grievances. This is marked by a shift in idiom from "He has" to "We have": "*We* have petitioned for redress . . .," "*We* have reminded *them* . . .," "*We* have appealed to *their* . . .," and "*We* have conjured them." But "*they* have been deaf" to all pleas, so "*We* must . . . hold *them*" as enemies. By the conclusion, only the colonists remain on stage to pronounce their dramatic closing lines: "*We* . . . solemnly publish and declare . . ." And to support this declaration, "*we* mutually pledge to each other *our* Lives, *our* Fortunes and *our* sacred Honor."

The persistent use of "he" and "them," "us" and "our," "we" and "they" personalizes the British-American conflict and transfigures it from a complex struggle of multifarious origins and diverse motives to a simple moral drama in which a patiently suffering people courageously defend their liberty against a cruel and vicious tyrant. It also reduces the psychic distance between the reader and the text and coaxes the reader into seeing the dispute with Great Britain through the eyes of the revolutionaries. As the drama of the Declaration unfolds, the reader is increasingly solicited to identify with Congress and "the good People of these Colonies," to share their sense of victimage, to participate vicariously in their struggle, and ultimately to act with them in their heroic quest for freedom. In this respect, as in others, the Declaration is a work of consummate artistry. From its eloquent introduction to its aphoristic maxims of government, to its relentless accumulation of charges against George III, to its elegiac denunciation of the British people, to its heroic closing sentence, it sustains an almost perfect synthesis of style, form, and content. Its solemn and dignified tone, its graceful and unhurried cadence, its symmetry, energy, and confidence, its combination of logical structure and dramatic appeal, its adroit use of nuance and implication all contribute to its rhetorical power. And all help to explain why the Declaration remains one of the handful of American political documents that, in addition to meeting the immediate needs of the



moment, continues to enjoy a lustrous literary reputation.

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## NOTES

*c 1989 by Stephen E. Lucas*

Stephen E. Lucas is professor of communication arts at the University of Wisconsin, Madison, WI. The present essay is derived from a more comprehensive study, "Justifying America: The Declaration of Independence as a Rhetorical Document," in Thomas W. Benson, ed., *American Rhetoric: Context and Criticism* (1989).

(1) Moses Coit Tyler, *The Literary History of the American Revolution* (1897), vol. 1, p. 520. The best known study of the style of the Declaration is Carl Becker's "The Literary Qualities of the Declaration," in his *The Declaration of Independence: A Study in the History of Political Ideas* (1922), pp. 194-223. Useful also are Robert Ginsberg, "The Declaration as Rhetoric," in Robert Ginsberg, ed., *A Casebook on the Declaration of Independence* (1967), pp. 219-244; Edwin Gittleman, "Jefferson's 'Slave Narrative': The Declaration of Independence as a Literary Text," *Early American Literature* 8 (1974): 239-256; and James Boyd White, *When Words Lose Their Meaning: Constitutions and Reconstitutions of Language, Character, and Community* (1984), 231-240. Although most books on the Declaration contain a chapter on the "style" of the document, those chapters are typically historical accounts of the evolution of the text from its drafting by Thomas Jefferson through its approval by the Continental Congress or philosophical speculations about the meaning of its famous passages.

(2) As Garry Wills demonstrates in *Inventing America: Jefferson's Declaration of Independence* (1978), there are two Declarations of Independence the version drafted by Thomas Jefferson and that revised and adopted on July 4, 1776, by the Continental Congress sitting as a committee of the whole. Altogether Congress deleted 630 words from Jefferson's draft and added 146, producing a final text of 1,322 words (excluding the title). Although Jefferson complained that Congress "mangled" his manuscript and altered it "much for the worse," the judgment of posterity, stated well by Becker, is that "Congress left the Declaration better than it found it" (*Declaration of Independence*, p. 209). In any event, for better or worse, it was Congress's text that presented America's case to the world, and it is that text with which we are concerned in this essay.

(3) Nothing in this essay should be interpreted to mean that a firm line can be drawn between style and substance in the Declaration or in any other work of political or literary discourse. As Peter Gay has noted, style is "form and content woven into the texture of every art and craft. . . . Apart from a few mechanical tricks of rhetoric, manner is indissolubly linked to matter; style shapes and is in turn shaped by, substance" (*Style in History* [1974], p. 3).

(4) All quotations from the Declaration follow the text as presented in Julian P. Boyd et al., eds., *The Papers of Thomas Jefferson* (1950), vol. 1, pp. 429-432.

(5) Ephraim Chambers, *Cyclopaedia: Or, An Universal Dictionary of Arts and Sciences* (1728), vol. 2, p. 621; Jonathan Edwards, *Freedom of the Will*, ed. Paul Ramsey (1957), p. 149.

(6) Declaration of the Lords and Commons to Justify Their Taking Up Arms, August 1642, in John Rushworth, ed., *Historical Collections of Private Passages of State, Weighty Matters in Law, Remarkable Proceedings in Five Parliaments* (1680-1722), vol. 4, pp. 761-768; Declaration of the Continental Congress Setting Forth the Causes and Necessity of Their Taking Up Arms, July 1775, in James H. Hutson, ed., *A Decent Respect to the Opinions of Mankind: Congressional State Papers, 1774-1776* (1975), pp. 89-98. The importance of necessity as a justification for war among nations is evident in the many declarations of war issued by European monarchs throughout the seventeenth and eighteenth centuries and is discussed in Tavers Twiss, *The Law of Nations Considered as Independent Political Communities* (1863), pp. 54-55.

(7) The first additional invocation of the doctrine of necessity in the Declaration comes immediately after the preamble, when Congress states, "Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former systems of Government." The second is at the end of the penultimate section, in which Congress ends its denunciation of the British people by announcing, "We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends."

(8) [Thomas Paine], *Common Sense: Addressed to the Inhabitants of America . . .* (1776), pp. 41, 43.

(9) Samuel Adams to Joseph Hawley, Apr. 15, 1776, Letters of Delegates to Congress, 1774-1789, ed. Paul H. Smith (1976), vol. 3, p. 528; Thomas Jefferson, Notes of Proceedings in the Continental Congress, Jefferson Papers 1: 312.

(10) Jonathan Mayhew, *A Discourse Concerning Unlimited Submission and Nonresistance to the Higher Powers* . . . (1750), p. 45; [John, Lord Somers], *The Judgment of Whole Kingdoms and Nations, Concerning the Rights, Power and Prerogative of Kings, and the Rights, Privileges and Properties of the People* (1710), par. 186; Algernon Sidney, *Discourses Concerning Government* (1693), p. 181; John Hoadly, ed., *The Works of Benjamin Hoadly* (1773), vol. 2, p. 36; "Pacificus," *Pennsylvania Gazette*, Sept. 14, 1774.

(11) Becker, *Declaration of Independence*, p. 201. (12) Hugh Blair, *Lectures on Rhetoric and Belles Lettres* (1783), vol. 1, pp. 206-207, 259.

(13) "Thoughts on English Prosody" was enclosed in an undated letter of ca. October 1786 to the Marquis de Chastellux. The letter is printed in Jefferson Papers 10: 498; the draft of Jefferson's essay, which has not been printed, is with the letter to Chastellux in the *Thomas Jefferson Papers*, Library of Congress, Washington, DC. Julian P. Boyd, "The Declaration of Independence: The Mystery of the Lost Original," *Pennsylvania Magazine of History and Biography* 100 (1976): 455-462, discusses "Thoughts on English Prosody" and its relation to Jefferson's reading text of the Declaration. Given the changes made by Congress in some sections of the Declaration, it should be noted that the style of the preamble is distinctly Jeffersonian and was approved by Congress with only two minor changes in wording from Jefferson's fair copy as reported by the Committee of Five.

(14) William Duncan, *The Elements of Logick* (1748), p. 242. See also Isaac Watts, *Logick: or, The Right Use of Reason in the Enquiry After Truth*, 8th ed. (1745), p. 304; [Henry Aldrich], *A Compendium of Logic*, 3d ed. (1790), p. 23.

(15) Jefferson to Henry Lee, May 5, 1825, *The Writings of Thomas Jefferson*, ed. Paul Leicester Ford (1892-1899), vol. 10, p. 343.

(16) Wilbur Samuel Howell, "The Declaration of Independence and Eighteenth-Century Logic," *William and Mary Quarterly*, 3d Ser. 18 (1961): 463-484, claims Jefferson consciously structured the Declaration as a syllogism with a self-evident major premise to fit the standards for scientific proof advanced in William Duncan's *Elements of Logick*, a leading logical treatise of the eighteenth century. As I argue in a forthcoming essay, however, there is no hard evidence to connect Duncan's book with the Declaration. Jefferson may have read *Elements of Logick* while he was a student at the College of William and Mary, but we are not certain that he did. He owned a copy of it, but we cannot establish whether the edition he owned was purchased before or after 1776. We cannot even say with complete confidence that Jefferson inserted the words "self-evident" in the Declaration; if he did, it was only as an afterthought in the process of polishing his original draft. Moreover, upon close examination it becomes clear that the Declaration does not fit the method of scientific reasoning recommended in Duncan's *Logick*. Its "self-evident" truths are not self-evident in the rigorous technical sense used by Duncan; it does not provide the definitions of terms that Duncan regards as the crucial first step in syllogistic demonstration; and it does not follow Duncan's injunction that both the minor premise and the major premise must be self-evident if a conclusion is to be demonstrated in a single act of reasoning. The syllogism had been part of the intellectual baggage of Western civilization for two thousand years, and the notion of self-evident truth was central to eighteenth-century philosophy. Jefferson could readily have used both without turning to Duncan's *Logick* for instruction.

(17) "Declaration" in John Cowell, *Nomothetes. The Interpreter, Concerning the Genuine Signification of Such Obscure Words and Terms Used Either in the Common or Statute Laws of This Realm* . . . (1684). For the requirements of legal declarations in various kinds of civil suits during the eighteenth century, see William Selwyn, *An Abridgement of the Law of Nisi Prius*, 4th ed. (1817).

(18) "Fact" in Samuel Johnson, *A Dictionary of the English Language: In Which the Words are Deduced from Their Origins and Illustrated in Their Different Significations by Examples from the Best Writers* (1755).

(19) *Oxford English Dictionary* (1933), vol. 4, pp. 11-12; Sir William Blackstone, *Commentaries on the Laws of England* (1771), vol. 4, p. 39; *The Annual Register, Or a View of the History, Politics, and Literature for the Year 1772* (1773), p. 57.

(20) John Lind, *Answer to the Declaration of the American Congress* . . . , 5th ed. (1776), p. 123. Because the grievances are not numbered in the Declaration, there has been disagreement over how many there are and how they should be numbered. I have followed Sidney George Fisher, "The Twenty-Eight Charges against the King in the Declaration of Independence," *Pennsylvania Magazine of History and Biography* 31 (1907): 257-303. An alternative numbering system is used by Wills, *Inventing America*, pp. 68-75.

(21) Samuel Adams to John Pitts, ca. July 9, 1776, *Letters of Delegates* 4: 417. The sole congressional paper

before the Declaration of Independence to list grievances topically was the 1774 Bill of Rights (Hutson, *Decent Respect*, pp. 49-57).

(22) [Thomas Hutchinson], *Strictures upon the Declaration of the Congress at Philadelphia . . .* (1776), p. 16; Ralph Cudworth, *The True Intellectual System of the Universe* (1678), p. 601; Richard Hooker, *Of the Laws of Ecclesiasticall Politie* (1594 1596), vol. 5, sec. 67, p. 178.

(23) Between 1764 and 1766 England added twenty-five comptrollers, four surveyors general, and one plantation clerk to its customs service in America. It added seventeen more officials in 1767 with the creation of a Board of Customs Commissioners to reside in Boston. These appointments may also have generated a mild ripple effect, resulting in the hiring of a few lesser employees to help with office chores and customs searches, but there is no way to know, since the records are now lost. See Thomas C. Barrow, *Trade and Empire: The British Customs Service in Colonial America, 1660 1775* (1967), pp. 186-187, 220-221.

(24) Howard Mumford Jones, "The Declaration of Independence: A Critique," in *The Declaration of Independence: Two Essays* (1976), p. 7; sentence against Richard III in *Rotuli Parliamentorum; ut et petitiones placita in Parlamento* (1783 1832), vol. 6, p. 276.

(25) Thomas Jefferson to Maria Cosway, Oct. 12, 1786, *Jefferson Papers* 10: 451; John Adams to Benjamin Hichborn, May 29, 1776, *Letters of Delegates* 4: 96; Paine, *Common Sense*, pp. 40-42.

(26) See note 20 for bibliographic information on Lind's pamphlet.

(27) Becker, *Declaration of Independence*, p. 197.

(28) For the importance of fame and honor to the revolutionaries, see Douglass Adair, "Fame and the Founding Fathers," in *Fame and the Founding Fathers*, ed. Trevor Colbourn (1974), pp. 3-26; Garry Wills, *Cincinnatus: George Washington and the Enlightenment* (1984), pp. 109 148; Bruce Miroff, "John Adams: Merit, Fame, and Political Leadership," *Journal of Politics* 48 (1986): 116-132. The quotation about Jefferson's "happy talent for composition" is from John Adams to Timothy Pickering, Aug. 6, 1822, *The Works of John Adams*, ed. Charles Francis Adams (1850), vol. 2, p. 511. The statement about peers of the realm is from *Blackstone, Commentaries* 1: 40

(29) Francis Bacon, *The Essayes or Counsels, Civill and Morall . . .* (1625), pp. 313-314. See Adair, "Fame and the Founding Fathers," pp. 114-115, for the importance of Bacon's essay on honor among the revolutionaries.

(30) Cf. Ginsberg, "The Declaration as Rhetoric," p. 228.

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## The Virginia Declaration of Rights

Virginia's Declaration of Rights was drawn upon by Thomas Jefferson for the opening paragraphs of the Declaration of Independence. It was widely copied by the other colonies and became the basis of the Bill of Rights. Written by George Mason, it was adopted by the Virginia Constitutional Convention on June 12, 1776.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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## What's on the Back of the Declaration of Independence?

The movie *National Treasure* suggests that something is written on the back of the Declaration of Independence. As protectors of this important, original document, we know there is nothing hidden there. But it is true that something is written on its back. See for yourself...

The writing on the back of the Declaration of Independence reads:

**"Original Declaration of Independence  
dated 4th July 1776"**

and it appears on the bottom of the document, upside down. While no one knows for certain who wrote it, it is known that early in its life, the large parchment document (it measures 29¾ inches by 24½ inches) was rolled up for storage. So, it is likely that the notation was added simply as a label. The writing that appears at the bottom in this view is actually ink from the top of the front side that has seeped through the parchment to the back of the document.



Also see the [Front of the Declaration of Independence](#) in the *Charters of Freedom* online exhibit.

Learn about what is written on the backs of other important historical documents in the article [The Flip Side of History](#).



## Declaration of Independence Facts

### Questions & Answers

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#### Q. Is anything written on the back of the Declaration of Independence?

A. Yes, there is writing on the back of the original, signed Declaration of Independence. But it is not invisible, nor does it include a map, as the Disney feature film, *National Treasure*, suggests. The writing on the back reads "Original Declaration of Independence, dated 4th July 1776," and it appears on the bottom of the document, upside down. To learn more, read the article, [The Flip Side of History](#). Please note that the back of the Declaration of Independence is not on display in the Rotunda for the Charters of Freedom.

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#### Q. Is the original Declaration of Independence written on paper?

A. No, the original was [engrossed](#) on [parchment](#) which is an animal skin specially treated with lime and stretched to create a strong, long-lasting writing support. The printed version is on paper and was read aloud from town squares throughout the colonies, so that those who could not read would receive the news about intended separation from England.

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#### Q. Do other copies of the Declaration of Independence exist?

A. Yes, there are [26 copies](#) known to exist of what is commonly referred to as "[the Dunlap broadside](#)," 21 owned by American institutions, 2 by British institutions, and 3 by private owners.

The Dunlap Broadside copies were printed on paper on the night of July 4,— and thus are contemporary with the original Declaration that is engrossed on parchment. Given the great interest in and popularity of the document to the American people, many facsimile copies of the Declaration have been made over the years. These copies have been printed in many sizes and formats as souvenirs and for the purpose of display in governmental and other offices and schoolrooms across the nation.

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#### Q. Was Thomas Jefferson the only person involved in writing the Declaration of Independence?

A. Jefferson was the author of the document and was a member of the [Committee of Five](#) that was appointed to draft a statement presenting to the world the colonies case for independence. The committee consisted of two New England men, John Adams of Massachusetts and [Roger Sherman](#) of Connecticut; two men from the Middle Colonies, [Benjamin Franklin](#) of Pennsylvania and Robert R. Livingston of New York; and one southerner, Thomas Jefferson of Virginia.



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### **Q. Has the Declaration of Independence always been at the National Archives in Washington, DC?**

A. No, after the signing ceremony on August 2, 1776, the Declaration was most likely filed in Philadelphia in the office of Charles Thomson, who served as the Secretary of the Continental Congress from 1774 to 1789. The document probably accompanied the Continental Congress as the body traveled during the uncertain months and years of the Revolution.

On December 13, 1952, the Declaration, along with the Constitution and Bill of Rights were formally delivered into the custody of Archivist of the United States Wayne Grover and enshrined at a ceremony on December 15, 1952, attended by President Harry S. Truman. For more information about the document's travels see [Travels of the Declaration of Independence – A Time Line](#).

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### **Q. Is the encasement bullet-resistant?**

A. Yes, the case is constructed of ballistically resistant materials to include the glass.

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### **Q. Who constructed the new encasements and what are they made of?**

A. The new encasements, which look like large, deep picture frames, were designed to meet National Archives specifications that ensure the preservation of the Charters for future generations. The encasements were constructed by the National Institute of Science and Technology (NIST) of titanium and aluminum. The frames are gold plated to evoke the style of historic frames.

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### **Q. Are other documents also encased in this way?**

A. Yes, the [Charters of Freedom](#) – the [Constitution](#), the [Bill of Rights](#), and the [Declaration of Independence](#) – are all encased in this way.

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### **Q. Where can I find more information about the movie *National Treasure*?**

A. Visit the movie web site at <http://www.nationaltreasure.com>

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## **Did You Know?**

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The Declaration of Independence was [adopted by 12 of 13 colonies](#) (New York not voting) on July 4, 1776, but wasn't actually signed by all the delegates until August 2, 1776.

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[Engrossing](#) is the process of preparing an official document in a large, clear hand. Timothy Matlack, a Pennsylvanian who had assisted the Secretary of the Congress, Charles Thomson, was probably the engrosser of the Declaration.

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John Hancock, the President of the Congress, was the first to sign the sheet of parchment measuring 24¼ by 29¾ inches.

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A handprint appears on the bottom left corner of the Declaration of Independence. The origins and circumstances of the handprint are not known. The document was handled, rolled, and traveled about and exhibited extensively in its early life. Attempting to clean the handprint and other soil that has worked into the parchment could damage the fragile document.

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The official title of the head of the National Archives and Records Administration is [Archivist of the United States](#).

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The Declaration of Independence is housed in a specially sealed encasement containing the inert gas argon with a controlled amount of humidity to keep the parchment flexible. The encasement is constructed of ballistically resistant materials. The document is closely guarded.

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The movie *National Treasure* was not filmed inside the National Archives Building. A reproduction of the Declaration of Independence was used in filming the movie.

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In the Rotunda, above the Charters of Freedom, the [murals](#) by Barry Faulkner have been removed, cleaned, and restored. Although they don't depict actual historical events, they help convey the importance of the Charters of Freedom by showing a presentation of the draft of the [Declaration of Independence](#) to John Hancock by Jefferson in 1776 and a presentation of the [Constitution](#) to George Washington by Madison in 1787.

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You can [purchase a 24 ¼ x 37 ½ inch copy of the Declaration of Independence](#) from NARA. Please telephone our sales desk during normal business hours at 1-866-272-6272 and ask for Item 6312.

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If you were a member of the Second Continental Congress in 1776, you were a rebel and considered a traitor by the King of England. You knew that a reward had been posted for the capture of certain prominent rebel leaders and [signing your name to the Declaration](#) meant that you pledged your life, your fortune, and your sacred honor to the cause of freedom.

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Thomas Jefferson, author of the Declaration of Independence and member of the [Committee of Five](#) died on July 4, 1826. And John Adams, also a committee member, died on the same day.

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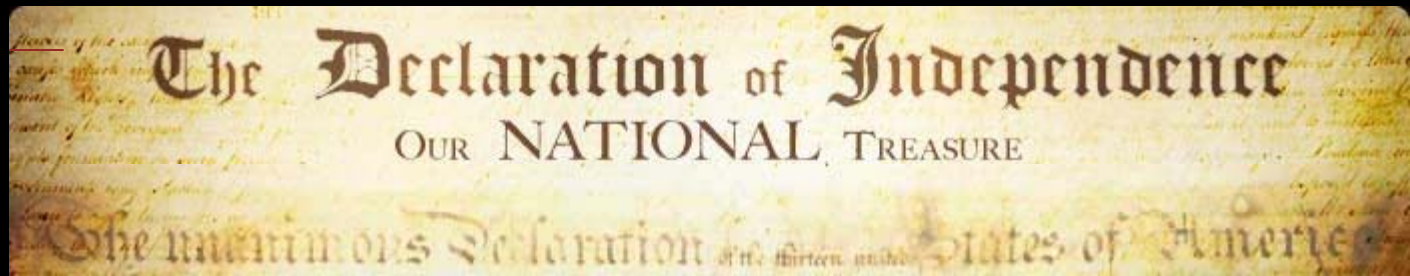
The [Declaration of Independence](#), the [Constitution](#), and the [Bill of Rights](#)—known collectively as the [Charters of Freedom](#), were removed from display on July 5, 2001, and have undergone long-planned [conservation treatment](#) and are sealed in new state-of-the-art encasements. On September 17, 2003, the renovated Rotunda was rededicated, and the newly re-encased Charters of Freedom were unveiled.

To learn more about the renovation of the Rotunda of the National Archives and the document re-encasement project, read these online articles from the fall 2003, issue of *Prologue*, "[A Top-to-Bottom Renovation for the National Archives Building](#)" and "[A New Era Begins for the Charters of Freedom](#)."

To learn more about the rededication of the Rotunda, read the online *Prologue* article "[The Rotunda for the Charters of Freedom Reopens at the National Archives](#)" from the winter 2003 issue, and comments by dignitaries during our ceremony to rededicate the Rotunda for the Charters of Freedom, September 17, 2003.

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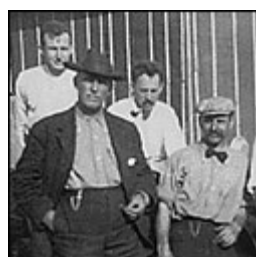
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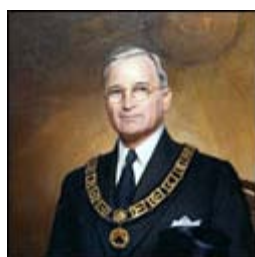
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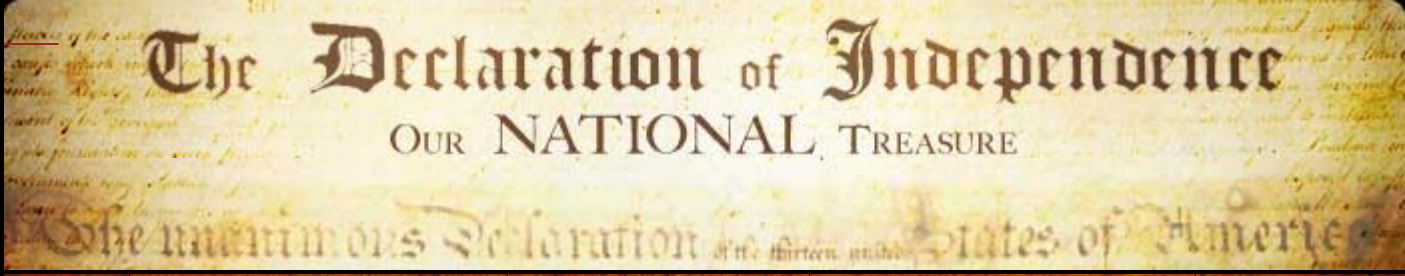
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# THE U.S. NATIONAL ARCHIVES & RECORDS ADMINISTRATION

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March 13, 2011

## The Constitution of the United States: A Transcription

**Note:** *The following text is a transcription of the Constitution in its **original** form.*

**Items that are hyperlinked have since been amended or superseded.**

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**We the People** of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

---

### Article. I.

#### Section. 1.

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

#### Section. 2.

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

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

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

#### Section. 3.

The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof for six Years; and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

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

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

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

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

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

#### **Section. 4.**

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

The Congress shall assemble at least once in every Year, and such Meeting shall [be on the first Monday in December](#), unless they shall by Law appoint a different Day.

#### **Section. 5.**

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

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

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

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

#### **Section. 6.**

The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been increased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

#### **Section. 7.**

All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States: If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and

against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

#### **Section. 8.**

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow Money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish a uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

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

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;--And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

#### **Section. 9.**



The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

No Bill of Attainder or ex post facto Law shall be passed.

No Capitation, or other direct, Tax shall be laid, [unless in Proportion to the Census or enumeration herein before directed to be taken.](#)

No Tax or Duty shall be laid on Articles exported from any State.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another; nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

#### **Section. 10.**

No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing it's inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.

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

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### **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.

The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.

In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

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

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

## **Section. 2.**

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

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

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

## **Section. 3.**

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

## **Section. 4.**

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

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## **Article III.**

### **Section. 1.**

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

## **Section. 2.**

The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;--to all Cases affecting Ambassadors, other public Ministers and Consuls;--to all Cases of admiralty and maritime Jurisdiction;--to Controversies to which the United States shall be a Party;--to Controversies between two or more States;--[between a State and Citizens of another State](#), --between Citizens of different States,--between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

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

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

## **Section. 3.**

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

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

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## **Article. IV.**

### **Section. 1.**

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

### **Section. 2.**

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

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

[No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.](#)

### **Section. 3.**

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

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

### **Section. 4.**

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

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#### **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.

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#### **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.

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#### **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 Independance of the United States of America the Twelfth In witness whereof We have hereunto subscribed our Names,

[G°. Washington](#)

*Presidt and deputy from Virginia*

[Delaware](#)

[Geo: Read](#)

[Gunning Bedford jun](#)

[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](#)

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[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](#)

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For biographies of the non-signing delegates to the Constitutional Convention, see the [Founding Fathers](#) page.

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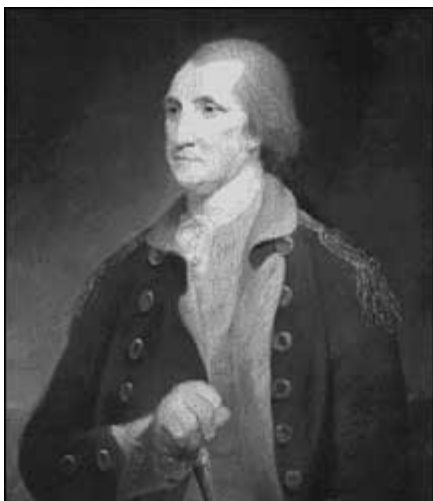
March 13, 2011

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

May 25, 1787, Freshly spread dirt covered the cobblestone street in front of the Pennsylvania State House, protecting the men inside from the sound of passing carriages and carts. Guards stood at the entrances to ensure that the curious were kept at a distance. Robert Morris of Pennsylvania, the "financier" of the Revolution, opened the proceedings with a nomination--Gen. George Washington for the presidency of the Constitutional Convention. The vote was unanimous. With characteristic ceremonial modesty, the general expressed his embarrassment at his lack of qualifications to preside over such an august body and apologized for any errors into which he might fall in the course of its deliberations.

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

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



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

## The Articles of Confederation

The determined Madison had for several years insatiably studied history and political theory searching for a solution to the political and economic dilemmas he saw plaguing America. The Virginian's labors convinced him of the futility and weakness of confederacies of independent states. America's own government under the Articles of Confederation, Madison was convinced, had to be replaced. In force since 1781, established as a "league of friendship" and a constitution for the 13 sovereign and independent states after the Revolution, the articles seemed to Madison woefully inadequate. With the states retaining considerable power, the central government, he believed, had insufficient power to regulate commerce. It could not tax and was generally impotent in setting commercial policy. It could not effectively support a war effort. It had little power to settle quarrels between states. Saddled with this weak government, the states were on the brink of economic disaster. The evidence was overwhelming. Congress was attempting to function with a depleted treasury; paper money was flooding the country, creating extraordinary inflation--a pound of tea in some areas could be purchased for a tidy \$100; and the depressed condition of business was taking its toll on many small farmers. Some of them were being thrown in jail for debt, and numerous farms were being confiscated and sold for taxes.

In 1786 some of the farmers had fought back. Led by Daniel Shays, a former captain in the Continental army, a group of armed men, sporting evergreen twigs in their hats, prevented the circuit court from sitting at Northampton, MA, and threatened to seize muskets stored in the arsenal at Springfield. Although the

insurrection was put down by state troops, the incident confirmed the fears of many wealthy men that anarchy was just around the corner. Embellished day after day in the press, the uprising made upper-class Americans shudder as they imagined hordes of vicious outlaws descending upon innocent citizens. From his idyllic Mount Vernon setting, Washington wrote to Madison: "Wisdom and good examples are necessary at this time to rescue the political machine from the impending storm."

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

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

### The Delegates

Seventy-four delegates were appointed to the convention, of which 55 actually attended sessions. Rhode Island was the only state that refused to send delegates. Dominated by men wedded to paper currency, low taxes, and popular government, Rhode Island's leaders refused to participate in what they saw as a conspiracy to overthrow the established government. Other Americans also had their suspicions. Patrick Henry, of the flowing red Glasgow cloak and the magnetic oratory, refused to attend, declaring he "smelt a rat." He suspected, correctly, that Madison had in mind the creation of a powerful central government and the subversion of the authority of the state legislatures. Henry along with many other political leaders, believed that the state governments offered the chief protection for personal liberties. He was determined not to lend a hand to any proceeding that seemed to pose a threat to that protection.

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

There were others who played major roles - Oliver Ellsworth of Connecticut; Edmund Randolph of Virginia; William Paterson of New Jersey; John Rutledge of South Carolina; Elbridge Gerry of Massachusetts; Roger Sherman of Connecticut; Luther Martin of Maryland; and the Pinckneys, Charles and Charles Cotesworth, of South Carolina. Franklin was the oldest member and Jonathan Dayton, the 27-year-old delegate from New Jersey was the youngest. The average age was 42. Most of the delegates had studied law, had served in colonial or state legislatures, or had been in the Congress. Well versed in philosophical theories of government advanced by such philosophers as James Harrington, John Locke, and Montesquieu, profiting from experience gained in state politics, the delegates composed an exceptional body, one that left a remarkably learned record of debate. Fortunately we have a relatively complete record of the proceedings, thanks to the indefatigable James Madison. Day after day, the Virginian sat in front of the presiding officer, compiling notes of the debates,

not missing a single day or a single major speech. He later remarked that his self-confinement in the hall, which was often oppressively hot in the Philadelphia summer, almost killed him.

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

### **The Virginia Plan**

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

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

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

### **The New Jersey Plan**

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

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

### **Hamilton's Plan**

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





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

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

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

Most delegates were well aware that there were too many Royall Tylers in the country, with too many memories of British rule and too many ties to a recent bloody war, to accept a king. As the debate moved into the specifics of the new government, Alexander Hamilton and others of his persuasion would have to accept something less.

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

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

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

### **The Great Compromise**

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

settled, it began to look again as if this wish might be fulfilled.

For the next few days the air in the City of Brotherly Love, although insufferably muggy and swarming with blue-bottle flies, had the clean scent of conciliation. In this period of welcome calm, the members decided to appoint a Committee of Detail to draw up a draft constitution. The convention would now at last have something on paper. As Nathaniel Gorham of Massachusetts, John Rutledge, Edmund Randolph, James Wilson, and Oliver Ellsworth went to work, the other delegates voted themselves a much needed 10-day vacation.

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

### **The First Draft**

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

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

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

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

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

In the early days of September, with the exhausted delegates anxious to return home, compromise came easily. On September 8 the convention was ready to turn the Constitution over to a Committee of Style and

Arrangement. Gouverneur Morris was the chief architect. Years later he wrote to Timothy Pickering: "That Instrument was written by the Fingers which wrote this letter." The Constitution was presented to the convention on September 12, and the delegates methodically began to consider each section. Although close votes followed on several articles, it was clear that the grueling work of the convention in the historic summer of 1787 was reaching its end.

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

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

Weary from weeks of intense pressure but generally satisfied with their work, the delegates shared a farewell dinner at City Tavern. Two blocks away on Market Street, printers John Dunlap and David Claypoole worked into the night on the final imprint of the six-page Constitution, copies of which would leave Philadelphia on the morning stage. The debate over the nation's form of government was now set for the larger arena.

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

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

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

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

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

The vote for ratification in Pennsylvania did not end the rancor and bitterness. Franklin declared that scurrilous articles in the press were giving the impression that Pennsylvania was "peopled by a set of the most unprincipled, wicked, rascally and quarrelsome scoundrels upon the face of the globe." And in Carlisle, on December 26, anti-Federalist rioters broke up a Federalist celebration and hung Wilson and the Federalist chief justice of Pennsylvania, Thomas McKean, in effigy; put the torch to a copy of the Constitution; and busted a few

Federalist heads.

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

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

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

### Ratification

By January 9, 1788, five states of the nine necessary for ratification had approved the Constitution--Delaware, Pennsylvania, New Jersey, Georgia, and Connecticut. But the eventual outcome remained uncertain in pivotal states such as Massachusetts, New York, and Virginia. On February 6, with Federalists agreeing to recommend a list of amendments amounting to a bill of rights, Massachusetts ratified by a vote of 187 to 168. The revolutionary leader, John Hancock, elected to preside over the Massachusetts ratifying convention but unable to make up his mind on the Constitution, took to his bed with a convenient case of gout. Later seduced by the Federalists with visions of the vice presidency and possibly the presidency, Hancock, whom Madison noted as "an idolater of popularity," suddenly experienced a miraculous cure and delivered a critical block of votes. Although Massachusetts was now safely in the Federalist column, the recommendation of a bill of rights was a significant victory for the anti-Federalists. Six of the remaining states later appended similar recommendations.

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

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

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

### **The Bill of Rights**

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

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

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

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

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

### **The Document Enshrined**

The fate of the United States Constitution after its signing on September 17, 1787, can be contrasted sharply to the travels and physical abuse of America's other great parchment, the [Declaration of Independence](#). As the Continental Congress, during the years of the revolutionary war, scurried from town to town, the rolled-up Declaration was carried along. After the formation of the new government under the Constitution, the one-page Declaration, eminently suited for display purposes, graced the walls of various government buildings in Washington, exposing it to prolonged damaging sunlight. It was also subjected to the work of early calligraphers responding to a demand for reproductions of the revered document. As any visitor to the National Archives can readily observe, the early treatment of the now barely legible Declaration took a disastrous toll. The Constitution, in excellent physical condition after more than 200 years, has enjoyed a more serene existence. By 1796 the Constitution was in the custody of the Department of State along with the Declaration and traveled with the federal government from New York to Philadelphia to Washington. Both documents were secretly moved to Leesburg, VA, before the imminent attack by the British on Washington in 1814. Following the war, the Constitution remained in the State Department while the Declaration continued its travels--to the Patent Office Building from 1841 to 1876, to Independence Hall in Philadelphia during the Centennial celebration, and back to

Washington in 1877. On September 29, 1921, President Warren Harding issued an Executive order transferring the Constitution and the Declaration to the Library of Congress for preservation and exhibition. The next day Librarian of Congress Herbert Putnam, acting on authority of Secretary of State Charles Evans Hughes, carried the Constitution and the Declaration in a Model-T Ford truck to the library and placed them in his office safe until an appropriate exhibit area could be constructed. The documents were officially put on display at a ceremony in the library on February 28, 1924. On February 20, 1933, at the laying of the cornerstone of the future National Archives Building, President Herbert Hoover remarked, "There will be aggregated here the most sacred documents of our history--the originals of the Declaration of Independence and of the Constitution of the United States." The two documents however, were not immediately transferred to the Archives. During World War II both were moved from the library to Fort Knox for protection and returned to the library in 1944. It was not until successful negotiations were completed between Librarian of Congress Luther Evans and Archivist of the United States Wayne Grover that the transfer to the National Archives was finally accomplished by special direction of the Joint Congressional Committee on the Library.

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

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

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March 13, 2011

### Questions & Answers Pertaining to the Constitution

by [Sol Bloom](#)

**Q. How were deputies to the Constitutional Convention chosen?**

A. They were appointed by the legislatures of the different States.

**Q. Were there any restrictions as to the number of deputies a State might send?**

A. No.

**Q. Which State did not send deputies to the Constitutional Convention?**

A. Rhode Island and Providence Plantations.

**Q. Were the other twelve States represented throughout the Constitutional Convention?**

A. No. Two of the deputies from New York left on July 10, 1787, and after that Hamilton, the third deputy, when he was in attendance did not attempt to cast the vote of his State. The New Hampshire deputies did not arrive until July 23, 1787; so that there never was a vote of more than eleven States.

**Q. Where and when did the deputies to the Constitutional Convention assemble?**

A. In Philadelphia, in the State House where the Declaration of Independence was signed. The meeting was called for May 14, 1787, but a quorum was not present until May 25.

**Q. About how large was the population of Philadelphia?**

A. The census of 1790 gave it 28,000; including its suburbs, about 42,000.

**Q. What was the average age of the deputies to the Constitutional Convention?**

A. About 44.

**Q. Who were the oldest and youngest members of the Constitutional Convention?**

A. Benjamin Franklin, of Pennsylvania, then 81; and Jonathan Dayton, of New Jersey, 26.

**Q. How many lawyers were members of the Constitutional Convention?**

A. There were probably 34, out of 55, who had at least made a study of the law.

**Q. From what classes of society were the members of the Constitutional Convention drawn?**

A. In addition to the lawyers, there were soldiers, planters, educators, ministers, physicians, financiers, and merchants.

**Q. How many members of the Constitutional Convention had been members of the Continental Congress?**

A. Forty, and two others were later members.

**Q. Were there any members of the Constitutional Convention who never attended any of its meetings?**

A. There were nineteen who were never present. Some of these declined, others merely neglected the duty.

**Q. Were the members of the Constitutional Convention called "delegates" or "deputies," and is there any distinction between the terms?**

A. Some of the States called their representatives "delegates"; some, "deputies"; and some, "commissioners," the terms being often mixed. In the Convention itself they were always referred to as "deputies." Washington, for example, signed his name as "deputy from Virginia." The point is simply that whatever they called themselves, they were representatives of their States. The general practice of historians is to describe them as "delegates."

**Q. Who was called the "Sage of the Constitutional Convention"?**

A. Benjamin Franklin, of Pennsylvania.

**Q. Who was called the "Father of the Constitution"?**

A. James Madison, of Virginia, because in point of erudition and actual contributions to the formation of the Constitution he was preeminent.

**Q. Was Thomas Jefferson a member of the Constitutional Convention?**

A. No. Jefferson was American Minister to France at the time of the Constitutional Convention.

**Q. What did Thomas Jefferson have to do with framing the Constitution?**

A. Although absent from the Constitutional Convention and during the period of ratification, Jefferson rendered no inconsiderable service to the cause of Constitutional Government, for it was partly through his insistence that the Bill of Rights, consisting of the first ten amendments, was adopted.

**Q. Who presided over the Constitutional Convention?**

A. George Washington, chosen unanimously.

**Q. How long did it take to frame the Constitution?**

A. It was drafted in fewer than one hundred working days.

**Q. How much was paid for the journal kept by Madison during the Constitutional Convention?**

A. President Jackson secured from Congress in 1837 an appropriation of \$30,000 with which to buy Madison's journal and other papers left by him.

**Q. Was there harmony in the Convention?**

A. Serious conflicts arose at the outset, especially between those representing the small and large States.

**Q. Who presented the Virginia Plan?**

A. Edmund Randolph.

**Q. What was the Connecticut Compromise?**

A. This was the first great compromise of the Constitutional Convention, whereby it was agreed that in the Senate each State should have two members, and that in the House the number of Representatives was to be based upon population. Thus the rights of the small States were safeguarded, and the majority of the population was to be fairly represented.

**Q. Who actually wrote the Constitution?**

A. In none of the relatively meager records of the Constitutional Convention is the literary authorship of any part of the Constitution definitely established. The deputies debated proposed plans until, on July 24, 1787, substantial agreement having been reached, a Committee of Detail was appointed, consisting of John Rutledge, of South Carolina; Edmund Randolph, of Virginia; Nathaniel Gorham, of Massachusetts; Oliver Ellsworth, of Connecticut; and James Wilson, of Pennsylvania, who on August 6 reported a draft which included a Preamble and twenty-three articles, embodying fifty-seven sections. Debate continued until September 8, when a new Committee of Style was named to revise the draft. This committee included William Samuel Johnson, of Connecticut; Alexander Hamilton, of New York; Gouverneur Morris, of Pennsylvania; James Madison, of Virginia; and Rufus King, of Massachusetts, and they reported the draft in approximately its final shape on September 12. The actual literary form is believed to be largely that of Morris, and the chief testimony for this is in the letters and papers of Madison, and Morris's claim. However, the document in reality was built slowly and laboriously, with not a piece of material included until it has been shaped and approved. The preamble was written by the Committee of Style.

**Q. Who was the penman who, after the text of the Constitution had been agreed on, engrossed it prior to the signing?**

A. Jacob Shallus who, at the time, was assistant clerk of the Pennsylvania State Assembly, and whose office was in the same building in which the Convention was held.

**Q. Does his name appear on the document or in any of the papers pertaining to its preparation?**

A. No. In the financial memoranda there is an entry of \$30 for "clerks employed to transcribe & engross."

**Q. When and how was the identity of the engrosser determined?**

A. In 1937, on the occasion of the 150th anniversary of the Constitution. His identity was determined after a long and careful search of collateral public documents, and is here disclosed for the first time.

**Q. Where did Shallus do the engrossing?**

A. There is no record of this, but probably in Independence Hall.

**Q. Did he realize the importance of the work he had done?**

A. Probably not; when he died, in 1796, the Constitution had not yet come to be the firmly established set of governmental principles it since has become.

**Q. Did some of the deputies to the Constitutional Convention refuse to sign the Constitution?**

A. Only thirty-nine signed. Fourteen deputies had departed for their homes, and three--Randolph and Mason, of



Virginia, and Gerry, of Massachusetts--refused to sign. One of the signatures is that of an absent deputy, John Dickinson, of Delaware, added at his request by George Read, who also was from Delaware.

**Q. How can it be said that the signing of the Constitution was unanimous, when the deputies of only twelve States signed and some delegates refused to sign?**

A. The signatures attest the "Unanimous Consent of the States present." The voting was by States, and the vote of each State that of a majority of its deputies. Hamilton signed this attestation for New York, though as he was the only deputy of the State present he had not been able to cast the vote of his State for the consent, only eleven States voting on the final question. There is an even greater discrepancy about the Signers of the Declaration of Independence. Some seven or eight members present on July 4 never signed; seven Signers, including Richard Henry Lee, of Virginia, who proposed the resolution of independence, were not present on the day; and eight other Signers were not members of Congress until after July 4.

**Q. Did George Washington sign the Declaration of Independence?**

A. No. He had been appointed Commander-in-Chief of the Continental Army more than a year before and was at the time with the army in New York City.

**Q. What are the exact measurements of the originals of the Declaration of Independence and of the Constitution of the United States?**

A. The Declaration of Independence: 29 7/8 in. by 24 7/16 in.; The Constitution: four sheets, approximately 28 3/4 in. by 23 5/8 in. each.

**Q. How many words are there in the texts in the present volume, and how long does it take to read them?**

A. The Constitution has 4,543 words, including the signatures but not the certificate on the interlineations; and takes about half an hour to read. The Declaration of Independence has 1,458 words, with the signatures, but is slower reading, as it takes about ten minutes. The Farewell Address has 7,641 words and requires forty-five minutes to read.

**Q. What party names were given to those who favored ratification and to those who opposed it?**

A. Those who favored ratification were called Federalists; those who opposed, Antifederalists.

**Q. In ratifying the Constitution, did the people vote directly?**

A. No. Ratification was by special State conventions (Art. VII).

**Q. The vote of how many States was necessary to ratify the Constitution?**

A. Nine (Art. VII).

**Q. In what order did the States ratify the Constitution?**

A. In the following order: Delaware, Pennsylvania, New Jersey, Georgia, Connecticut, Massachusetts, Maryland, South Carolina, New Hampshire, Virginia, and New York. After Washington had been inaugurated, North Carolina and Rhode Island ratified.

**Q. After the Constitution was submitted for ratification, where did the greatest contests occur?**

A. In Massachusetts, Virginia, and New York.

**Q. In each instance what was the vote?**

A. New York ratified the Constitution by a majority of three votes 30 to 27; Massachusetts by 187 to 168; and Virginia by 89 to 79.

**Q. In the course of ratification, how many amendments were offered by the State conventions?**

A. Seventy-eight; exclusive of Rhode Island's twenty-one, and those demanded by the first convention in North Carolina. There were many others offered which were considered necessary as items of a Bill of Rights. Professor Ames gives 124 as the whole number, inclusive of those of Rhode Island and North Carolina and the Bills of Rights. Various of these covered the same topics.

**Q. When did the United States government go into operation under the Constitution?**

A. The Constitution became binding upon nine States by the ratification of the ninth State, New Hampshire, June 21, 1788. Notice of this ratification was received by Congress on July 2, 1788. On September 13, 1788, Congress adopted a resolution declaring that electors should be appointed in the ratifying States on the first Wednesday in January, 1789; that the electors vote for President on the first Wednesday in February, 1789; and that "the first Wednesday in March next [March 4, 1789] be the time and the present seat of Congress the place for commencing proceedings under the said constitution." The Convention had also suggested "that after

such Publication the Electors should be appointed, and the Senators and Representatives elected." The Constitution left with the States the control over the election of congressmen, and Congress said nothing about this in its resolution; but the States proceeded to provide for it as well as for the appointment of electors. On March 3, 1789, the old Confederation went out of existence and on March 4 the new government of the United States began legally to function, according to a decision of the Supreme Court of the United States (*wings v. Speed*, 5 Wheat. 420); however, it had no practical existence until April 6, when first the presence of quorums in both Houses permitted organization of Congress. On April 30, 1789, George Washington was inaugurated as President of the United States, so on that date the executive branch of the government under the Constitution became operative. But it was not until February 2, 1790, that the Supreme Court, as head of the third branch of the government, organized and, held its first session; so that is the date when our government under the Constitution became fully operative.

**Q. Did Washington receive the unanimous vote of the electors in his first election as President?**

A. Yes, of all who voted. Four, two in Virginia and two in Maryland, did not vote; and the eight votes to which New York was entitled were not cast because the legislature could come to no agreement upon how the electors should be appointed. There should have been 81 votes; he received 69.

**Q. How did the first inauguration proceed?**

A. The Senate Journal narrates it as follows: "The House of Representatives, preceded by their Speaker, came into the Senate Chamber, and took the seats assigned them; and the joint Committee, preceded by their Chairman, agreeably to order, introduced the President of the United States to the Senate Chamber, where he was received by the Vice President, who conducted him to the Chair; when the Vice President informed him, that 'The Senate and House of Representatives were ready to attend him to take the oath required by the Constitution, and that it would be administered by the Chancellor of the State of New-York'--To which the President replied, he was ready to proceed:--and being attended to the gallery in front of the Senate Chamber, by the Vice President and Senators, the Speaker and Representatives, and the other public characters present, the oath was administered.--After which the Chancellor proclaimed, 'Long live George Washington, President of the United States.' The President having returned to his seat, after a short pause, arose and addressed the Senate and House of Representatives . . . The President, the Vice President, the Senate and House of Representatives, &c. then proceeded to St. Paul's Chapel, where divine service was performed by the Chaplain of Congress, after which the President was conducted to his house, by the Committee appointed for that purpose."

**Q. Was Adams sworn in as Vice President before Washington took the oath of office as President?**

A. No. Neither the Vice President nor any Senators took the oath of office until June 3. The first act of Congress, June 1, provided for the oath. In the House the Speaker and members present on April 8 had taken an oath provided for by a resolve on April 6 of that House, and the act of June 1 recognized that oath as sufficient for those who had taken it.

**Q. What cities have been capitals of the United States government?**

A. The Continental Congress sat at Philadelphia, 1774-76, 1777, 1778-83; Baltimore, 1776-77; Lancaster, 1777; York, 1777-78; Princeton, 1783; Annapolis, 1783-84; Trenton, 1784; and New York, 1785-89. The first capital under the Constitution of the United States was in New York, but in 1790 it was moved to Philadelphia. Here it was continued until 1800, when the permanent capital, Washington, in the new District of Columbia, was occupied.

**Q. How was the manner of address of the President of the United States decided?**

A. Both Houses of Congress appointed committees to consider the proper title to give the President, but they could not agree. The Senate wished it to be "His Highness the President of the United States of America and Protector of their Liberties." The House considered this as too monarchical, and on May 5 addressed its reply to the inaugural speech merely to "The President of the United States." The Senate on May 14 agreed to this simple form.

**Q. What is meant by the term "constitution"?**

A. A constitution embodies the fundamental principles of a government. Our constitution, adopted by the sovereign power, is amendable by that power only. To the constitution all laws, executive actions, and, judicial decisions must conform, as it is the creator of the powers exercised by the departments of government.

**Q. Why has our Constitution been classed as "rigid"?**

A. The term "rigid" is used in opposition to "flexible" because the provisions are in a written document which cannot be legally changed with the same ease and in the same manner as ordinary laws. The British Constitution, which is unwritten, can, on the other hand, be changed overnight by act of Parliament.

**Q. What was W. E. Gladstone's famous remark about the Constitution?**

A. It was as follows: "As the British Constitution is the most subtle organism which has proceeded from the womb and long gestation of progressive history, so the American Constitution is, so far as I can see, the most wonderful work ever struck off at a given time by the brain and purpose of man."

**Q. What is the source of the philosophy found in the Constitution?**

A. The book which had the greatest influence upon the members of the Constitutional Convention was Montesquieu's *Spirit of Laws*, which first appeared in 1748. The great French philosopher had, however, in turn borrowed much of his doctrine from the Englishman John Locke, with whose writings various members of the Convention were also familiar.

**Q. Are there original ideas of government in the Constitution?**

A. Yes; but its main origins lie in centuries of experience in government, the lessons of which were brought over from England and further developed through the practices of over a century and a half in the colonies and early State governments, and in the struggles of the Continental Congress. Its roots are deep in the past; and its endurance and the obedience and respect it has won are mainly the result of the slow growth of its principles from before the days of Magna Carta.

**Q. In what language was Magna Carta written, and to whom was it addressed?**

A. It was written in Latin and was addressed "To the archbishops, bishops, abbots, earls, barons, justices, foresters, sheriffs, reeves, ministers, and to all bailiffs, and faithful subjects."

**Q. What part of the world was first called America?**

A. The name "America" was first applied to Central Brazil, in honor of Amerigo Vespucci, who claimed its discovery. It was first applied to the whole known western world by Mercator, the geographer, in 1538.

**Q. When did the phrase, "The United States of America," originate?**

A. The first known use of the formal term "United States of America" was in the Declaration of Independence. Thomas Paine, in February, 1776, had written of "Free and independent States of America." The terms "United Colonies," "United Colonies of America," "United Colonies of North America," and also "States," were used in 1775 and 1776.

**Q. What state papers should be considered in connecting the Constitution of the United States with Magna Carta?**

A. The Great Charter was confirmed several times by later medieval monarchs, and there were various statutes, such as those of Westminster, which also helped to develop the germs of popular government. The Petition of Right, 1628, against the abuse of the royal prerogative, the Habeas Corpus Act, 1679, and the Bill of Rights, 1689, to establish the claims of the Petition, are the great English documents of more modern times on popular freedom. Meanwhile, the colonial charters became the foundation of the Americans' claim to the "rights of Englishmen," and were the predecessors of the State Constitutions, which owed their origin to the American Revolution. The Declaration of Independence established the principles which the Constitution made practical. Plans for colonial union were proposed from time to time, the most important of them being the Albany Plan of 1754, of which Benjamin Franklin was the author. The united efforts to establish independence gave birth to the Articles of Confederation, which though inadequate, were a real step toward the "more perfect Union" of the Constitution.

**Q. In what respect had the Confederation failed?**

A. It had three great weaknesses. It had no means of revenue independent of that received through its requisitions on the States, which were nothing more than requests, which the States could and did disregard; and it had no control over foreign or interstate commerce. Behind these lacks was its inability to compel the States to honor the national obligations. It could make treaties but had no means to compel obedience to them; or to provide for the payment of the foreign debt. It had responsibility but no power as a national government; no means of coercing the States to obedience even to the very inadequate grant given to the "League of Friendship" by the Articles of Confederation. But its greatest weakness was that it had no direct origin in, or action on, the people themselves; but, unlike both the Declaration of Independence and the later Constitution, knew only the States and was known only to them, calling them sovereign.

**Q. How extensively has the Constitution been copied?**

A. All later Constitutions show its influence; it has been copied extensively throughout the world.

**Q. The United States government is frequently described as one of limited powers. Is this true?**

A. Yes. The United States government possesses only such powers as are specifically granted to it by the

Constitution.

**Q. Then how does it happen that the government constantly exercises powers not mentioned by the Constitution?**

A. Those powers simply flow from general provisions. To take a simple example, the Constitution gives to the United States the right to coin money. It would certainly follow, therefore, that the government had the right to make the design for the coinage. This is what the Supreme Court calls "reasonable construction" of the Constitution ([Art. I, sec. 8](#), cl. 18).

**Q. Where, in the Constitution, is there mention of education?**

A. There is none; education is a matter reserved for the States.

**Q. Who was called the "Expounder of the Constitution"?**

A. Daniel Webster, of Massachusetts, because of his forceful and eloquent orations interpreting the document.

**Q. Must a member of the House of Representatives be a resident of the district which he represents?**

A. The Constitution provides only that no person shall be a representative "who shall not, when elected, be an Inhabitant of that State in which he shall be chosen"; but makes no requirement as to residence within the district ([Art. I, sec. 2](#), cl. 2).

**Q. Is it possible to impeach a justice of the Supreme Court?**

A. It is possible to impeach a Justice of the Supreme Court or any other official. The Constitution makes provision for impeachment by the House and trial of the accused by the Senate sitting as a court of "all civil Officers," which includes the Justices ([Art. I, sec. 2](#), cl. 5; [sec. 3](#), cl. 6, 7; [Art. II, sec. 4](#)).

**Q. Are Senators, Representatives, and justices of the Supreme Court civil officials of the United States?**

A. Justices are, but the others are probably not. The Constitution in several places seems to make a clear distinction between legislators and officials, though this has been contested. Members of Congress are not subject to impeachment, but are liable to expulsion by the vote of the House of which they are members ([Art. I, sec. 5](#), cl. 2).

**Q. What would be the proceeding in case of the impeachment of a Cabinet officer?**

A. An impeachment proceeding may be set in motion in the House of Representatives by charges made on the floor on the responsibility of a member or territorial delegate; by charges preferred by a memorial, which is usually referred to a committee for examination; by charges transmitted by the legislature of a State or from a grand jury; or the facts developed and reported by an investigating committee of the House. After the impeachment has been voted by the House, the case is heard by the Senate sitting as a court. When the President of the United States is impeached and tried, the proceedings are the same except that the Senate is then presided over by the Chief Justice of the United States ([Art. I, sec. 2](#), cl. 5; [sec. 3](#), cl. 6, 7; [Art. II, sec. 4](#)).

**Q. What is meant when it is said that Senators are paired?**

A. Sometimes a Senator belonging to one party agrees with a Senator belonging to the other party that neither will vote if the other is absent, the theory being that they would always vote on opposite sides of the question. This is called a pair. Sometimes pairs are secured on a particular vote only. For example, if a Senator is in favor of a certain piece of legislation and is ill or unavoidably detained, his friends arrange for some one on the opposite side not to vote. This insures for each a record as to his views. While many are opposed to general pairs, as the first is called, all are glad to arrange a pair for a specific measure if a Senator is unavoidably prevented from being present ([Art. I, sec. 5](#), cl. 2).

**Q. What is the mace of the House of Representatives and what purpose does it serve?**

A. The mace consists of thirteen ebony rods, about three feet long, representing the thirteen original States. It is bound together with silver in imitation of the thongs which bound the fasces of ancient Rome. The shaft is surmounted by a globe of solid silver about five inches in diameter upon which rests a massive silver eagle. The mace is the symbol of the paramount authority of the House within its own sphere. In times of riot or disorder upon the floor the Speaker may direct the Sergeant-at-Arms, the executive officer of the House, to bear the mace up and down the aisles as a reminder that the dignity and decorum of the House must not be overthrown. Defiance to such warning is the ultimate disrespect to the House and may lead to expulsion. When the House is sitting as a body the mace rests upright on a pedestal at the right of the Speaker's dais; when the House is sitting in committee of the whole, the mace stands upon the floor at the foot of its pedestal. Thus, when the House wishes to "rise" from committee of the whole and resume business as a legislative body, lifting the mace to its pedestal automatically effects the transition. The origin of the idea of the mace is based upon a similar emblem in the British House of Commons ([Art. I, sec. 5](#), cl. 2).

**Q. Who administers the oath of office to the Speaker of the House of Representatives?**

A. It is usually administered by the oldest member in point of service ([Art. I, sec. 5](#), cl. 2).

**Q. What is meant by the "Father" of the House of Representatives?**

A. It is a colloquial title informally bestowed upon the oldest member in point of service ([Art. I, sec. 5](#), cl. 2). It was borrowed originally from the House of Commons.

**Q. Why is a member of the House of Representatives referred to on the floor as "the gentleman from New York," for example, instead of by name?**

A. It is a custom in all large deliberative bodies to avoid the use of the personal name in debate or procedure. The original purpose of this was to avoid any possible breach of decorum and to separate the political from the personal character of each member ([Art. I, sec. 6](#), cl. 1).

**Q. Do members of Congress get extra compensation for their work on committees?**

A. No. ([Art. I, sec. 6](#), cl. 1).

**Q. Could members of the President's Cabinet be permitted to sit in Congress without amending the Constitution?**

A. No. A national officeholder cannot at the same time be a member of either House of Congress ([Art. 1, sec. 6](#), cl. 2).

**Q. Must all revenue and appropriation bills originate in the House of Representatives?**

A. The Constitution provides that all bills for raising revenue shall originate in the House of Representatives. It is customary for appropriation bills to originate there also ([Art. I, sec. 7](#), cl. 1).

**Q. What is meant by the word *veto*, in the President's powers?**

A. The word is from the Latin and means "I forbid." The President is authorized by the Constitution to refuse his assent to a bill presented by Congress if for any reason he disapproves of it. Congress may, however, pass the act over his veto but it must be by a two-thirds majority in both houses. If Congress adjourns before the end of the 10 days, the President can prevent the enactment of the bill by merely not signing it. This is called a pocket veto. ([Art. I, sec. 7](#), cl. 2).

**Q. If, after a bill has passed both houses of Congress and gone to the President, Congress desires to recall it, can this be done?**

A. A bill which has reached the President may be recalled only by concurrent resolution. The form used is as follows: Resolved, by the House of Representatives (the Senate concurring), That the President be requested to return to the House of Representatives the bill . . . (title). After the concurrent resolution passes both houses it is formally transmitted to the President. The latter might, however, have already signed it, in which case it would have become a law and would have to be repealed in regular fashion ([Art. I, sec. 7](#), cl. 2).

**Q. What is the difference between a joint and a concurrent resolution of Congress?**

A. A joint resolution has the same force as an act, and must be signed by the President or passed over his veto. A concurrent resolution is not a law, but only a measure on which the two Houses unite for a purpose concerned with their organization and procedure, or expressions of facts, principles, opinions, and purposes, "matters peculiarly within the province of Congress alone," and not embracing "legislative provisions proper" ([Art. 1, sec. 7](#), cl. 3).

**Q. Which is the longest term of office in the government, aside from judges?**

A. The Comptroller General of the United States and the Assistant Comptroller General have the longest tenure. They hold office for fifteen years ([Art. I, sec. 8](#), cl. 18; [sec. 9](#), cl. 7; [Art. II, sec. 2](#), cl. 2).

**Q. What is the term of office of Treasurer of the United States?**

A. The Treasurer is appointed by the President of the United States, and no length of term of office is specified ([Art. I, sec. 8](#), cl. 18; [sec. 9](#), cl. 7; [Art. II, sec. 2](#), cl. 2).

**Q. Does the Constitution provide for the formation of a Cabinet?**

A. No. The Constitution vests the executive power in the President. Executive departments were created by successive acts of Congress under authority conferred by the Constitution in [Art. I, sec. 8](#), cl. 18. The Departments of State, Treasury, and War were created by the first session of the First Congress. The Secretaries of these, together with the Attorney General, formed the first President's Cabinet. The Cabinet, it should be distinctly understood, is merely an advisory body whose members hold office only during the pleasure of the President. It has no constitutional function as a Cabinet, and the word does not appear in an act of Congress until February 26, 1907 ([Art. I, sec. 8](#), cl. 18; [Art. II, sec. 1](#), cl. 1, [sec. 2](#), cl. 1).

**Q. How many methods of electing the President of the United States were considered by the Constitutional Convention?**

A. Five. These were by the Congress; by the people; by State legislatures; by State executives; and by electors. Various methods of appointing the electors were proposed: by popular vote, by lottery from members of Congress, by State legislatures, and by State executives; and the matter was finally compromised by leaving the method to each State legislature. The meeting of the electors in one body was also proposed; and at first the final choice, in case election by electors failed, was given to the Senate, but later, after choice by Congress had been defeated, it was transferred to the House, voting by States.

**Q. Who appoints the Chief Justice of the United States and for how long a term?**

A. The Chief Justice of the United States and the Associate Justices are appointed for life (during good behavior) by the President of the United States, "by and with the Advice and Consent of the Senate," ([Art. II, sec. 2](#), cl. 2; [Art. III, sec. 1](#)).

**Q. By what authority may the President of the United States call an extra session of Congress?**

A. The Constitution provides for this. [Art. II, sec. 3](#), says: ". . . he may, on extraordinary Occasions, convene both Houses, or either of them, . . ."

**Q. Can the Secretary of State take action with respect to recognizing a government without the consent of Congress?**

A. The Secretary of State, on behalf of the President, may accord recognition without recourse to Congress ([Art. II, sec. 3](#)).

**Q. Under the new government how was the national judiciary organized?**

A. The First Congress passed many notable acts which endured many years as laws. One of the most worthy of these was that organizing the national judiciary, September 24, 1789. The bill was drawn up with extraordinary ability by Senator Oliver Ellsworth, of Connecticut, who had been a deputy to the Constitutional Convention, and who was to become Chief Justice of the United States. The Constitution prescribes a Supreme Court, but left its make-up and provision for other courts to Congress. The Supreme Court was organized with a Chief Justice and five Associates; a district court was provided for each State; and the Supreme Court Justices sat with the district judges in circuit courts. The jurisdiction of the three grades of the judiciary was fixed, and officers--clerks, marshals, and district attorneys--authorized. The Attorney General, also provided for in the act, was for many years little more than the President's legal adviser. Under this law President Washington appointed John Jay, of New York, Chief Justice, and the judiciary was organized on February 2, 1790.

**Q. What are the correct style and titles of the Supreme Court of the United States and its members?**

A. The correct title for the Supreme Court is "The Supreme Court of the United States"; for the members, one speaks of a Justice, or Associate Justice, of the Supreme Court of the United States, but always of the head of the court as "The Chief Justice of the United States" ([Art. III, sec. 1](#)).

**Q. What has been the number of Justices of the Supreme Court of the United States?**

A. The Chief Justice is mentioned in the Constitution but the number of Justices is not specified. The act of September 24, 1789, provided for a Chief Justice and five Associates; that of February 24, 1807, made the Associates six; that of March 3, 1837, eight; and that of March 3, 1863, nine. But on July 23, 1866, a law directed that no appointments be made of Associate Justices until the number of them should be only six. This was to prevent President Johnson from making appointments; but the act of April 10, 1869, restored the number to eight. There were only six at the time that President Grant made the first restorative appointments.

**Q. It is frequently asserted that the Supreme Court nullifies an act of Congress. Is this correct?**

A. No. The Court has repeatedly declared that it claims no such power. All it does--all it can do--is to examine a law when a suit is brought before it. If the law in question is in accordance with the Constitution, in the opinion of the Supreme Court, the law stands. If the law goes beyond powers granted by the Constitution, then it is no law, and the Supreme Court merely states that fact ([Art. III, sec. 2](#), cl. 1; [Art. VI](#), cl. 2).

**Q. In which decision did the Supreme Court first formally assert its authority contrary to an act of Congress?**

A. In the famous case of *Marbury v. Madison* (1803). This was not the first case in which the authority of an act of Congress was questioned in a case before the court. In *Hylton v. United States*, 1796, the court upheld the constitutionality of a national tax on carriages as an excise that did not have to be apportioned. Also Justices in the circuit court had, as early as 1792, refused to act as commissioners under an act of Congress, considering the law unconstitutional.

**Q. What is treason against the United States ?**

A. Treason against the United States consists in levying war against them, or in adhering to their enemies, giving the latter aid and comfort. No person can be convicted of treason except upon the testimony of two witnesses to the same overt act or on confession in open court ([Art. III, sec. 3](#), cl. 1).

**Q. What right has a Territorial Delegate in Congress ?**

A. A Territorial Delegate sits in the House of Representatives from each organized territory. Delegates may be appointed to committees and have the right to speak on any subject, but not to vote ([Art. IV, sec. 3](#), cl. 2).

**Q. Is a constitutional amendment submitted to the President ?**

A. No. A resolution proposing an amendment to the Constitution, after having passed both houses of Congress by a two-thirds vote, does not go to the President for his signature. It is sent to the States to be ratified either by their legislatures or by conventions, as Congress shall determine ([Art. V](#)). The Supreme Court as early as 1798 declared the approval was not requisite (*Hollingsworth v. Virginia*, 3 Dallas 378).

**Q. What constitutes the supreme law of the land ?**

A. Art. VI, cl. 2 of the Constitution says: "This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding."

**Q. When referring to various States in the Union, is the term "sovereign States" correct ?**

A. No. A sovereign is that person or State which recognizes no superior. The States of the Union have a superior--the Constitution of the United States, which is "the supreme Law of the Land . . . any Thing in the Constitution or Laws of any State to the Contrary notwithstanding" ([Art. VI](#), cl. 2).

**Q. Is there a clause in the Constitution prohibiting members of certain religious denominations from becoming President of the United States ?**

A. No. [Art. VI, cl. 3](#) of the Constitution provides that "no religious Test shall ever be required as a Qualification to any Office of public Trust under the United States."

**Q. Should the amendments be called articles ?**

A. The amendments proposed by the first Congress were sent out as "Articles in addition to, and Amendment of the Constitution of the United States of America," and the term "article" is used in self-application in all the amendments since the Twelfth, except the Seventeenth, which uses the term "amendment." This would seem to give official sanction to calling the amendments "articles," but as it causes some confusion, they are better placed by the use of "amendment" only, with the proper number.

**Q. In the first session of the First Congress how many proposed amendments were considered ?**

A. All of the amendments proposed by the State conventions were considered, but only approximately 90 separate amendments were formally introduced. Professor Ames lists 312 through the First Congress, which includes the 124 proposed by the States and all reports and amendments to those proposed, in Congress.

**Q. Who proposed the creation of the first executive departments and the first amendments to the Constitution ?**

A. James Madison, of Virginia, proposed the resolutions for the formation of the first executive departments and the series of twelve amendments to the Constitution of which ten were finally ratified by the States.

**Q. What constitutes the [Bill of Rights](#) ?**

A. The first ten amendments to the Constitution.

**Q. It is said that when the first amendments to the Constitution were submitted, there were twelve, of which ten were adopted. What were the other two about ?**

A. The two amendments of the twelve submitted as the Bill of Rights which were rejected were the one which related to the apportionment of Representatives in Congress and the one fixing the compensation of members of Congress. (Note: The rejected second amendment was ratified on May 7, 1992 as the 27th amendment.)

**Q. Do the first ten amendments bind the States ?**

A. No. They restrict the powers of the national government. They do not bind the States; but various of their restrictions have been applied to the States by the [Fourteenth Amendment](#).

**Q. Does not the Constitution give us our rights and liberties ?**

A. No, it does not, it only guarantees them. The people had all their rights and liberties before they made the

Constitution. The Constitution was formed, among other purposes, to make the people's liberties *secure*-- secure not only as against foreign attack but against oppression by their own government. They set specific limits upon their national government and upon the States, and reserved to themselves all powers that they did not grant. The [Ninth Amendment](#) declares: "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people."

**Q. What protection is given to a person accused of crime under the jurisdiction of the United States?**

A. The [Fifth Amendment](#) declares that no person, except one serving in the land or naval forces or the militia in time of war or public danger, can be held to answer for a capital or other infamous crime unless on a presentment or indictment of a grand jury. No person can be twice put in jeopardy of life or limb for the same offense. No one in a criminal case can be compelled to be a witness against himself, or be deprived of life, liberty, or property without due process of law. Private property cannot be taken for public use without just compensation. By the Eighth Amendment excessive bail and fines and cruel and unusual punishments are prohibited. The original Constitution forbids ex post facto laws and bills of attainder, limits the punishment for treason, protects the right to a writ of habeas corpus, and secures trial by jury.

**Q. Is the right to speedy trial guaranteed?**

A. Yes. The [Sixth Amendment](#) expressly states that in all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury within the district of the crime, and to be informed of the nature and cause of the accusation. He is entitled to be confronted with the witnesses against him, to be allowed to compel the attendance of witnesses in his favor, and to have the assistance of counsel for his defense.

**Q. Is the right of trial by jury in civil cases also assured?**

A. Yes. [Amendment Seven](#) preserves the right of trial by jury in suits of common law involving the value of more than twenty dollars.

**Q. What has been the longest period during which no amendment has been added to the Constitution?**

A. Sixty-one years, from 1804 to 1865. This period elapsed between the Twelfth and Thirteenth Amendments.

**Q. How long did it take the States to ratify the income tax amendment?**

A. The [Sixteenth Amendment](#) was proposed to the States on July 12, 1909, deposited with the Secretary of State on July 21, ratified by the thirty-sixth state on February 3, 1913, and, declared ratified on February 25, 1913.

**Q. It has been stated that the Prohibition Amendment was the first instance of incorporating a statute in the Constitution. Is this so?**

A. No. Those portions of the Constitution which specifically dealt with slavery and the slave trade ([Art. I, sec. 9](#), cl. 1; [Art. IV, sec. 2](#), cl. 3) were both of this character. They were made obsolete by time limit in one case and the Civil War in the other.

**Q. How many amendments to the Constitution have been repealed?**

A. Only one -- the [Eighteenth](#) (Prohibition).

**Q. How is an amendment repealed?**

A. By adding another amendment.

**Q. If the Eighteenth Amendment is repealed, why is it necessary to call the new one repealing it the Twenty-first?**

A. The [Eighteenth Amendment](#) will indeed remain in the Constitution, but a notation will be added to the effect that it is repealed by the [Twenty-first](#).

**Q. What is the [Twentieth Amendment](#) and when was it adopted?**

A. This is the so-called "Lame Duck" Amendment, which changes the time for the beginning of the terms of the President, Vice President, and the members of Congress. The term of the President and Vice President begins on January 20, and that of members of Congress on January 3. It was adopted upon the ratification by the thirty-sixth State, January 23, 1933, and certified in effect on February 6.

**Q. Why was a constitutional amendment necessary to change the date of the beginning of the terms of President, Vice President, and members of Congress?**

A. The Constitution fixes the terms of President and, Vice President at four years, of Senators at six years, and of Representatives at two years. Any change of date would affect the terms of the incumbents. It was therefore necessary to amend the Constitution to make the change.



**Q. If the President-elect dies, who becomes President at the beginning of the term for which he was elected?**

A. The [Twentieth Amendment](#) provides that in this case the Vice President-elect shall become President.

**Q. Does the Twentieth Amendment do away with the Electoral College?**

A. It does not.

**Q. It takes how many States to block an amendment?**

A. Thirteen, without respect to population or importance; but while approval is considered final, rejection is not while within the time limit, if one is prescribed by the amendment.

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Note: The preceding was excerpted from *The Story of the Constitution* by Sol Bloom, Washington, DC : National Archives and Record Administration, 1986, c1937.

Information no longer current has been omitted.

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March 13, 2011

### The Constitution: Amendments 11-27

Constitutional Amendments 1-10 make up what is known as [The Bill of Rights](#). Amendments 11-27 are listed below.

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#### AMENDMENT XI

*Passed by Congress March 4, 1794. Ratified February 7, 1795.*

**Note:** Article III, section 2, of the Constitution was modified by amendment 11.

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.

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#### AMENDMENT XII

*Passed by Congress December 9, 1803. Ratified June 15, 1804.*

**Note:** A portion of Article II, section 1 of the Constitution was superseded by the 12th amendment.

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 case of the death or other constitutional disability of the President. --]\* The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

*\* Superseded by section 3 of the 20th amendment.*

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#### AMENDMENT XIII

*Passed by Congress January 31, 1865. Ratified December 6, 1865.*

**Note:** A portion of Article IV, section 2, of the Constitution was superseded by the 13th amendment.

##### Section 1.

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

##### Section 2.

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

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## AMENDMENT XIV

*Passed by Congress June 13, 1866. Ratified July 9, 1868.*

**Note:** Article I, section 2, of the Constitution was modified by section 2 of the 14th amendment.

### Section 1.

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

### Section 2.

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

### Section 3.

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

### Section 4.

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

### Section 5.

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

*\* Changed by section 1 of the 26th amendment.*

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## AMENDMENT XV

*Passed by Congress February 26, 1869. Ratified February 3, 1870.*

### Section 1.

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

### Section 2.

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

---

## AMENDMENT XVI

*Passed by Congress July 2, 1909. Ratified February 3, 1913.*

**Note:** Article I, section 9, of the Constitution was modified by amendment 16.

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

---

## AMENDMENT XVII

*Passed by Congress May 13, 1912. Ratified April 8, 1913.*

**Note:** Article I, section 3, of the Constitution was modified by the 17th amendment.

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

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

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

---

## AMENDMENT XVIII

*Passed by Congress December 18, 1917. Ratified January 16, 1919. Repealed by amendment 21.*

### Section 1.

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

### Section 2.

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

### Section 3.

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

---

## AMENDMENT XIX

*Passed by Congress June 4, 1919. Ratified August 18, 1920.*

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

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

---

## AMENDMENT XX

*Passed by Congress March 2, 1932. Ratified January 23, 1933.*

**Note:** Article I, section 4, of the Constitution was modified by section 2 of this amendment. In addition, a portion of the 12th amendment was superseded by section 3.

### Section 1.

The terms of the President and the Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

**Section 2.**

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

**Section 3.**

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

**Section 4.**

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

**Section 5.**

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

**Section 6.**

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

---

**AMENDMENT XXI**

*Passed by Congress February 20, 1933. Ratified December 5, 1933.*

**Section 1.**

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

**Section 2.**

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

**Section 3.**

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

---

**AMENDMENT XXII**

*Passed by Congress March 21, 1947. Ratified February 27, 1951.*

**Section 1.**

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

**Section 2.**

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

---

## **AMENDMENT XXIII**

*Passed by Congress June 16, 1960. Ratified March 29, 1961.*

### **Section 1.**

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

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

### **Section 2.**

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

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## **AMENDMENT XXIV**

*Passed by Congress August 27, 1962. Ratified January 23, 1964.*

### **Section 1.**

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

### **Section 2.**

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

---

## **AMENDMENT XXV**

*Passed by Congress July 6, 1965. Ratified February 10, 1967.*

**Note:** Article II, section 1, of the Constitution was affected by the 25th amendment.

### **Section 1.**

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

### **Section 2.**

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

### **Section 3.**

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

### **Section 4.**

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

Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue,

assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.

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## **AMENDMENT XXVI**

*Passed by Congress March 23, 1971. Ratified July 1, 1971.*

**Note:** Amendment 14, section 2, of the Constitution was modified by section 1 of the 26th amendment.

### **Section 1.**

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

### **Section 2.**

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

---

## **AMENDMENT XXVII**

*Originally proposed [Sept. 25, 1789](#). Ratified May 7, 1992.*

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

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# THE CHARTERS OF FREEDOM

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## the *Charters of Freedom* "A NEW WORLD IS AT HAND"



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## *Constitution of the United States*

### AMENDMENT XIX

#### The 19th Amendment

[printer-friendly version](#)

August 1995 marked the 75th anniversary of the ratification of the 19th amendment to the Constitution. The amendment guarantees all American women the right to vote. Achieving this milestone required a lengthy and difficult struggle; victory took decades of agitation and protest. Beginning in the mid-19th century, several generations of woman suffrage supporters lectured, wrote, marched, lobbied, and practiced civil disobedience to achieve what many Americans considered a radical change of the Constitution. Few early supporters lived to see final victory in 1920.



# Sixty-sixth Congress of the United States of America;

At the First Session,

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

## JOINT RESOLUTION

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

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

“ARTICLE ————.

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

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

*F. H. Gillett*

*Speaker of the House of Representatives.*

*Thos. R. Marshall*

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

### House Joint Resolution 1 proposing the 19th amendment to the states

Between 1878, when the amendment was first introduced in Congress, and August 18, 1920, when it was ratified, champions of voting rights for women worked tirelessly, but strategies for achieving their goal varied. Some pursued a strategy of passing suffrage acts in each state--nine western states adopted woman suffrage legislation by 1912. Others challenged male-only voting laws in the courts. Militant suffragists used tactics such as parades, silent vigils, and hunger strikes. Often supporters met fierce resistance. Opponents heckled, jailed, and sometimes physically abused them.



Suffrage Parade, New York City, ca. 1912 (208-PR-14M-1)

By 1916, however, almost all of the major suffrage organizations were united behind the goal of a constitutional amendment. When New York adopted woman suffrage in 1917 and when President Woodrow Wilson changed his position to support an amendment in 1918, the political balance began to shift in favor of the vote for women. On May

21, 1919, the House of Representatives passed the amendment, and 2 weeks later, the Senate followed. When Tennessee became the 36th state to ratify the amendment on August 18, 1920, the amendment passed its final hurdle of obtaining the agreement of three-fourths of the states. Secretary of State Bainbridge Colby certified the ratification on August 26, 1920, and the face of the American electorate changed forever.



During World War I, militant suffragists, demanding that President Wilson reverse his opposition to a federal amendment, stood vigil at the White House and carried banners such as this one comparing the President to Kaiser Wilhelm II of Germany. In the heated patriotic climate of wartime, such tactics met with hostility and sometimes violence and arrest. (165-WW-600A-5)

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# THE CHARTERS OF FREEDOM

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## the Charters of Freedom "A NEW WORLD IS AT HAND"

MAKING OF THE CHARTERS



IMPACT OF THE CHARTERS



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## Constitution of the United States

### AMENDMENT XXVII

#### Notes on The 27th Amendment

[printer-friendly version](#)

The date of September 25, 1789, is correct. The amendment was initially ratified by 6 states (MD, NC, SC, DE, VT, VA), and the other 8 states excluded, omitted, rejected, or excepted it. The amendment was ratified by various states over time, and in 1992 was fully ratified as an amendment to the Constitution.

For more information see: United States. The Constitution of the United States of America : with a summary of the actions by the states in ratification thereof ; to which is appended, for its historical interest, the Constitution of the Confederate States of America / prepared and distributed by the Virginia on Constitutional Government. Richmond : Virginia Commission on Constitutional Government, 1961. 94 p.

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# THE U.S. NATIONAL ARCHIVES & RECORDS ADMINISTRATION

[www.archives.gov](http://www.archives.gov)

March 13, 2011

## The Bill of Rights: A Transcription

The Preamble to The Bill of Rights

### **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."

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### **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.

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### **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.

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### **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.

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### **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.

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### **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.

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### **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.

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### **Amendment VIII**

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

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### **Amendment IX**

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

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### **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.

### **[Amendments 11-27](#)**

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**Note:** The capitalization and punctuation in this version is from the enrolled original of the Joint Resolution of Congress proposing the [Bill of Rights](#), which is on [permanent display in the Rotunda of the National Archives Building](#), Washington, D.C.

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# THE U.S. NATIONAL ARCHIVES & RECORDS ADMINISTRATION

[www.archives.gov](http://www.archives.gov)

March 13, 2011

## The Founding Fathers: A Brief Overview

The 55 delegates who attended the Constitutional Convention were a distinguished body of men who represented a cross section of 18th-century American leadership. Almost all of them were well-educated men of means who were dominant in their communities and states, and many were also prominent in national affairs. Virtually every one had taken part in the Revolution; at least 29 had served in the Continental forces, most of them in positions of command.

### Political Experience

The group, as a whole, had extensive political experience. At the time of the convention, four-fifths, or 41 individuals, were or had been members of the Continental Congress. Mifflin and Gorham had served as president of the body. The only ones who lacked congressional experience were Bassett, Blair, Brearly, Broom, Davie, Dayton, Alexander Martin, Luther Martin, Mason, McClurg, Paterson, Charles Cotesworth Pinckney, Strong, and Yates. Eight men (Clymer, Franklin, Gerry, Robert Morris, Read, Sherman, Wilson, and Wythe) had signed the Declaration of Independence. Six (Carroll, Dickinson, Gerry, Gouverneur Morris, Robert Morris, and Sherman) had affixed their signatures to the Articles of Confederation. But only two, Sherman and Robert Morris, underwrote all three of the nation's basic documents. Practically all of the 55 delegates had experience in colonial and state government. Dickinson, Franklin, Langdon, Livingston, Alexander Martin, Randolph, Read, and Rutledge had been governors, and the majority had held county and local offices.

### Occupations

The delegates practiced a wide range of occupations, and many men pursued more than one career simultaneously. Thirty-five were lawyers or had benefited from legal training, though not all of them relied on the profession for a livelihood. Some had also become judges.

At the time of the convention, 13 individuals were businessmen, merchants, or shippers: Blount, Broom, Clymer, Dayton, Fitzsimons, Gerry, Gilman, Gorham, Langdon, Robert Morris, Pierce, Sherman, and Wilson. Six were major land speculators: Blount, Dayton, Fitzsimons, Gorham, Robert Morris, and Wilson. Eleven speculated in securities on a large scale: Bedford, Blair, Clymer, Dayton, Fitzsimons, Franklin, King, Langdon, Robert Morris, Charles Cotesworth Pinckney, and Sherman. Twelve owned or managed slave-operated plantations or large farms: Bassett, Blair, Blount, Butler, Carroll, Jenifer, Mason, Charles Pinckney, Charles Cotesworth Pinckney, Rutledge, Spaight, and Washington. Madison also owned slaves. Broom and Few were small farmers.

Nine of the men received a substantial part of their income from public office: Baldwin, Blair, Brearly, Gilman, Jenifer, Livingston, Madison, and Rutledge. Three had retired from active economic endeavors: Franklin, McHenry, and Mifflin. Franklin and Williamson were scientists, in addition to their other activities. McClurg, McHenry, and Williamson were physicians, and Johnson was a university president. Baldwin had been a minister, and Williamson, Madison, Ellsworth, and possibly others had studied theology but had never been ordained.

A few of the delegates were wealthy. Washington and Robert Morris ranked among the nation's most prosperous men. Carroll, Houston, Jenifer, and Mifflin were also extremely well-to-do. Most of the others had financial resources that ranged from good to excellent. Among those with the most straitened circumstances were Baldwin, Brearly, Broom, Few, Madison, Paterson, and Sherman, though they all managed to live comfortably.

A considerable number of the men were born into leading families: Blair, Butler, Carroll, Houston, Ingersoll, Jenifer, Johnson, Livingston, Mifflin, Gouverneur Morris, both Pinckneys, Randolph, Rutledge, Washington, and Wythe. Others were self-made men who had risen from humble beginnings: Few, Franklin, Gorham, Hamilton, and Sherman.

### Geographic and Educational Background

Most of the delegates were natives of the 13 colonies. Only eight were born elsewhere: four (Butler, Fitzsimons, McHenry, and Paterson) in Ireland, two (Davie and Robert Morris) in England, one (Wilson) in Scotland, and one (Hamilton) in the West Indies. Reflecting the mobility that has always characterized American life, many of them had moved from one state to another. Sixteen individuals had already lived or worked in more than one

state or colony: Baldwin, Bassett, Bedford, Dickinson, Few, Franklin, Ingersoll, Livingston, Alexander Martin, Luther Martin, Mercer, Gouverneur Morris, Robert Morris, Read, Sherman, and Williamson. Several others had studied or traveled abroad.

The educational background of the Founding Fathers was diverse. Some, like Franklin, were largely self-taught and had received scant formal training. Others had obtained instruction from private tutors or at academies. About half of the individuals had attended or graduated from college in the British North American colonies or abroad. Some men held advanced and honorary degrees. For the most part, the delegates were a well-educated group.

### **Longevity and Family Life**

For their era, the delegates to the convention (like the signers of the Declaration of Independence) were remarkably long-lived. Their average age at death was almost 67. Johnson reached the age of 92, and Few, Franklin, Madison, Williamson, and Wythe lived into their eighties. Fifteen or sixteen (depending on Fitzsimon's exact age) passed away in their eighth decade, and 20 or 21 in their sixties. Eight lived into their fifties; five lived only into their forties, and two of them (Hamilton and Spaight) were killed in duels. The first to die was Houston in 1788; the last, Madison in 1836.

Most of the delegates married and raised children. Sherman fathered the largest family, 15 children by 2 wives. At least nine (Bassett, Brearly, Johnson, Mason, Paterson, Charles Cotesworth, Pinckney, Sherman, Wilson, and Wythe) married more than once. Four (Baldwin, Gilman, Jenifer, and Alexander Martin) were lifelong bachelors. In terms of religious affiliation, the men mirrored the overwhelmingly Protestant character of American religious life at the time and were members of various denominations. Only two, Carroll and Fitzsimons, were Roman Catholics.

### **Post-Convention Careers**

The delegates' subsequent careers reflected their abilities as well as the vagaries of fate. Most were successful, although seven (Fitzsimons, Gorham, Luther Martin, Mifflin, Robert Morris, Pierce, and Wilson) suffered serious financial reverses that left them in or near bankruptcy. Two, Blount and Dayton, were involved in possibly treasonous activities. Yet, as they had done before the convention, most of the group continued to render outstanding public service, particularly to the new government they had helped to create.

Washington and Madison became President of the United States, and King and Charles Cotesworth Pinckney were nominated as candidates for the office. Gerry served as Madison's Vice President. Hamilton, McHenry, Madison, and Randolph attained Cabinet posts. Nineteen men became U.S. senators: Baldwin, Bassett, Blount, Butler, Dayton, Ellsworth, Few, Gilman, Johnson, King, Langdon, Alexander Martin, Gouverneur Morris, Robert Morris, Paterson, Charles Pinckney, Read, Sherman, and Strong. Thirteen served in the House of Representatives: Baldwin, Carroll, Clymer, Dayton, Fitzsimons, Gerry, Gilman, Madison, Mercer, Charles Pinckney, Sherman, Spaight, and Williamson. Of these, Dayton served as Speaker. Four men (Bassett, Bedford, Brearly, and Few) served as federal judges, four more (Blair, Paterson, Rutledge, and Wilson) as Associate Justices of the Supreme Court. Rutledge and Ellsworth also held the position of Chief Justice. Seven others (Davie, Ellsworth, Gerry, King, Gouverneur Morris, Charles Pinckney, and Charles Cotesworth Pinckney) were named to diplomatic missions for the nation.

Many delegates held important state positions, including governor (Blount, Davie, Franklin, Gerry, Langdon, Livingston, Alexander Martin, Mifflin, Paterson, Charles Pinckney, Spaight, and Strong) and legislator. And most of the delegates contributed in many ways to the cultural life of their cities, communities, and states. Not surprisingly, many of their sons and other descendants were to occupy high positions in American political and intellectual life.

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# THE U.S. NATIONAL ARCHIVES & RECORDS ADMINISTRATION

[www.archives.gov](http://www.archives.gov)

March 13, 2011

## The Founding Fathers: Connecticut

### Oliver Ellsworth, Connecticut



Oliver Ellsworth was born on April 29, 1745, in Windsor, CT, to Capt. David and Jemima Ellsworth. He entered Yale in 1762 but transferred to the College of New Jersey (later Princeton) at the end of his second year. He continued to study theology and received his A.B. degree after 2 years. Soon afterward, however, Ellsworth turned to the law. After 4 years of study, he was admitted to the bar in 1771. The next year Ellsworth married Abigail Wolcott.

From a slow start Ellsworth built up a prosperous law practice. His reputation as an able and industrious jurist grew, and in 1777 Ellsworth became Connecticut's state attorney for Hartford County. That same year he was chosen as one of Connecticut's representatives in the Continental Congress. He served on various committees during six annual terms until 1783. Ellsworth was also active in his state's efforts during the Revolution. As a member of the Committee of the Pay Table, Oliver Ellsworth was one of the five men who supervised Connecticut's war expenditures. In 1779 he assumed greater duties as a member of the council of safety, which, with the governor, controlled all military measures for the state.

When the Constitutional Convention met in Philadelphia in 1787 Ellsworth once again represented Connecticut and took an active part in the proceedings. During debate on the Great Compromise, Ellsworth proposed that the basis of representation in the legislative branch remain by state, as under the Articles of Confederation. He also left his mark through an amendment to change the word "national" to "United States" in a resolution. Thereafter, "United States" was the title used in the convention to designate the government.

Ellsworth also served on the Committee of Five that prepared the first draft of the Constitution. Ellsworth favored the three-fifths compromise on the enumeration of slaves but opposed the abolition of the foreign slave trade. Though he left the convention near the end of August and did not sign the final document, he urged its adoption upon his return to Connecticut and wrote the Letters of a Landholder to promote its ratification.

Ellsworth served as one of Connecticut's first two senators in the new federal government between 1789 and 1796. In the Senate he chaired the committee that framed the bill organizing the federal judiciary and helped to work out the practical details necessary to run a new government. Ellsworth's other achievements in Congress included framing the measure that admitted North Carolina to the Union, devising the non-intercourse act that forced Rhode Island to join, drawing up the bill to regulate the consular service, and serving on the committee that considered Alexander Hamilton's plan for funding the national debt and for incorporating the Bank of the United States.

In the spring of 1796 he was appointed Chief Justice of the Supreme Court and also served as commissioner to France in 1799 and 1800. Upon his return to America in early 1801, Ellsworth retired from public life and lived in Windsor, CT. He died there on November 26, 1807, and was buried in the cemetery of the First Church of Windsor.

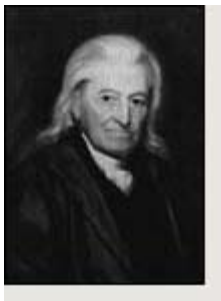
*Image: Courtesy of Independence National Historical Park*

### William Samuel Johnson, Connecticut

William Samuel Johnson was the son of Samuel Johnson, the first president of King's College (later Columbia College and University). William was born at Stratford, CT, in 1727. His father, who was a well-known Anglican clergyman-philosopher, prepared him for college and he graduated from Yale in 1744. About 3 years later he won a master of arts degree from the same institution and an honorary master's from Harvard.

Resisting his father's wish that he become a minister, Johnson embraced law instead--largely by educating himself and without benefit of formal training. After admittance to the bar, he launched a practice in Stratford, representing clients from nearby New York State





as well as Connecticut, and before long he established business connections with various mercantile houses in New York City. In 1749, adding to his already substantial wealth, he married Anne Beach, daughter of a local businessman. The couple was to have five daughters and six sons, but many of them died at an early age.

Johnson did not shirk the civic responsibilities of one of his station. In the 1750s he began his public career as a Connecticut militia officer. In 1761 and 1765 he served in the lower house of the colonial assembly. In 1766 and 1771 he was elected to the upper house. At the time of the Revolution, Johnson was disturbed by conflicting loyalties. Although he attended the Stamp Act Congress in 1765, moderately opposed the Townshend Duties of 1767, and believed that most British policies were unwise, he retained strong transatlantic ties and found it difficult to choose sides. Many of his friends resided in Britain; in 1765 and 1766 Oxford University conferred honorary master's and doctor's degrees upon him; he had a strong association with the Anglican Church; he acted as Connecticut's agent in Britain during the years 1767-71; and he was friendly with men such as Jared Ingersoll, Sr., who were affiliated with the British administration.

Johnson finally decided to work for peace between Britain and the colonies and to oppose the extremist Whig faction. On that basis, he refused to participate in the First Continental Congress, to which he was elected in 1774, following service as a judge of the Connecticut colonial supreme court (1772-74). When hostilities broke out, he confined his activities to peacemaking efforts. In April 1775 Connecticut sent him and another emissary to speak to British Gen. Thomas Gage about ending the bloodshed. But the time was not ripe for negotiations and they failed. Johnson fell out of favor with radical patriot elements who gained the ascendancy in Connecticut government and they no longer called upon his service. Although he was arrested in 1779 on charges of communicating with the enemy, he cleared himself and was released.

Once the passions of war had ebbed, Johnson resumed his political career. In the Continental Congress (1785-87), he was one of the most influential and popular delegates. Playing a major role in the Constitutional Convention, he missed no sessions after arriving on June 2; espoused the Connecticut Compromise; and chaired the Committee of Style, which shaped the final document. He also worked for ratification in Connecticut.

Johnson took part in the new government, in the U.S. Senate where he contributed to passage of the Judiciary Act of 1789. In 1791, the year after the government moved from New York to Philadelphia, he resigned mainly because he preferred to devote all his energies to the presidency of Columbia College (1787-1800), in New York City. During these years, he established the school on a firm basis and recruited a fine faculty.

Johnson retired from the college in 1800, a few years after his wife died, and in the same year wed Mary Brewster Beach, a relative of his first bride. They resided at his birthplace, Stratford. He died there in 1819 at the age of 92 and was buried at Old Episcopal Cemetery.

*Image: Courtesy of The National Portrait Gallery, Smithsonian Institution*

## Roger Sherman, Connecticut



In 1723, when Sherman was 2 years of age, his family relocated from his Newton, MA, birthplace to Dorchester (present Stoughton). As a boy, he was spurred by a desire to learn and read widely in his spare time to supplement his minimal education at a common school. But he spent most of his waking hours helping his father with farming chores and learning the cobbler's trade from him. In 1743, 2 years after his father's death, Sherman joined an elder brother who had settled in New Milford, CT.

Purchasing a store, becoming a county surveyor, and winning a variety of town offices, Sherman prospered and assumed leadership in the community. In 1749 he married Elizabeth Hartwell, by whom he had seven children. Without benefit of a formal legal

education, he was admitted to the bar in 1754 and embarked upon a distinguished judicial and political career. In the period 1755-61, except for a brief interval, he served as a representative in the colonial legislature and held the offices of justice of the peace and county judge. Somehow he also eked out time to publish an essay on monetary theory and a series of almanacs incorporating his own astronomical observations and verse.

In 1761, Sherman abandoned his law practice, and moved to New Haven, CT. There, he managed two stores, one that catered to Yale students, and another in nearby Wallingford. He also became a friend and benefactor of Yale College, and served for many years as its treasurer. In 1763, or 3 years after the death of his first wife, he wed Rebecca Prescott, who bore eight children.

Meanwhile, Sherman's political career had blossomed. He rose from justice of the peace and county judge to an associate judge of the Connecticut Superior Court and to representative in both houses of the colonial assembly. Although opposed to extremism, he promptly joined the fight against Britain. He supported nonimportation measures and headed the New Haven committee of correspondence.

Sherman was a longtime and influential member of the Continental Congress (1774-81 and 1783-84). He won membership on the committees that drafted the Declaration of Independence and the Articles of Confederation, as well as those concerned with Indian affairs, national finances, and military matters. To solve economic problems, at both national and state levels, he advocated high taxes rather than excessive borrowing or the issuance of paper currency.

While in Congress, Sherman remained active in state and local politics, continuing to hold the office of judge of the Connecticut Superior Court, as well as membership on the council of safety (1777-79). In 1783 he helped codify Connecticut's statutory laws. The next year, he was elected mayor of New Haven (1784-86).

Although on the edge of insolvency, mainly because of wartime losses, Sherman could not resist the lure of national service. In 1787 he represented his state at the Constitutional Convention, and attended practically every session. Not only did he sit on the Committee on Postponed Matters, but he also probably helped draft the New Jersey Plan and was a prime mover behind the Connecticut, or Great, Compromise, which broke the deadlock between the large and small states over representation. He was, in addition, instrumental in Connecticut's ratification of the Constitution.

Sherman concluded his career by serving in the U.S. House of Representatives (1789-91) and Senate (1791-93), where he espoused the Federalist cause. He died at New Haven in 1793 at the age of 72 and is buried in the Grove Street Cemetery.

*Image: Courtesy of The National Portrait Gallery, Smithsonian Institution*

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## The Founding Fathers: Delaware

### Richard Bassett, Delaware



Bassett (Basset) was born in Cecil County, MD., in April 1745. After his tavern-keeper father deserted his mother, he was reared by a relative, Peter Lawson, from whom he later inherited Bohemia Manor (MD.) estate. He read for the law at Philadelphia and in 1770 received a license to practice in Dover, DE. He prospered as a lawyer and planter, and eventually came to own not only Bohemia Manor, but homes in Dover and Wilmington as well.

During the Revolution, Bassett captained a troop of Dover cavalry militia and served on the Delaware council of safety. Subsequently, he participated in Delaware's constitutional convention and sat in both the upper and lower houses of the legislature. In 1786 he represented his state in the Annapolis Convention.

At the U.S. Constitutional Convention the next year, Bassett attended diligently but made no speeches, served on no committees, and cast no critical votes. Like several other delegates of estimable reputation and talent, he allowed others to make the major steps.

Bassett subsequently went on to a bright career in the state and federal governments. In the Delaware ratifying convention, he joined in the 30-0 vote for the Constitution. Subsequently, in the years 1789-93, he served in the U.S. Senate. In that capacity, he voted in favor of the power of the President to remove governmental officers and against Hamilton's plan for the federal assumption of state debts.

From 1793 until 1799 Bassett held the chief justiceship of the court of common pleas. He espoused the Federalist cause in the 1790s, and served as a Presidential elector on behalf of John Adams in 1797. Two years later, Bassett was elected Governor of Delaware and continued in that post until 1801. That year, he became one of President Adams' "midnight" appointments as a judge of the U.S. Circuit Court. Subsequently, the Jeffersonian Republicans abolished his judgeship, and he spent the rest of his life in retirement.

Twice married, to Ann Ennals and a woman named Bruff, Bassett fathered several children. He was a devout Methodist, held religious meetings at Bohemia Manor, and supported the church financially. He died in 1815 at the age of 70 and is interred at the Wilmington and Brandywine Cemetery, Wilmington, DE.

*Image: Courtesy of The Baltimore Museum of Art*

### Gunning Bedford, Jr., Delaware



Bedford was born in 1747 at Philadelphia and reared there. The fifth of seven children, he was descended from a distinguished family that originally settled in Jamestown, VA. He usually referred to himself as Gunning Bedford, Jr., to avoid confusion with his cousin and contemporary Delaware statesman and soldier, Col. Gunning Bedford.

In 1771 signer Bedford graduated with honors from the College of New Jersey (later Princeton), where he was a classmate of James Madison. Apparently while still in school, Bedford wed Jane B. Parker, who bore at least one daughter. After reading law with Joseph Read in Philadelphia, Bedford won admittance to the bar and set up a practice. Subsequently, he moved to Dover and then to Wilmington. He apparently served in the Continental Army, possibly as an aide to General Washington.

Following the war, Bedford figured prominently in the politics of his state and nation. He sat in the legislature, on the state council, and in the Continental Congress (1783-85). In the latter year, he was chosen as a delegate to the Annapolis Convention but for some reason did not attend. From 1784 to 1789 he was attorney general of Delaware.

Bedford numbered among the more active members of the Constitutional Convention, and he missed few sessions. A large and forceful man, he spoke on several occasions and was a member of the committee that drafted the Great Compromise. An ardent small-state advocate, he attacked the pretensions of the large states over the small and warned that the latter might be forced to seek foreign alliances unless their interests were accommodated. He attended the Delaware ratifying convention.

For another 2 years, Bedford continued as Delaware's attorney general. In 1789 Washington designated him as a federal district judge for his state, an office he was to occupy for the rest of his life. His only other ventures into national politics came in 1789 and 1793, as a Federalist presidential elector. In the main, however, he spent his later years in judicial pursuits, in aiding Wilmington Academy, in fostering abolitionism, and in enjoying his Lombardy Hall farm.

Bedford died at the age of 65 in 1812 and was buried in the First Presbyterian Churchyard in Wilmington. Later, when the cemetery was abandoned, his body was transferred to the Masonic Home, on the Lancaster Turnpike in Christiana Hundred, DE.

*Image: Courtesy of The Architect of the Capital*

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### Jacob Broom, Delaware

Broom was born in 1752 at Wilmington, DE., the eldest son of a blacksmith who prospered in farming. The youth was educated at home and probably at the local Old Academy. Although he followed his father into farming and also studied surveying, he was to make his career primarily in mercantile pursuits, including shipping and the import trade, and in real estate. In 1773 he married Rachel Pierce, who bore eight children.

Broom was not a distinguished patriot. His only recorded service was the preparation of maps for George Washington before the Battle of Brandywine, PA. In 1776, at 24 years of age, Broom became assistant Burgess of Wilmington. Over the next several decades, he held that office six times and that of chief Burgess four times, as well as those of borough assessor, president of the city "street regulators," and justice of the peace for New Castle County.

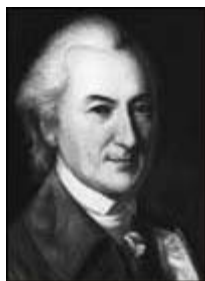
Broom sat in the state legislature in the years 1784-86 and 1788, during which time he was chosen as a delegate to the Annapolis Convention, but he did not attend. At the Constitutional Convention, he never missed a session and spoke on several occasions, but his role was only a minor one.

After the convention, Broom returned to Wilmington, where in 1795 he erected a home near the Brandywine River on the outskirts of the city. He was its first postmaster (1790-92) and continued to hold various local offices and to participate in a variety of economic endeavors. For many years, he chaired the board of directors of Wilmington's Delaware Bank. He also operated a cotton mill, as well as a machine shop that produced and repaired mill machinery. He was involved, too, in an unsuccessful scheme to mine bog iron ore. A further interest was internal improvements: toll roads, canals, and bridges.

Broom also found time for philanthropic and religious activities. He served on the board of trustees of the College of Wilmington and as a lay leader at Old Swedes Church. He died at the age of 58 in 1810 while in Philadelphia on business and was buried there at Christ Church Burial Ground.

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### John Dickinson, Delaware



Dickinson, "Penman of the Revolution," was born in 1732 at Crosiadore estate, near the village of Trappe in Talbot County, MD. He was the second son of Samuel Dickinson, the prosperous farmer, and his second wife, Mary (Cadwalader) Dickinson. In 1740 the family moved to Kent County near Dover, DE., where private tutors educated the youth. In 1750 he began to study law with John Moland in Philadelphia. In 1753 Dickinson went to England to continue his studies at London's Middle Temple. Four years later, he returned to Philadelphia and became a prominent lawyer there. In 1770 he married Mary Norris, daughter of a wealthy merchant. The couple had at least one daughter.

By that time, Dickinson's superior education and talents had propelled him into politics. In 1760 he had served in the assembly of the Three Lower Counties (Delaware), where he held the speakership.

Combining his Pennsylvania and Delaware careers in 1762, he won a seat as a Philadelphia member in the Pennsylvania assembly and sat there again in 1764. He became the leader of the conservative side in the colony's political battles. His defense of the proprietary governor against the faction led by Benjamin Franklin hurt his popularity but earned him respect for his integrity. Nevertheless, as an immediate consequence, he lost his legislative seat in 1764.

Meantime, the struggle between the colonies and the mother country had waxed strong and Dickinson had emerged in the forefront of Revolutionary thinkers. In the debates over the Stamp Act (1765), he played a key part. That year, he wrote *The Late Regulations Respecting the British Colonies . . . Considered*, an influential pamphlet that urged Americans to seek repeal of the act by pressuring British merchants. Accordingly, the Pennsylvania legislature appointed him as a delegate to the Stamp Act Congress, whose resolutions he drafted.

In 1767-68 Dickinson wrote a series of newspaper articles in the *Pennsylvania Chronicle* that came to be known collectively as *Letters from a Farmer in Pennsylvania*. They attacked British taxation policy and urged resistance to unjust laws, but also emphasized the possibility of a peaceful resolution. So popular were the *Letters* in the colonies that Dickinson received an honorary LL.D. from the College of New Jersey (later Princeton) and public thanks from a meeting in Boston. In 1768, responding to the Townshend Duties, he championed rigorous colonial resistance in the form of nonimportation and nonexportation agreements.

In 1771, Dickinson returned to the Pennsylvania legislature and drafted a petition to the king that was unanimously approved. Because of his continued opposition to the use of force, however, he lost much of his popularity by 1774. He particularly resented the tactics of New England leaders in that year and refused to support aid requested by Boston in the wake of the Intolerable Acts, though he sympathized with the city's plight. Reluctantly, Dickinson was drawn into the Revolutionary fray. In 1774 he chaired the Philadelphia committee of correspondence and briefly sat in the First Continental Congress as a representative from Pennsylvania.

Throughout 1775, Dickinson supported the Whig cause, but continued to work for peace. He drew up petitions asking the king for redress of grievances. At the same time, he chaired a Philadelphia committee of safety and defense and held a colonelcy in the first battalion recruited in Philadelphia to defend the city.

After Lexington and Concord, Dickinson continued to hope for a peaceful solution. In the Second Continental Congress (1775-76), still a representative of Pennsylvania, he drew up the Declaration of the Causes of Taking Up Arms. In the Pennsylvania assembly, he drafted an authorization to send delegates to Congress in 1776. It directed them to seek redress of grievances, but ordered them to oppose separation of the colonies from Britain.

By that time, Dickinson's moderate position had left him in the minority. In Congress he voted against the Declaration of Independence (1776) and refused to sign it. Nevertheless, he then became one of only two contemporary congressional members (with Thomas McKean) who entered the military. When he was not reelected he resigned his brigadier general's commission and withdrew to his estate in Delaware. Later in 1776, though reelected to Congress by his new constituency, he declined to serve and also resigned from the Pennsylvania Assembly. He may have taken part in the Battle of Brandywine, PA (September 11, 1777), as a private in a special Delaware force but otherwise saw no further military action.

Dickinson came out of retirement to take a seat in the Continental Congress (1779-80), where he signed the Articles of Confederation; earlier he had headed the committee that had drafted them. In 1781 he became president of Delaware's Supreme Executive Council. Shortly thereafter, he moved back to Philadelphia. There, he became president of Pennsylvania (1782-85). In 1786, representing Delaware, he attended and chaired the Annapolis Convention.

The next year, Delaware sent Dickinson to the Constitutional Convention. He missed a number of sessions and left early because of illness, but he made worthwhile contributions, including service on the Committee on Postponed Matters. Although he resented the forcefulness of Madison and the other nationalists, he helped engineer the Great Compromise and wrote public letters supporting constitutional ratification. Because of his premature departure from the convention, he did not actually sign the Constitution but authorized his friend and fellow-delegate George Read to do so for him.

Dickinson lived for two decades more but held no public offices. Instead, he devoted himself to writing on politics and in 1801 published two volumes of his collected works. He died at Wilmington in 1808 at the age of 75 and was entombed in the Friends Burial Ground.

*Image: Courtesy of Independence National Historical Park*

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## George Read, Delaware



Read's mother was the daughter of a Welsh planter, and his Dublin-born father a landholder of means. Soon after George's birth in 1733 near the village of North East in Cecil County, MD, his family moved to New Castle, DE, where the youth, who was one of six sons, grew up. He attended school at Chester, PA, and Rev. Francis Alison's academy at New London, PA, and about the age of 15 he began reading with a Philadelphia lawyer.

In 1753 Read was admitted to the bar and began to practice. The next year, he journeyed back to New Castle, hung out his shingle, and before long enlisted a clientele that extended into Maryland. During this period he resided in New Castle but maintained Stonum a country retreat near the city. In 1763 he wed Gertrude Ross Till, the widowed sister of George Ross, like Read a future signer of the Declaration of Independence. She bore four sons and a daughter.

While crown attorney general (1763-74) for the Three Lower Counties (present Delaware), Read protested against the Stamp Act. In 1765 he began a career in the colonial legislature that lasted more than a decade. A moderate Whig, he supported nonimportation measures and dignified protests. His attendance at the Continental Congress (1774-77) was irregular. Like his friend John Dickinson, he was willing to protect colonial rights but was wary of extremism. He voted against independence on July 2, 1776, the only signer of the Declaration to do so, apparently either bowing to the strong Tory sentiment in Delaware, or believing reconciliation with Britain was still possible.

That same year, Read gave priority to state responsibilities. He presided over the Delaware constitutional convention, in which he chaired the drafting committee, and began a term as speaker of the legislative council, which in effect made him vice president of the state. When the British took Wilmington the next fall, they captured the president, a resident of the city. At first, because Read was away in Congress, Thomas McKean, speaker of the lower house, took over as acting president. But in November, after barely escaping from the British himself while he and his family were en route to Dover from Philadelphia, newly occupied by the redcoats, Read assumed the office and held it until the spring of 1778. Back in the legislative council, in 1779 he drafted the act directing Delaware congressional delegates to sign the Articles of Confederation.

During 1779, in poor health, Read resigned from the legislative council, refused reelection to Congress, and began a period of inactivity. During the years 1782-88, he again sat on the council and concurrently held the position of judge of the court of appeals in admiralty cases.

Meantime, in 1784, Read had served on a commission that adjusted New York-Massachusetts land claims. In 1786 he attended the Annapolis Convention. The next year, he participated in the Constitutional Convention, where he missed few if any sessions and championed the rights of the small states. Otherwise, he adopted a Hamiltonian stance, favoring a strong executive. He later led the ratification movement in Delaware, the first state to ratify.

In the U.S. Senate (1789-93), Read's attendance was again erratic, but when present he allied with the Federalists. He resigned to accept the post of chief justice of Delaware. He held it until his death at New Castle 5 years later, just 3 days after he celebrated his 65th birthday. His grave is there in the Immanuel Episcopal Churchyard.

*Image: Courtesy of The National Portrait Gallery, Smithsonian Institution*

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## The Founding Fathers: Georgia

### Abraham Baldwin, Georgia



Baldwin was born at Guilford, Conn., in 1754, the second son of a blacksmith who fathered 12 children by 2 wives. Besides Abraham, several of the family attained distinction. His sister Ruth married the poet and diplomat Joel Barlow, and his half-brother Henry attained the position of justice of the U.S. Supreme Court. Their ambitious father went heavily into debt to educate his children.

After attending a local village school, Abraham matriculated at Yale, in nearby New Haven. He graduated in 1772. Three years later, he became a minister and tutor at the college. He held that position until 1779, when he served as a chaplain in the Continental Army.

Two years later, he declined an offer from his alma mater of a professorship of divinity. Instead of resuming his ministerial or educational duties after the war, he turned to the study of law and in 1783 gained admittance to the bar at Fairfield, CT.

Within a year, Baldwin moved to Georgia, won legislative approval to practice his profession, and obtained a grant of land in Wilkes County. In 1785 he sat in the assembly and the Continental Congress. Two years later, his father died and Baldwin undertook to pay off his debts and educate, out of his own pocket, his half-brothers and half-sisters.

That same year, Baldwin attended the Constitutional Convention, from which he was absent for a few weeks. Although usually inconspicuous, he sat on the Committee on Postponed Matters and helped resolve the large-small state representation crisis. At first, he favored representation in the Senate based upon property holdings, but possibly because of his close relationship with the Connecticut delegation he later came to fear alienation of the small states and changed his mind to representation by state.

After the convention, Baldwin returned to the Continental Congress (1787-89). He was then elected to the U.S. Congress, where he served for 18 years (House of Representatives, 1789-99; Senate, 1799-1807). During these years, he became a bitter opponent of Hamiltonian policies and, unlike most other native New Englanders, an ally of Madison and Jefferson and the Democratic-Republicans. In the Senate, he presided for a while as president pro tem.

By 1790 Baldwin had taken up residence in Augusta. Beginning in the preceding decade, he had begun efforts to advance the educational system in Georgia. Appointed with six others in 1784 to oversee the founding of a state college, he saw his dream come true in 1798 when Franklin College was founded. Modeled after Yale, it became the nucleus of the University of Georgia.

Baldwin, who never married, died after a short illness during his 53d year in 1807. Still serving in the Senate at the time, he was buried in Washington's Rock Creek Cemetery.

*Image: Courtesy of The National Portrait Gallery, Smithsonian Institution*

### William Few, Georgia



Few was born in 1748. His father's family had emigrated from England to Pennsylvania in the 1680s, but the father had subsequently moved to Maryland, where he married and settled on a farm near Baltimore. William was born there. He encountered much hardship and received minimal schooling. When he was 10 years of age, his father, seeking better opportunity, moved his family to North Carolina.

In 1771 Few, his father, and a brother associated themselves with the "Regulators," a group of frontiersmen who opposed the royal governor. As a result, the brother was hanged, the Few family farm was destroyed, and the father was forced to move once again, this time to Georgia. William remained behind, helping to settle his father's affairs, until 1776 when he

joined his family near Wrightsboro, Ga. About this time, he won admittance to the bar, based on earlier informal study, and set up practice in Augusta.

When the War for Independence began, Few enthusiastically aligned himself with the Whig cause. Although largely self-educated, he soon proved his capacity for leadership and won a lieutenant-colonelcy in the dragoons. In addition, he entered politics. He was elected to the Georgia provincial congress of 1776 and during the war twice served in the assembly, in 1777 and 1779. During the same period, he also sat on the state executive council besides holding the positions of surveyor-general and Indian commissioner. He also served in the Continental Congress (1780-88), during which time he was reelected to the Georgia Assembly (1783).

Four years later, Few was appointed as one of six state delegates to the Constitutional Convention, two of whom never attended and two others of whom did not stay for the duration. Few himself missed large segments of the proceedings, being absent during all of July and part of August because of congressional service, and never made a speech. Nonetheless, he contributed nationalist votes at critical times. Furthermore, as a delegate to the last sessions of the Continental Congress, he helped steer the Constitution past its first obstacle, approval by Congress. And he attended the state ratifying convention.

Few became one of his state's first U.S. senators (1789-93). When his term ended, he headed back home and served again in the assembly. In 1796 he received an appointment as a federal judge for the Georgia circuit. For reasons unknown, he resigned his judgeship in 1799 at the age of 52 and moved to New York City.

Few's career continued to blossom. He served 4 years in the legislature (1802-5) and then as inspector of prisons (1802-10), alderman (1813-14), and U.S. commissioner of loans (1804). From 1804 to 1814 he held a directorship at the Manhattan Bank and later the presidency of City Bank. A devout Methodist, he also donated generously to philanthropic causes.

When Few died in 1828 at the age of 80 in Fishkill-on-the-Hudson (present Beacon), he was survived by his wife (born Catherine Nicholson) and three daughters. Originally buried in the yard of the local Reformed Dutch Church, his body was later reinterred at St. Paul's Church, Augusta, GA.

*Image: Courtesy of National Archives, Records of Exposition, Anniversary, and Memorial Commissions (148-CP-157)*

### William Houston, Georgia



William Houston was the son of Sir Patrick Houston, a member of the council under the royal government of Georgia. He was born in 1755 in Savannah, GA. Houston received a liberal education, which included legal training at Inner Temple in London. The War for Independence cut short his training, and Houston returned home to Georgia. For many years members of Houston's family had been high officials in the colony. With the onset of war, many remained loyal to the crown, but William, a zealous advocate of colonists' rights, was among the first to counsel resistance to British aggression.

Houston represented Georgia in the Continental Congress from 1783 through 1786. He was chosen as one of Georgia's agents to settle a boundary dispute with South Carolina in 1785 and was one of the original trustees of the University of Georgia at Athens.

When the Constitutional Convention convened in 1787, Houston presented his credentials as one of Georgia's delegates. He stayed for only a short time, from June 1 until about July 23, but he was present during the debate on the representation question. Houston split Georgia's vote on equal representation in the Senate, voting "nay" against Abraham Baldwin's "aye."

Houston died in Savannah on March 17, 1813, and was interred in St. Paul's Chapel, New York City.

*Image: Courtesy of The Georgia Historical Society*

### William Leigh Pierce, Georgia

Very little is known about William Pierce's early life. He was probably born in Georgia in 1740, but he grew up in Virginia. During the Revolutionary War Pierce acted as an aide-de-camp to Gen. Nathanael Greene and



eventually attained the rank of brevet major. For his conduct at the battle of Eutaw Springs, Congress presented him with a ceremonial sword.

The year Pierce left the army, 1783, he married Charlotte Fenwick of South Carolina. They had two sons, one of whom died as a child. Pierce made his home in Savannah, where he engaged in business. He first organized an import-export company, Pierce, White, and Call, in 1783, but it dissolved less than a year later. He made a new start with his wife's dowry and formed William Pierce & Company. In 1786 he was a member of the Georgia House of Representatives and was also elected to the Continental Congress.

At the Constitutional Convention Pierce did not play a large role, but he exerted some influence and participated in three debates. He argued for the election of one house of the federal legislature by the people and one house by the states; he favored a 3-year term instead of a 7-year term in the second house. Because he agreed that the Articles had been insufficient, he recommended strengthening the federal government at the expense of state privileges as long as state distinctions were not altogether destroyed. Pierce approved of the resulting Constitution, but he found it necessary to leave in the middle of the proceedings. A decline in the European rice market adversely affected his business. Soon after he returned to Savannah he went bankrupt, having "neither the skill of an experienced merchant nor any reserve capital." Only 2 years later, on December 10, 1789, Pierce died in Savannah at age 49 leaving tremendous debts.

Pierce's notes on the proceedings of the convention were published in the Savannah Georgian in 1828. In them he wrote incisive character sketches that are especially valuable for the information they provide about the lesser-known delegates.

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## The Founding Fathers: Maryland

### Daniel Carroll, Maryland



Daniel Carroll was member of a prominent Maryland family of Irish descent. A collateral branch was led by Charles Carroll of Carrollton, signer of the Declaration of Independence. Daniel's older brother was John Carroll, the first Roman Catholic bishop in the United States.

Daniel was born in 1730 at Upper Marlboro, MD. Befitting the son of a wealthy Roman Catholic family, he studied for 6 years (1742-48) under the Jesuits at St. Omer's in Flanders. Then, after a tour of Europe, he sailed home and soon married Eleanor Carroll, apparently a first cousin of Charles Carroll of Carrollton. Not much is known about the next two decades of his life except that he backed the War for Independence reluctantly and remained out of the public eye. No doubt he lived the life of a gentleman planter.

In 1781 Carroll entered the political arena. Elected to the Continental Congress that year, he carried to Philadelphia the news that Maryland was at last ready to accede to the Articles of Confederation, to which he soon penned his name. During the decade, he also began a tour in the Maryland senate that was to span his lifetime and helped George Washington promote the Patowmack Company, a scheme to canalize the Potomac River so as to provide a transportation link between the East and the trans-Appalachian West.

Carroll did not arrive at the Constitutional Convention until July 9, but thereafter he attended quite regularly. He spoke about 20 times during the debates and served on the Committee on Postponed Matters. Returning to Maryland after the convention, he campaigned for ratification of the Constitution but was not a delegate to the state convention.

In 1789 Carroll won a seat in the U.S. House of Representatives, where he voted for locating the Nation's Capital on the banks of the Potomac and for Hamilton's program for the federal assumption of state debts. In 1791 George Washington named his friend Carroll as one of three commissioners to survey and define the District of Columbia, where Carroll owned much land. Ill health caused him to resign this post 4 years later, and the next year at the age of 65 he died at his home near Rock Creek in Forest Glen, MD. He was buried there in St. John's Catholic Cemetery.

*Image: Courtesy of The Maryland Historical Society*

### Daniel of St. Thomas Jenifer, Maryland



Jenifer was born in 1723 of Swedish and English descent at Coates Retirement (now Ellerslie) estate, near Port Tobacco in Charles County, Md. Little is known about his childhood or education, but as an adult he came into possession of a large estate near Annapolis, called Stepney, where he lived most of his life. He never married. The web of his far-reaching friendships included such illustrious personages as George Washington.

As a young man, Jenifer served as agent and receiver-general for the last two proprietors of Maryland. He also filled the post of justice of the peace in Charles County and later for the western circuit of Maryland. In 1760 he sat on a boundary commission that settled disputes between Pennsylvania and Delaware. Six years later, he became a member of the provincial court and from 1773 to 1776 sat on the Maryland royal governor's council.

Despite his association with conservative proprietary politics, Jenifer supported the Revolutionary movement, albeit at first reluctantly. He served as president of the Maryland council of safety (1775-77), then as president of the first state senate (1777-80). He sat in the Continental Congress (1778-82) and held the position of state revenue and financial manager (1782-85).

A conservative nationalist, Jenifer favored a strong and permanent union of the states and a Congress with

taxation power. In 1785 he represented Maryland at the Mount Vernon Conference. Although he was one of 29 delegates who attended nearly every session of the Constitutional Convention, he did not speak often but backed Madison and the nationalist element.

Jenifer lived only 3 more years and never again held public office. He died at the age of 66 or 67 at Annapolis in 1790. The exact location of his grave, possibly at Ellerslie estate, is unknown.

*Image: Courtesy of The National Portrait Gallery, Smithsonian Institution*

## Luther Martin, Maryland



Like many of the delegates to the Constitutional Convention, Luther Martin attended the College of New Jersey (later Princeton), from which he graduated with honors in 1766. Though born in Brunswick, NJ., in 1748, Martin moved to Maryland after receiving his degree and taught there for 3 years. He then began to study the law and was admitted to the Virginia bar in 1771.

Martin was an early advocate of American independence from Great Britain. In the fall of 1774 he served on the patriot committee of Somerset County, and in December he attended a convention of the Province of Maryland in Annapolis, which had been called to consider the recommendations of the Continental Congress. Maryland appointed Luther Martin its attorney general in early 1778. In this capacity, Martin vigorously prosecuted Loyalists, whose numbers were strong in many areas. Tensions had even led to insurrection and open warfare in some counties. While still attorney general, Martin joined the Baltimore Light Dragoons. In July 1781 his unit joined Lafayette's forces near Fredericksburg, VA., but Martin was recalled by the governor to prosecute a treason trial.

Martin married Maria Cresap on Christmas Day 1783. Of their five children, three daughters lived to adulthood. His postwar law practice grew to become one of the largest and most successful in the country. In 1785 Martin was elected to the Continental Congress, but this appointment was purely honorary. His numerous public and private duties prevented him from traveling to Philadelphia.

At the Constitutional Convention Martin opposed the idea of a strong central government. When he arrived on June 9, 1787, he expressed suspicion of the secrecy rule imposed on the proceedings. He consistently sided with the small states and voted against the Virginia Plan. On June 27 Martin spoke for more than 3 hours in opposition to the Virginia Plan's proposal for proportionate representation in both houses of the legislature. Martin served on the committee formed to seek a compromise on representation, where he supported the case for equal numbers of delegates in at least one house. Before the convention closed, he and another Maryland delegate, John Francis Mercer, walked out.

In an address to the Maryland House of Delegates in 1787 and in numerous newspaper articles, Martin attacked the proposed new form of government and continued to fight ratification of the Constitution through 1788. He lamented the ascension of the national government over the states and condemned what he saw as unequal representation in Congress. Martin opposed including slaves in determining representation and believed that the absence of a jury in the Supreme Court gravely endangered freedom. At the convention, Martin complained, the aggrandizement of particular states and individuals often had been pursued more avidly than the welfare of the country. The assumption of the term "federal" by those who favored a national government also irritated Martin. Around 1791, however, Martin turned to the Federalist party because of his animosity toward Thomas Jefferson.

The first years of the 1800s saw Martin as defense counsel in two controversial national cases. In the first Martin won an acquittal for his close friend, Supreme Court Justice Samuel Chase, in his impeachment trial in 1805. Two years later Martin was one of Aaron Burr's defense lawyers when Burr stood trial for treason in 1807.

After a record 28 consecutive years as state attorney general, Luther Martin resigned in December 1805. In 1813 Martin became chief judge of the court of oyer and terminer for the City and County of Baltimore. He was reappointed attorney general of Maryland in 1818, and in 1819 he argued Maryland's position in the landmark Supreme Court case *McCulloch v. Maryland*. The plaintiff, represented by Daniel Webster, William Pinckney, and William Wirt, won the decision, which determined that states could not tax federal institutions.

Martin's fortunes declined dramatically in his last years. Heavy drinking, illness, and poverty all took their toll. Paralysis, which had struck in 1819, forced him to retire as Maryland's attorney general in 1822. In 1826, at the

age of 78, Luther Martin died in Aaron Burr's home in New York City and was buried in an unmarked grave in St. John's churchyard.

*Image: Courtesy of The National Portrait Gallery, Smithsonian Institution*

### James McHenry, Maryland



McHenry was born at Ballymena, County Antrim, Ireland, in 1753. He enjoyed a classical education at Dublin, and emigrated to Philadelphia in 1771. The following year, the rest of his family came to the colonies, and his brother and father established an import business at Baltimore. During that year, James continued schooling at Newark Academy in Delaware and then studied medicine for 2 years under the well-known Dr. Benjamin Rush in Philadelphia.

During the War for Independence, McHenry served as a military surgeon. Late in 1776, while he was on the staff of the 5th Pennsylvania Battalion, the British captured him at Fort Washington, NY. He was paroled early the next year and exchanged in March 1778.

Returning immediately to duty, he was assigned to Valley Forge, PA, and in May became secretary to George Washington. About this time, McHenry apparently quit the practice of medicine to devote himself to politics and administration; he apparently never needed to return to it after the war because of his excellent financial circumstances.

McHenry stayed on Washington's staff until 1780, when he joined that of the Marquis de Lafayette, and he remained in that assignment until he entered the Maryland Senate (1781-86). During part of this period, he served concurrently in the Continental Congress (1783-86). In 1784 he married Margaret Allison Caldwell.

McHenry missed many of the proceedings at the Philadelphia convention, in part because of the illness of his brother, and played an insubstantial part in the debates when he was present. He did, however, maintain a private journal that has been useful to posterity. He campaigned strenuously for the Constitution in Maryland and attended the state ratifying convention.

From 1789 to 1791, McHenry sat in the state assembly and in the years 1791-96 again in the senate. A staunch Federalist, he then accepted Washington's offer of the post of Secretary of War and held it into the administration of John Adams. McHenry looked to Hamilton rather than to Adams for leadership. As time passed, the latter became increasingly dissatisfied with McHenry's performance and distrustful of his political motives and in 1800 forced him to resign. Subsequently, the Democratic-Republicans accused him of maladministration, but a congressional committee vindicated him.

McHenry returned to his estate near Baltimore and to semiretirement. He remained a loyal Federalist and opposed the War of 1812. He also held the office of president of a Bible society. He died in 1816 at the age of 62, survived by two of his three children. His grave is in Baltimore's Westminster Presbyterian Cemetery.

*Image: Courtesy of Independence National Historical Park*

### John Francis Mercer, Maryland



John Francis Mercer, born on May 17, 1759, was the fifth of nine children born to John and Ann Mercer of Stafford County, VA. He attended the College of William and Mary, and in early 1776 he joined the 3d Virginia Regiment. Mercer became Gen. Charles Lee's aide-de-camp in 1778, but after General Lee's court-martial in October 1779, Mercer resigned his commission. He spent the next year studying law at the College of William and Mary and then rejoined the army, where he served briefly under Lafayette.

In 1782 Mercer was elected to the Virginia House of Delegates. That December he became one of Virginia's representatives to the Continental Congress. He later returned to the House of Delegates in 1785 and 1786.

Mercer married Sophia Sprigg in 1785 and soon after moved to Anne Arundel County, MD. He attended the Constitutional Convention as part of Maryland's delegation when he was only 28 years old, the second youngest delegate in Philadelphia. Mercer was strongly opposed to centralization, and both spoke and voted against the

Constitution. He and fellow Marylander Luther Martin left the proceedings before they ended.

After the convention, Mercer continued in public service. He allied himself with the Republicans and served in the Maryland House of Delegates in 1778-89, 1791-92, 1800-1801, and 1803-6. Between 1791 and 1794 he also sat in the U.S. House of Representatives for Maryland and was chosen governor of the state for two terms, 1801-3. During Thomas Jefferson's term as President, Mercer broke with the Republicans and joined the Federalist camp.

Illness plagued him during his last years. In 1821 Mercer traveled to Philadelphia to seek medical attention, and he died there on August 30. His remains lay temporarily in a vault in St. Peter's Church in Philadelphia and were reinterred on his estate, "Cedar Park" in Maryland.

*Image: Courtesy of Independence National Historical Park*

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## The Founding Fathers: Massachusetts

### Elbridge Gerry, Massachusetts



Gerry was born in 1744 at Marblehead, MA, the third of 12 children. His mother was the daughter of a Boston merchant; his father, a wealthy and politically active merchant-shipper who had once been a sea captain. Upon graduating from Harvard in 1762, Gerry joined his father and two brothers in the family business, exporting dried codfish to Barbados and Spain. He entered the colonial legislature (1772-74), where he came under the influence of Samuel Adams, and took part in the Marblehead and Massachusetts committees of correspondence. When Parliament closed Boston harbor in June 1774, Marblehead became a major port of entry for supplies donated by patriots throughout the colonies to relieve Bostonians, and Gerry helped transport the goods.

Between 1774 and 1776 Gerry attended the first and second provincial congresses. He served with Samuel Adams and John Hancock on the council of safety and, as chairman of the committee of supply (a job for which his merchant background ideally suited him) wherein he raised troops and dealt with military logistics. On the night of April 18, 1775

Gerry attended a meeting of the council of safety at an inn in Menotomy (Arlington), between Cambridge and Lexington, and barely escaped the British troops marching on Lexington and Concord.

In 1776 Gerry entered the Continental Congress, where his congressional specialities were military and financial matters. In Congress and throughout his career his actions often appeared contradictory. He earned the nickname "soldiers' friend" for his advocacy of better pay and equipment, yet he vacillated on the issue of pensions. Despite his disapproval of standing armies, he recommended long-term enlistments.

Until 1779 Gerry sat on and sometimes presided over the congressional board that regulated Continental finances. After a quarrel over the price schedule for suppliers, Gerry, himself a supplier, walked out of Congress. Although nominally a member, he did not reappear for 3 years. During the interim, he engaged in trade and privateering and served in the lower house of the Massachusetts legislature.

As a representative in Congress in the years 1783-85, Gerry numbered among those who had possessed talent as Revolutionary agitators and wartime leaders but who could not effectually cope with the painstaking task of stabilizing the national government. He was experienced and conscientious but created many enemies with his lack of humor, suspicion of the motives of others, and obsessive fear of political and military tyranny. In 1786, the year after leaving Congress, he retired from business, married Ann Thompson, and took a seat in the state legislature.

Gerry was one of the most vocal delegates at the Constitutional Convention of 1787. He presided as chairman of the committee that produced the Great Compromise but disliked the compromise itself. He antagonized nearly everyone by his inconsistency and, according to a colleague, "objected to everything he did not propose." At first an advocate of a strong central government, Gerry ultimately rejected and refused to sign the Constitution because it lacked a bill of rights and because he deemed it a threat to republicanism. He led the drive against ratification in Massachusetts and denounced the document as "full of vices." Among the vices, he listed inadequate representation of the people, dangerously ambiguous legislative powers, the blending of the executive and the legislative, and the danger of an oppressive judiciary. Gerry did see some merit in the Constitution, though, and believed that its flaws could be remedied through amendments. In 1789, after he announced his intention to support the Constitution, he was elected to the First Congress where, to the chagrin of the Antifederalists, he championed Federalist policies.

Gerry left Congress for the last time in 1793 and retired for 4 years. During this period he came to mistrust the aims of the Federalists, particularly their attempts to nurture an alliance with Britain, and sided with the pro-French Democratic-Republicans. In 1797 President John Adams appointed him as the only non-Federalist member of a three-man commission charged with negotiating a reconciliation with France, which was on the brink of war with the United States. During the ensuing XYZ affair (1797-98), Gerry tarnished his reputation. Talleyrand, the French foreign minister, led him to believe that his presence in France would prevent war, and

Gerry lingered on long after the departure of John Marshall and Charles Cotesworth Pinckney, the two other commissioners. Finally, the embarrassed Adams recalled him, and Gerry met severe censure from the Federalists upon his return.

In 1800-1803 Gerry, never very popular among the Massachusetts electorate because of his aristocratic haughtiness, met defeat in four bids for the Massachusetts governorship but finally triumphed in 1810. Near the end of his two terms, scarred by partisan controversy, the Democratic-Republicans passed a redistricting measure to ensure their domination of the state senate. In response, the Federalists heaped ridicule on Gerry and coined the pun "gerrymander" to describe the salamander-like shape of one of the redistricted areas.

Despite his advanced age, frail health, and the threat of poverty brought on by neglect of personal affairs, Gerry served as James Madison's Vice President in 1813. In the fall of 1814, the 70-year old politician collapsed on his way to the Senate and died. He left his wife, who was to live until 1849, the last surviving widow of a signer of the Declaration of Independence, as well as three sons and four daughters. Gerry is buried in Congressional Cemetery at Washington, DC.

*Image: Courtesy of The National Portrait Gallery, Smithsonian Institution*

### **Nathaniel Gorham, Massachusetts**

Gorham, an eldest child, was born in 1738 at Charlestown, MA, into an old Bay Colony family of modest means. His father operated a packet boat. The youth's education was minimal. When he was about 15 years of age, he was apprenticed to a New London, CT, merchant. He quit in 1759, returned to his hometown and established a business which quickly succeeded. In 1763 he wed Rebecca Call, who was to bear nine children.

Gorham began his political career as a public notary but soon won election to the colonial legislature (1771-75). During the Revolution, he unswervingly backed the Whigs. He was a delegate to the provincial congress (1774-75), member of the Massachusetts Board of War (1778-81), delegate to the constitutional convention (1779-80), and representative in both the upper (1780) and lower (1781-87) houses of the legislature, including speaker of the latter in 1781, 1782, and 1785. In the last year, though he apparently lacked formal legal training, he began a judicial career as judge of the Middlesex County court of common pleas (1785-96). During this same period, he sat on the Governor's Council (1788-89).

During the war, British troops had ravaged much of Gorham's property, though by privateering and speculation he managed to recoup most of his fortune. Despite these pressing business concerns and his state political and judicial activities, he also served the nation. He was a member of the Continental Congress (1782-83 and 1785-87), and held the office of president from June 1786 until January 1787.

The next year, at age 49, Gorham attended the Constitutional Convention. A moderate nationalist, he attended all the sessions and played an influential role.. He spoke often, acted as chairman of the Committee of the Whole, and sat on the Committee of Detail. As a delegate to the Massachusetts ratifying convention, he stood behind the Constitution.

Some unhappy years followed. Gorham did not serve in the new government he had helped to create. In 1788 he and Oliver Phelps of Windsor, CT, and possibly others, contracted to purchase from the Commonwealth of Massachusetts 6 million acres of unimproved land in western New York. The price was \$1 million in devalued Massachusetts scrip. Gorham and Phelps quickly succeeded in clearing Indian title to 2,600,000 acres in the eastern section of the grant and sold much of it to settlers. Problems soon arose, however. Massachusetts scrip rose dramatically in value, enormously swelling the purchase price of the vast tract. By 1790 the two men were unable to meet their payments. The result was a financial crisis that led to Gorham's insolvency--and a fall from the heights of Boston society and political esteem.

Gorham died in 1796 at the age of 58 and is buried at the Phipps Street Cemetery in Charlestown, MA.

### **Rufus King, Massachusetts**

King was born at Scarboro (Scarborough), MA (present Maine), in 1755. He was the eldest son of a prosperous farmer-merchant. At age 12, after receiving an elementary education at local schools, he matriculated at Dummer Academy in South Byfield, MA, and



in 1777 graduated from Harvard. He served briefly as a general's aide during the War for Independence. Choosing a legal career, he read for the law at Newburyport, MA, and entered practice there in 1780.

King's knowledge, bearing, and oratorical gifts soon launched him on a political career.

From 1783 to 1785 he was a member of the Massachusetts legislature, after which that body sent him to the Continental Congress (1784-86). There, he gained a reputation as a brilliant speaker and an early opponent of slavery. Toward the end of his tour, in 1786, he married Mary Alsop, daughter of a rich New York City merchant. He performed his final duties for Massachusetts by representing her at the Constitutional Convention and by serving in the commonwealth's ratifying convention.

At age 32, King was not only one of the most youthful of the delegates at Philadelphia, but was also one of the most important. He numbered among the most capable orators. Furthermore, he attended every session. Although he came to the convention unconvinced that major changes should be made in the Articles of Confederation, his views underwent a startling transformation during the debates. With Madison, he became a leading figure in the nationalist caucus. He served with distinction on the Committee on Postponed Matters and the Committee of Style. He also took notes on the proceedings, which have been valuable to historians.

About 1788 King abandoned his law practice, moved from the Bay State to Gotham, and entered the New York political forum. He was elected to the legislature (1789-90), and in the former year was picked as one of the state's first U.S. senators. As political divisions grew in the new government, King expressed ardent sympathies for the Federalists. In Congress, he supported Hamilton's fiscal program and stood among the leading proponents of the unpopular Jay's Treaty (1794).

Meantime, in 1791, King had become one of the directors of the First Bank of the United States. Re-elected to the U.S. Senate in 1795, he served only a year before he was appointed as Minister to Great Britain (1796-1803).

King's years in this post were difficult ones in Anglo-American relations. The wars of the French Revolution endangered U.S. commerce in the maritime clashes between the French and the British. The latter in particular violated American rights on the high seas, especially by the impressment of sailors. Although King was unable to bring about a change in this policy, he smoothed relations between the two nations.

In 1803 King sailed back to the United States and to a career in politics. In 1804 and 1808 fellow-signer Charles Cotesworth Pinckney and he were the Federalist candidates for President and Vice President, respectively, but were decisively defeated. Otherwise, King largely contented himself with agricultural pursuits at King Manor, a Long Island estate he had purchased in 1805. During the War of 1812, he was again elected to the U.S. Senate (1813-25) and ranked as a leading critic of the war. Only after the British attacked Washington in 1814 did he come to believe that the United States was fighting a defensive action and to lend his support to the war effort.

In 1816 the Federalists chose King as their candidate for the presidency, but James Monroe beat him handily. Still in the Senate, that same year King led the opposition to the establishment of the Second Bank of the United States. Four years later, believing that the issue of slavery could not be compromised but must be settled once and for all by the immediate establishment of a system of compensated emancipation and colonization, he denounced the Missouri Compromise.

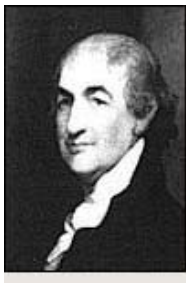
In 1825, suffering from ill health, King retired from the Senate. President John Quincy Adams, however, persuaded him to accept another assignment as Minister to Great Britain. He arrived in England that same year, but soon fell ill and was forced to return home the following year. Within a year, at the age of 72, in 1827, he died. Surviving him were several offspring, some of whom also gained distinction. He was laid to rest near King Manor in the cemetery of Grace Episcopal Church, Jamaica, Long Island, NY.

*Image: Courtesy of The National Portrait Gallery, Smithsonian Institution*

### Caleb Strong, Massachusetts

Strong was born to Caleb and Phebe Strong on January 9, 1745 in Northampton, MA. He received his college education at Harvard, from which he graduated with highest honors in





1764. Like so many of the delegates to the Constitutional Convention, Strong chose to study law and was admitted to the bar in 1772. He enjoyed a prosperous country practice.

From 1774 through the duration of the Revolution, Strong was a member of Northampton's committee of safety. In 1776 he was elected to the Massachusetts General Court and also held the post of county attorney for Hampshire County for 24 years. He was offered a position on the state supreme court in 1783 but declined it.

At the Constitutional Convention, Strong counted himself among the delegates who favored a strong central government. He successfully moved that the House of Representatives should originate all money bills and sat on the drafting committee. Though he preferred a system that accorded the same rank and mode of election to both houses of Congress, he voted in favor of equal representation in the Senate and proportional in the House. Strong was called home on account of illness in his family and so missed the opportunity to sign the Constitution. However, during the Massachusetts ratifying convention, he took a leading role among the Federalists and campaigned strongly for ratification.

Massachusetts chose Strong as one of its first U.S. senators in 1789. During the 4 years he served in that house, he sat on numerous committees and participated in framing the Judiciary Act. Caleb Strong wholeheartedly supported the Washington administration. In 1793 he urged the government to send a mission to England and backed the resulting Jay's Treaty when it met heated opposition.

Caleb Strong, the Federalist candidate, defeated Elbridge Gerry to become Governor of Massachusetts in 1800. Despite the growing strength of the Democratic party in the state, Strong won reelection annually until 1807. In 1812 he regained the governorship, once again over Gerry, and retained his post until he retired in 1816. During the War of 1812 Strong withstood pressure from the Secretary of War to order part of the Massachusetts militia into federal service. Strong opposed the war and approved the report of the Hartford Convention, a gathering of New England Federalists resentful of Jeffersonian policies.

Strong died on November 7, 1819, 2 years after the death of his wife, Sarah. He was buried in the Bridge Street Cemetery in Northampton. Four of his nine children survived him.

*Image: National Archives, Records of Exposition, Anniversary, and Memorial Commissions (148-CP-156)*

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## The Founding Fathers: New Hampshire

### Nicholas Gilman, New Hampshire



Member of a distinguished New Hampshire family and second son in a family of eight, Nicholas Gilman was born at Exeter in 1755. He received his education in local schools and worked at his father's general store. When the War for Independence began, he enlisted in the New Hampshire element of the Continental Army, soon won a captaincy, and served throughout the war.

Gilman returned home, again helped his father in the store, and immersed himself in politics. In the period 1786-88 he sat in the Continental Congress, though his attendance record was poor. In 1787 he represented New Hampshire at the Constitutional Convention. He did not arrive at Philadelphia until July 21, by which time much major business had already occurred. Never much of a debater, he made no speeches and played only a minor part in the deliberations. He did, however, serve on the Committee on Postponed Matters. He was also active in obtaining New Hampshire's acceptance of the Constitution and in shepherding it through the Continental Congress.

Gilman later became a prominent Federalist politician. He served in the U.S. House of Representatives from 1789 until 1797; and in 1793 and 1797 was a presidential elector. He also sat in the New Hampshire legislature in 1795, 1802, and 1804, and in the years 1805-8 and 1811-14 he held the office of state treasurer.

Meantime, Gilman's political philosophy had begun to drift toward the Democratic-Republicans. In 1802, when he was defeated for the U.S. Senate, President Jefferson appointed him as a bankruptcy commissioner, and 2 years later as a Democratic-Republican he won election to the U.S. Senate. He was still serving there when he passed away at Philadelphia, while on his way home from Washington, DC, in 1814 at the age of 58. He is interred at the Winter Street Cemetery at Exeter.

*Image: Courtesy of Phillips Exeter Academy*

### John Langdon, New Hampshire



Langdon was born in 1741 at or near Portsmouth, NH. His father, whose family had emigrated to America before 1660, was a prosperous farmer who sired a large family. The youth's education was intermittent. He attended a local grammar school, worked as an apprentice clerk, and spent some time at sea. Eventually he went into the mercantile business for himself and prospered.

Langdon, a vigorous supporter of the Revolution, sat on the New Hampshire committee of correspondence and a nonimportation committee. He also attended various patriot assemblies. In 1774 he participated in the seizure and confiscation of British munitions from the Portsmouth fort.

The next year, Langdon served as speaker of the New Hampshire assembly and also sat in the Continental Congress (1775-76). During the latter year, he accepted a colonelcy in the militia of his state and became its agent for British prizes on behalf of the Continental Congress, a post he held throughout the war. In addition, he built privateers for operations against the British--a lucrative occupation.

Langdon also actively took part in the land war. In 1777 he organized and paid for Gen. John Stark's expedition from New Hampshire against British Gen. John Burgoyne and was present in command of a militia unit at Saratoga, NY, when the latter surrendered. Langdon later led a detachment of troops during the Rhode Island campaign, but found his major outlet in politics. He was speaker of the New Hampshire legislature from 1777 to 1781. In 1777, meantime, he had married Elizabeth Sherburne, who was to give birth to one daughter.

In 1783 Langdon was elected to the Continental Congress; the next year, to the state senate; and the following year, as president, or chief executive, of New Hampshire. In 1784 he built a home at Portsmouth. In 1786-87 he

was back again as speaker of the legislature and during the latter year for the third time in the Continental Congress.

Langdon was forced to pay his own expenses and those of Nicholas Gilman to the Constitutional Convention because New Hampshire was unable or unwilling to pay them. The pair did not arrive at Philadelphia until late July, by which time much business had already been consummated. Thereafter, Langdon made a significant mark. He spoke more than 20 times during the debates and was a member of the committee that struck a compromise on the issue of slavery. For the most part, his sympathies lay on the side of strengthening the national government. In 1788, once again as state president (1788-89), he took part in the ratifying convention.

From 1789 to 1801 Langdon sat in the U.S. Senate, including service as the first President pro tem for several sessions. During these years, his political affiliations changed. As a supporter of a strong central government, he had been a member of the Federalist Party, but by the time of Jay's Treaty (1794) he was opposing its policies. By 1801 he was firmly backing the Democratic-Republicans.

That year, Langdon declined Jefferson's offer of the Secretaryship of the Navy. Between then and 1812, he kept active in New Hampshire politics. He sat again in the legislature (1801-5), twice holding the position of speaker. After several unsuccessful attempts, in 1805 he was elected as governor and continued in that post until 1811 except for a year's hiatus in 1809. Meanwhile, in 1805, Dartmouth College had awarded him an honorary doctor of laws degree.

In 1812 Langdon refused the Democratic-Republican Vice-Presidential nomination on the grounds of age and health. He enjoyed retirement for another 7 years before he died at the age of 78. His grave is at Old North Cemetery in Portsmouth.

*Image: Courtesy of Independence National Historical Park*

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## The Founding Fathers: New Jersey

### David Brearly, New Jersey



Brearly (Brearley) was descended from a Yorkshire, England, family, one of whose members migrated to New Jersey around 1680. Signer Brearly was born in 1745 at Spring Grove near Trenton, was reared in the area, and attended but did not graduate from the nearby College of New Jersey (later Princeton). He chose law as a career and originally practiced at Allentown, NJ. About 1767 he married Elizabeth Mullen.

Brearly avidly backed the Revolutionary cause. The British arrested him for high treason, but a group of patriots freed him. In 1776 he took part in the convention that drew up the state constitution. During the War for Independence, he rose from a captain to a colonel in the militia.

In 1779 Brearly was elected as chief justice of the New Jersey supreme court, a position he held until 1789. He presided over the precedent-setting case of *Holmes v. Walton*. His decision, rendered in 1780, represented an early expression of the principle of judicial review. The next year, the College of New Jersey bestowed an honorary M.A. degree on him.

Brearly was 42 years of age when he participated in the Constitutional Convention. Although he did not rank among the leaders, he attended the sessions regularly. A follower of Paterson, who introduced the New Jersey Plan, Brearly opposed proportional representation of the states and favored one vote for each of them in Congress. He also chaired the Committee on Postponed Matters.

Brearly's subsequent career was short, for he had only 3 years to live. He presided at the New Jersey convention that ratified the Constitution in 1788, and served as a presidential elector in 1789. That same year, President Washington appointed him as a federal district judge, and he served in that capacity until his death.

When free from his judicial duties, Brearly devoted much energy to lodge and church affairs. He was one of the leading members of the Masonic Order in New Jersey, as well as state vice president of the Society of the Cincinnati, an organization of former officers of the Revolutionary War. In addition, he served as a delegate to the Episcopal General Conference (1786) and helped write the church's prayer book. In 1783, following the death of his first wife, he had married Elizabeth Higbee.

Brearly died in Trenton at the age of 45 in 1790. He was buried there at St. Michael's Episcopal Church.

*Image: Courtesy of Trenton Free Public Library*

### Jonathan Dayton, New Jersey



Dayton was born at Elizabethtown (present Elizabeth), NJ, in 1760. His father was a storekeeper who was also active in local and state politics. The youth obtained a good education, graduating from the College of New Jersey (later Princeton) in 1776. He immediately entered the Continental Army and saw extensive action. Achieving the rank of captain by the age of 19 and serving under his father, Gen. Elias Dayton, and the Marquis de Lafayette, he was a prisoner of the British for a time and participated in the Battle of Yorktown, VA.

After the war, Dayton returned home, studied law, and established a practice. During the 1780s he divided his time between land speculation, legal practice, and politics. He sat in the assembly in 1786-87. In the latter year, he was chosen as a delegate to the Constitutional Convention after the leaders of his political faction, his father and his patron, Abraham Clark, declined to attend. Dayton did not arrive at Philadelphia until June 21 but thereafter faithfully took part in the proceedings. He spoke with moderate frequency during the debates and, though objecting to some provisions of the Constitution, signed it.

After sitting in the Continental Congress in 1788, Dayton became a foremost Federalist legislator in the new government. Although elected as a representative, he did not serve in the First Congress in 1789, preferring instead to become a member of the New Jersey council and speaker of the state assembly. In 1791, however, he entered the U.S. House of Representatives (1791-99), becoming Speaker in the Fourth and Fifth Congresses. During this period, he backed Hamilton's fiscal program, suppression of the Whisky Rebellion, Jay's Treaty, and a host of other Federalist measures.

In personal matters Dayton purchased Boxwood Hall in 1795 as his home in Elizabethtown and resided there until his death. He was elevated to the U.S. Senate (1799-1805). He supported the Louisiana Purchase (1803) and, in conformance with his Federalist views, opposed the repeal of the Judiciary Act of 1801.

In 1806 illness prevented Dayton from accompanying Aaron Burr's abortive expedition to the Southwest, where the latter apparently intended to conquer Spanish lands and create an empire. Subsequently indicted for treason, Dayton was not prosecuted but could not salvage his national political career. He remained popular in New Jersey, however, continuing to hold local offices and sitting in the assembly (1814-15).

In 1824 the 63-year-old Dayton played host to Lafayette during his triumphal tour of the United States, and his death at Elizabeth later that year may have been hastened by the exertion and excitement. He was laid to rest at St. John's Episcopal Church in his hometown. Because he owned 250,000 acres of Ohio land between the Big and Little Miami Rivers, the city of Dayton, was named after him--his major monument. He had married Susan Williamson, but the date of their wedding is unknown. They had two daughters.

*Image: Courtesy of National Archives, Records of Exposition, Anniversary, and Memorial Commissions (148-CC-7-1)*

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### **William C. Houston, New Jersey**

William Houston was born about 1746 to Margaret and Archibald Houston. He attended the College of New Jersey (later Princeton) and graduated in 1768 and became master of the college grammar school and then its tutor. In 1771 he was appointed professor of mathematics and natural philosophy.

From 1775 to 1776 Houston was deputy secretary of the Continental Congress. He also saw active military service in 1776 and 1777 when, as captain of the foot militia of Somerset County, he engaged in action around Princeton. During the Revolution, Houston also served in the New Jersey Assembly (1777) and the New Jersey Council of Safety (1778). In 1779 he was once again elected to the Continental Congress, where he worked mainly in the areas of supply and finance. In addition to serving in Congress, Houston remained active in the affairs of the College of New Jersey and also found time to study law. He was admitted to the bar in 1781 and won the appointment of clerk of the New Jersey Supreme Court in the same year. Houston resigned from the college in 1783 and concentrated on his Trenton law practice. He represented New Jersey in Congress once again in 1784 and 1785.

Houston represented New Jersey at both the Annapolis and Philadelphia conventions. Though illness forced him to leave after 1 week, he did serve on a committee to consider the distribution of seats in the lower house. Houston did not sign the Constitution, but he signed the report to the New Jersey legislature.

On August 12, 1788, William Houston succumbed to tuberculosis and died in Frankford, PA., leaving his wife Jane, two daughters, and two sons. His body was laid to rest in the Second Presbyterian Churchyard in Philadelphia.

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### **William Livingston, New Jersey**

Livingston was born in 1723 at Albany, NY. His maternal grandmother reared him until he was 14, and he then spent a year with a missionary among the Mohawk Indians. He attended Yale and graduated in 1741.

Rejecting his family's hope that he would enter the fur trade at Albany or mercantile pursuits in New York City, young Livingston chose to pursue a career in law at the latter place. Before he completed his legal studies, in 1745 he married Susanna French, daughter of a well-to-do New Jersey landowner. She was to bear 13 children.



Three years later, Livingston was admitted to the bar and quickly gained a reputation as the supporter of popular causes against the more conservative factions in the city. Associated with the Calvinists in religion, he opposed the dominant Anglican leaders in the colony and wielded a sharply satirical pen in verses and broadsides. Livingston attacked the Anglican attempt to charter and control King's College (later Columbia College and University) and the dominant De Lancey party for its Anglican sympathies, and by 1758 rose to the leadership of his faction. For a decade, it controlled the colonial assembly and fought against parliamentary interference in the colony's affairs. During this time, 1759-61, Livingston sat in the assembly.

In 1769 Livingston's supporters, split by the growing debate as to how to respond to British taxation of the colonies, lost control of the assembly. Not long thereafter, Livingston, who had also grown tired of legal practice, moved to the Elizabethtown (present Elizabeth), NJ, area, where he had purchased land in 1760. There, in 1772-73, he built the estate, Liberty Hall, continued to write verse, and planned to live the life of a gentleman farmer.

The Revolutionary upsurge, however, brought Livingston out of retirement. He soon became a member of the Essex County, NJ, committee of correspondence; in 1774 a representative in the First Continental Congress; and in 1775-76 a delegate to the Second Continental Congress. In June 1776 he left Congress to command the New Jersey militia as a brigadier general and held this post until he was elected later in the year as the first governor of the state.

Livingston held the position throughout and beyond the war--in fact, for 14 consecutive years until his death in 1790. During his administration, the government was organized, the war won, and New Jersey launched on her path as a sovereign state. Although the pressure of affairs often prevented it, he enjoyed his estate whenever possible, conducted agricultural experiments, and became a member of the Philadelphia Society for Promoting Agriculture. He was also active in the antislavery movement.

In 1787 Livingston was selected as a delegate to the Constitutional Convention, though his gubernatorial duties prevented him from attending every session. He did not arrive until June 5 and missed several weeks in July, but he performed vital committee work, particularly as chairman of the one that reached a compromise on the issue of slavery. He also supported the New Jersey Plan. In addition, he spurred New Jersey's rapid ratification of the Constitution (1787). The next year, Yale awarded him an honorary doctor of laws degree.

Livingston died at Liberty Hall in his 67th year in 1790. He was originally buried at the local Presbyterian Churchyard, but a year later his remains were moved to a vault his son owned at Trinity Churchyard in Manhattan and in 1844 were again relocated, to Brooklyn's Greenwood Cemetery.

*Image: Courtesy of New York Historical Society*

### William Paterson, New Jersey



William Paterson (Patterson) was born in County Antrim, Ireland, in 1745. When he was almost 2 years of age, his family emigrated to America, disembarking at New Castle, DE. While the father traveled about the country, apparently selling tinware, the family lived in New London, other places in Connecticut, and in Trenton, NJ. In 1750 he settled in Princeton, NJ. There, he became a merchant and manufacturer of tin goods. His prosperity enabled William to attend local private schools and the College of New Jersey (later Princeton). He took a B.A. in 1763 and an M.A. 3 years later.

Meantime, Paterson had studied law in the city of Princeton under Richard Stockton, who later was to sign the Declaration of Independence, and near the end of the decade began practicing at New Bromley, in Hunterdon County. Before long, he moved to South Branch, in Somerset County, and then in 1779 relocated near New Brunswick at Raritan estate.

When the War for Independence broke out, Paterson joined the vanguard of the New Jersey patriots. He served in the provincial congress (1775-76), the constitutional convention (1776), legislative council (1776-77), and council of safety (1777). During the last year, he also held a militia commission. From 1776 to 1783 he was attorney general of New Jersey, a task that occupied so much of his time that it prevented him from accepting election to the Continental Congress in 1780. Meantime, the year before, he had married Cornelia Bell, by whom he had three children before her death in 1783. Two years later, he took a new bride, Euphemia White, but it is not known whether or not they had children.

From 1783, when he moved into the city of New Brunswick, until 1787, Paterson devoted his energies to the law and stayed out of the public limelight. Then he was chosen to represent New Jersey at the Constitutional Convention, which he attended only until late July. Until then, he took notes of the proceedings. More importantly, he figured prominently because of his advocacy and coauthorship of the New Jersey, or Paterson, Plan, which asserted the rights of the small states against the large. He apparently returned to the convention only to sign the final document. After supporting its ratification in New Jersey, he began a career in the new government.

In 1789 Paterson was elected to the U.S. Senate (1789-90), where he played a pivotal role in drafting the Judiciary Act of 1789. His next position was governor of his state (1790-93). During this time, he began work on the volume later published as *Laws of the State of New Jersey* (1800) and began to revise the rules and practices of the chancery and common law courts.

During the years 1793-1806, Paterson served as an associate justice of the U.S. Supreme Court. Riding the grueling circuit to which federal judges were subjected in those days and sitting with the full Court, he presided over a number of major trials.

In September 1806, his health failing, the 60-year-old Paterson embarked on a journey to Ballston Spa, NY, for a cure but died en route at Albany in the home of his daughter, who had married Stephen Van Rensselaer. Paterson was at first laid to rest in the nearby Van Rensselaer manor house family vault, but later his body was apparently moved to the Albany Rural Cemetery, Menands, NY

*Image: Courtesy of U.S. Supreme Court*

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## The Founding Fathers: New York

### Alexander Hamilton, New York



Hamilton was born in 1757 on the island of Nevis, in the Leeward group, British West Indies. He was the illegitimate son of a common-law marriage between a poor itinerant Scottish merchant of aristocratic descent and an English-French Huguenot mother who was a planter's daughter. In 1766, after the father had moved his family elsewhere in the Leewards to St. Croix in the Danish (now United States) Virgin Islands, he returned to St. Kitts while his wife and two sons remained on St. Croix.

The mother, who opened a small store to make ends meet, and a Presbyterian clergyman provided Hamilton with a basic education, and he learned to speak fluent French. About the time of his mother's death in 1768, he became an apprentice clerk at Christiansted in a mercantile establishment, whose proprietor became one of his benefactors. Recognizing his ambition and superior intelligence, they raised a fund for his education.

In 1772, bearing letters of introduction, Hamilton traveled to New York City. Patrons he met there arranged for him to attend Barber's Academy at Elizabethtown (present Elizabeth), NJ. During this time, he met and stayed for a while at the home of William Livingston, who would one day be a fellow signer of the Constitution. Late the next year, 1773, Hamilton entered King's College (later Columbia College and University) in New York City, but the Revolution interrupted his studies.

Although not yet 20 years of age, in 1774-75 Hamilton wrote several widely read pro-Whig pamphlets. Right after the war broke out, he accepted an artillery captaincy and fought in the principal campaigns of 1776-77. In the latter year, winning the rank of lieutenant colonel, he joined the staff of General Washington as secretary and aide-de-camp and soon became his close confidant as well.

In 1780 Hamilton wed New Yorker Elizabeth Schuyler, whose family was rich and politically powerful; they were to have eight children. In 1781, after some disagreements with Washington, he took a command position under Lafayette in the Yorktown, VA, campaign (1781). He resigned his commission that November.

Hamilton then read law at Albany and quickly entered practice, but public service soon attracted him. He was elected to the Continental Congress in 1782-83. In the latter year, he established a law office in New York City. Because of his interest in strengthening the central government, he represented his state at the Annapolis Convention in 1786, where he urged the calling of the Constitutional Convention.

In 1787 Hamilton served in the legislature, which appointed him as a delegate to the convention. He played a surprisingly small part in the debates, apparently because he was frequently absent on legal business, his extreme nationalism put him at odds with most of the delegates, and he was frustrated by the conservative views of his two fellow delegates from New York. He did, however, sit on the Committee of Style, and he was the only one of the three delegates from his state who signed the finished document. Hamilton's part in New York's ratification the next year was substantial, though he felt the Constitution was deficient in many respects. Against determined opposition, he waged a strenuous and successful campaign, including collaboration with John Jay and James Madison in writing *The Federalist*. In 1787 Hamilton was again elected to the Continental Congress.

When the new government got under way in 1789, Hamilton won the position of Secretary of the Treasury. He began at once to place the nation's disorganized finances on a sound footing. In a series of reports (1790-91), he presented a program not only to stabilize national finances but also to shape the future of the country as a powerful, industrial nation. He proposed establishment of a national bank, funding of the national debt, assumption of state war debts, and the encouragement of manufacturing.

Hamilton's policies soon brought him into conflict with Jefferson and Madison. Their disputes with him over his pro-business economic program, sympathies for Great Britain, disdain for the common man, and opposition to the principles and excesses of the French revolution contributed to the formation of the first U.S. party system. It pitted Hamilton and the Federalists against Jefferson and Madison and the Democratic-Republicans.



During most of the Washington administration, Hamilton's views usually prevailed with the President, especially after 1793 when Jefferson left the government. In 1795 family and financial needs forced Hamilton to resign from the Treasury Department and resume his law practice in New York City. Except for a stint as inspector-general of the Army (1798-1800) during the undeclared war with France, he never again held public office.

While gaining stature in the law, Hamilton continued to exert a powerful impact on New York and national politics. Always an opponent of fellow-Federalist John Adams, he sought to prevent his election to the presidency in 1796. When that failed, he continued to use his influence secretly within Adams' cabinet. The bitterness between the two men became public knowledge in 1800 when Hamilton denounced Adams in a letter that was published through the efforts of the Democratic-Republicans.

In 1802 Hamilton and his family moved into The Grange, a country home he had built in a rural part of Manhattan not far north of New York City. But the expenses involved and investments in northern land speculations seriously strained his finances.

Meanwhile, when Jefferson and Aaron Burr tied in Presidential electoral votes in 1800, Hamilton threw valuable support to Jefferson. In 1804, when Burr sought the governorship of New York, Hamilton again managed to defeat him. That same year, Burr, taking offense at remarks he believed to have originated with Hamilton, challenged him to a duel, which took place at present Weehawken, NJ, on July 11. Mortally wounded, Hamilton died the next day. He was in his late forties at death. He was buried in Trinity Churchyard in New York City.

*Image: Courtesy of The National Portrait Gallery, Smithsonian Institution*

### John Lansing, Jr., New York



On January 30, 1754, John Lansing was born in Albany, NY, to Gerrit Jacob and Jannetje Lansing. At age 21 Lansing had completed his study of the law and was admitted to practice. In 1781 he married Cornelia Ray. They had 10 children, 5 of whom died in infancy. Lansing was quite wealthy; he owned a large estate at Lansingburg and had a lucrative law practice.

From 1776 to 1777 Lansing acted as military secretary to Gen. Philip Schuyler. From the military world Lansing turned to the political and served six terms in the New York Assembly--1780-84, 1786, and 1788. During the last two terms he was speaker of the assembly. In the 2-year gap between his first four terms in the assembly and the fifth, Lansing sat in the Confederation Congress. He rounded out his public service by serving as Albany's mayor between 1786 and 1790.

Lansing went to Philadelphia as part of the New York delegation to the Constitutional Convention. As the convention progressed, Lansing became disillusioned because he believed it was exceeding its instructions. Lansing believed the delegates had gathered together simply to amend the Articles of Confederation and was dismayed at the movement to write an entirely new constitution. After 6 weeks, John Lansing and fellow New York delegate Robert Yates left the convention and explained their departure in a joint letter to New York Governor George Clinton. They stated that they opposed any system that would consolidate the United States into one government, and they had understood that the convention would not consider any such consolidation. Furthermore, warned Lansing and Yates, the kind of government recommended by the convention could not "afford that security to equal and permanent liberty which we wished to make an invariable object of our pursuit." In 1788, as a member of the New York ratifying convention, Lansing again vigorously opposed the Constitution.

Under the new federal government Lansing pursued a long judicial career. In 1790 he began an 11-year term on the supreme court of New York; from 1798 until 1801 he served as its chief justice. Between 1801 and 1814 Lansing was chancellor of the state. Retirement from that post did not slow him down; in 1817 he accepted an appointment as a regent of the University of the State of New York.

Lansing's death was the most mysterious of all the delegates to the Constitutional Convention. While on a visit to New York City in 1829, he left his hotel to post some letters. No trace of him was ever found, and it was supposed that he had been murdered.

*Image: Courtesy of Schaffer Library, Union College, Schenectady, NY*

**Robert Yates, New York**

The son of Joseph and Maria Yates, Robert Yates was born in Schenectady, NY, on January 27, 1738. He received a classical education in New York City and later studied law with William Livingston. Yates was admitted to the New York bar in 1760 and thereafter resided in Albany.

Between 1771 and 1775 Yates sat on the Albany board of aldermen. During the pre-Revolution years Yates counted himself among the Radical Whigs, whose vigilance against corruption and emphasis on the protection of liberty in England appealed to many in the colonies. Once the Revolution broke out, Yates served on the Albany committee of safety and represented his county in four provincial congresses and in the convention of 1775-77. At the convention he sat on various committees, including the one that drafted the first constitution for New York State.

On May 8, 1777, Yates was appointed to New York's supreme court and presided as its chief justice from 1790 through 1798. While on the bench he attracted criticism for his fair treatment of Loyalists. Other duties included serving on commissions that were called to settle boundary disputes with Massachusetts and Vermont.

In the 1780s Robert Yates stood as a recognized leader of the Antifederalists. He opposed any concessions to the federal congress, such as the right to collect impost duties, that might diminish the sovereignty of the states. When he travelled to Philadelphia in May 1787 for the federal convention, he expected that the delegates would simply discuss revising the existing Articles. Yates was on the committee that debated the question of representation in the legislature, and it soon became apparent that the convention intended much more than modification of the current plan of union. On July 5, the day the committee presented its report, Yates and John Lansing (to whom Yates was related by marriage) left the proceedings. In a joint letter to Gov. George Clinton of New York, they spelled out the reasons for their early departure. They warned against the dangers of centralizing power and urged opposition to adopting the Constitution. Yates continued to attack the Constitution in a series of letters signed "Brutus" and "Sydney" and voted against ratification at the Poughkeepsie convention.

In 1789 Yates ran for governor of New York but lost the election. Three years after his retirement from the state supreme court, on September 9, 1801, he died, leaving his wife, Jannetje Van Ness Yates, and four of his six children. Though he had enjoyed a comfortable income at the start of his career, his capital had dwindled away until very little was left. In 1821 his notes from the Constitutional Convention were published under the title *Secret Proceedings and Debates of the Convention Assembled . . . for the Purpose of Forming the Constitution of the United States*.

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## The Founding Fathers: North Carolina

### William Blount, North Carolina



William Blount was the great-grandson of Thomas Blount, who came from England to Virginia soon after 1660 and settled on a North Carolina plantation. William, the eldest in a large family, was born in 1749 while his mother was visiting his grandfather's Rosefield estate, on the site of present Windsor near Pamlico Sound. The youth apparently received a good education.

Shortly after the War for Independence began, in 1776, Blount enlisted as a paymaster in the North Carolina forces. Two years later, he wed Mary Grainier (Granger); of their six children who reached adulthood, one son also became prominent in Tennessee politics.

Blount spent most of the remainder of his life in public office. He sat in the lower house of the North Carolina legislature (1780-84), including service as speaker, as well as in the upper (1788-90). In addition, he took part in national politics, serving in the Continental Congress in 1782-83 and 1786-87.

Appointed as a delegate to the Constitutional Convention at the age of 38, Blount was absent for more than a month because he chose to attend the Continental Congress on behalf of his state. He said almost nothing in the debates and signed the Constitution reluctantly--only, he said, to make it "the unanimous act of the States in Convention." Nonetheless, he favored his state's ratification of the completed document.

Blount hoped to be elected to the first U.S. Senate. When he failed to achieve that end, in 1790 he pushed westward beyond the Appalachians, where he held speculative land interests and had represented North Carolina in dealings with the Indians. He settled in what became Tennessee, to which he devoted the rest of his life. He resided first at Rocky Mount, a cabin near present Johnson City and in 1792 built a mansion in Knoxville.

Two years earlier, Washington had appointed Blount as Governor for the Territory South of the River Ohio (which included Tennessee) and also as Superintendent of Indian Affairs for the Southern Department, in which positions he increased his popularity with the frontiersmen. In 1796 he presided over the constitutional convention that transformed part of the territory into the State of Tennessee. He was elected as one of its first U.S. senators (1796-97).

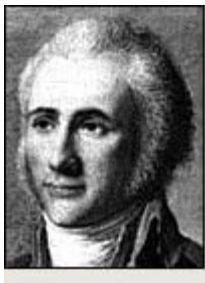
During this period, Blount's affairs took a sharp turn for the worse. In 1797 his speculations in western lands led him into serious financial difficulties. That same year, he also apparently concocted a plan involving use of Indians, frontiersmen, and British naval forces to conquer for Britain the Spanish provinces of Florida and Louisiana. A letter he wrote alluding to the plan fell into the hands of President Adams, who turned it over to the Senate on July 3, 1797. Five days later, that body voted 25 to 1 to expel Blount. The House impeached him, but the Senate dropped the charges in 1799 on the grounds that no further action could be taken beyond his dismissal.

The episode did not hamper Blount's career in Tennessee. In 1798 he was elected to the senate and rose to the speakership. He died 2 years later at Knoxville in his early fifties. He is buried there in the cemetery of the First Presbyterian Church.

*Image: Courtesy of Tennessee State Museum, Tennessee Historical Society Collection*

### William Richardson Davie, North Carolina

One of the eight delegates born outside of the thirteen colonies, Davie was born in Egremont, Cumberlandshire, England, on June 20, 1756. In 1763 Archibald Davie brought his son William to Waxhaw, SC, where the boy's maternal uncle, William Richardson, a Presbyterian clergyman, adopted him. Davie attended Queen's Museum College in Charlotte, North Carolina, and graduated from the College of New Jersey (later Princeton)



in 1776.

Davie's law studies in Salisbury, NC, were interrupted by military service, but he won his license to practice before county courts in 1779 and in the superior courts in 1780. When the War for Independence broke out, he helped raise a troop of cavalry near Salisbury and eventually achieved the rank of colonel. While attached to Pulaski's division, Davie was wounded leading a charge at Stono, near Charleston, on June 20, 1779. Early in 1780 he raised another troop and operated mainly in western North Carolina. In January 1781 Davie was appointed commissary-general for the Carolina campaign. In this capacity he oversaw the collection of arms and supplies to Gen. Nathanael Greene's army and the state militia.

After the war, Davie embarked on his career as a lawyer, traveling the circuit in North Carolina. In 1782 he married Sarah Jones, the daughter of his former commander, Gen. Allen Jones, and settled in Halifax. His legal knowledge and ability won him great respect, and his presentation of arguments was admired. Between 1786 and 1798 Davie represented Halifax in the North Carolina legislature. There he was the principal agent behind that body's actions to revise and codify state laws, send representatives to the Annapolis and Philadelphia conventions, cede Tennessee to the Union, and fix disputed state boundaries.

During the Constitutional Convention Davie favored plans for a strong central government. He was a member of the committee that considered the question of representation in Congress and swung the North Carolina delegation's vote in favor of the Great Compromise. He favored election of senators and presidential electors by the legislature and insisted on counting slaves in determining representation. Though he left the convention on August 13, before its adjournment, Davie fought hard for the Constitution's ratification and took a prominent part in the North Carolina convention.

The political and military realms were not the only ones in which Davie left his mark. The University of North Carolina, of which he was the chief founder, stands as an enduring reminder of Davie's interest in education. Davie selected the location, instructors, and a curriculum that included the literary and social sciences as well as mathematics and classics. In 1810 the trustees conferred upon him the title of "Father of the University" and in the next year granted him the degree of Doctor of Laws.

Davie became Governor of North Carolina in 1798. His career also turned back briefly to the military when President John Adams appointed him a brigadier general in the U.S. Army that same year. Davie later served as a peace commissioner to France in 1799.

Davie stood as a candidate for Congress in 1803 but met defeat. In 1805, after the death of his wife, Davie retired from politics to his plantation, "Tivoli," in Chester County, South Carolina. In 1813 he declined an appointment as major-general from President Madison. Davie was 64 years old when he died on November 29, 1820, at "Tivoli," and he was buried in the Old Waxhaw Presbyterian Churchyard in northern Lancaster County.

*Image: Courtesy of Independence National Historical Park*

### Alexander Martin, North Carolina



Though he represented North Carolina at the Constitutional Convention, Alexander Martin was born in Hunterdon County, NJ, in 1740. His parents, Hugh and Jane Martin, moved first to Virginia, then to Guilford County, NC, when Alexander was very young. Martin attended the College of New Jersey (later Princeton), received his degree in 1756, and moved to Salisbury. There he started his career as a merchant but turned to public service as he became justice of the peace, deputy king's attorney, and, in 1774 and 1775, judge of Salisbury district.

At the September 1770 session of the superior court at Hillsboro, 150 Regulators armed with sticks, switches, and cudgels crowded into the courtroom. They had come to present a petition to the judge demanding unprejudiced juries and a public accounting of taxes by sheriffs. Violence erupted, and several, including Alexander Martin, were beaten. In 1771 Martin signed an

agreement with the Regulators to refund all fees taken illegally and to arbitrate all differences.

From 1773 to 1774 Martin served in the North Carolina House of Commons and in the second and third provincial congresses in 1775. In September 1775 he was appointed a lieutenant colonel in the 2d North Carolina Continental Regiment. Martin saw military action in South Carolina and won promotion to a colonelcy. He joined Washington's army in 1777, but after the Battle of Germantown he was arrested for cowardice. A court-martial tried and acquitted Martin, but he resigned his commission on November 22, 1777.

Martin's misfortune in the army did not impede his political career. The year after his court-martial he entered the North Carolina Senate, where he served for 8 years (1778-82, 1785, and 1787-88). For every session except those of 1778-79, Martin served as speaker. From 1780 to 1781 he also sat on the Board of War and its successor, the Council Extraordinary. In 1781 Martin became acting governor of the state, and in 1782 through 1785 he was elected in his own right.

After his 1785 term in the North Carolina Senate, Martin represented his state in the Continental Congress, but he resigned in 1787. Of the five North Carolina delegates to the Constitutional Convention, Martin was the least strongly Federalist. He did not take an active part in the proceedings, and he left Philadelphia in late August 1787, before the Constitution was signed. Martin was considered a good politician but not suited to public debate. A colleague, Hugh Williamson, remarked that Martin needed time to recuperate after his great exertions as governor "to enable him again to exert his abilities to the advantage of the nation."

Under the new national government, Martin again served as Governor of North Carolina, from 1789 until 1792. After 1790 he moved away from the Federalists to the Republicans. In 1792 Martin, elected by the Republican legislature, entered the U.S. Senate. His vote in favor of the Alien and Sedition Acts cost him reelection. Back in North Carolina, Martin returned to the state senate in 1804 and 1805 to represent Rockingham County. In 1805 he once again served as speaker. From 1790 until 1807 he was a trustee of the University of North Carolina. Martin never married, and he died on November 2, 1807 at the age of 67 at his plantation, "Danbury," in Rockingham County and was buried on the estate.

*Image: Courtesy of Independence National Historical Park*

### Richard Dobbs Spaight, Sr., North Carolina



Spaight was born at New Bern, NC of distinguished English-Irish parentage in 1758. When he was orphaned at 8 years of age, his guardians sent him to Ireland, where he obtained an excellent education. He apparently graduated from Scotland's Glasgow University before he returned to North Carolina in 1778.

At that time, the War for Independence was in full swing, and Spaight's superior attainments soon gained him a commission. He became an aide to the state militia commander and in 1780 took part in the Battle of Camden, SC. The year before, he had been elected to the lower house of the legislature.

In 1781 Spaight left the military service to devote full time to his legislative duties. He represented New Bern and Craven County (1781-83 and 1785-87); in 1785 he became speaker. Between terms, he also served in the Continental Congress (1783-85).

In 1787, at the age of 29, Spaight joined the North Carolina delegation to the Philadelphia convention. He was not a leader but spoke on several occasions and numbered among those who attended every session. After the convention, he worked in his home state for acceptance of the Constitution.

Spaight met defeat in bids for the governorship in 1787 and the U.S. Senate 2 years later. From then until 1792, illness forced his retirement from public life, during which time he visited the West Indies, but he captured the governorship in the latter year (1792-95). In 1793 he served as presidential elector. Two years later, he wed Mary Leach, who bore three children.

In 1798 Spaight entered the U.S. House of Representatives as a Democratic-Republican and remained in office until 1801. During this time, he advocated repeal of the Alien and Sedition Acts and voted for Jefferson in the contested election of 1800. The next year, Spaight was voted into the lower house of the North Carolina legislature; the following year, to the upper.

Only 44 years old in 1802, Spaight was struck down in a duel at New Bern with a political rival, Federalist John

Stanly. So ended the promising career of one of the state's foremost leaders. He was buried in the family sepulcher at Clermont estate, near New Bern.

*Image: Courtesy of Independence National Historical Park*

## Hugh Williamson, North Carolina



The versatile Williamson was born of Scotch-Irish descent at West Nottingham, PA., in 1735. He was the eldest son in a large family, whose head was a clothier. Hoping he would become a Presbyterian minister, his parents oriented his education toward that calling. After attending preparatory schools at New London Cross Roads, DE, and Newark, DE, he entered the first class of the College of Philadelphia (later part of the University of Pennsylvania) and took his degree in 1757.

The next 2 years, at Shippensburg, PA, Williamson spent settling his father's estate. Then training in Connecticut for the ministry, he soon became a licensed Presbyterian preacher but was never ordained. Around this time, he also took a position as professor of mathematics at his alma mater.

In 1764 Williamson abandoned these pursuits and studied medicine at Edinburgh, London, and Utrecht, eventually obtaining a degree from the University of Utrecht. Returning to Philadelphia, he began to practice but found it to be emotionally exhausting. His pursuit of scientific interests continued, and in 1768 he became a member of the American Philosophical Society. The next year, he served on a commission that observed the transits of Venus and Mercury. In 1771 he wrote *An Essay on Comets*, in which he advanced several original ideas. As a result, the University of Leyden awarded him an LL.D. degree.

In 1773, to raise money for an academy in Newark, DE., Williamson made a trip to the West Indies and then to Europe. Sailing from Boston, he saw the Tea Party and carried news of it to London. When the British Privy Council called on him to testify as to what he had seen, he warned the councilors that the colonies would rebel if the British did not change their policies. While in England, he struck up a close friendship with fellow-scientist Benjamin Franklin, and they cooperated in electrical experiments. Moreover, Williamson furnished to Franklin the letters of Massachusetts Royal Governor Thomas Hutchinson to his lieutenant governor that created a sensation and tended to further alienate the mother country and colonies.

In 1775 a pamphlet Williamson had written while in England, called *The Plea of the Colonies*, was published. It solicited the support of the English Whigs for the American cause. When the United States proclaimed their independence the next year, Williamson was in the Netherlands. He soon sailed back to the United States, settling first in Charleston, SC, and then in Edenton, NC. There, he prospered in a mercantile business that traded with the French West Indies and once again took up the practice of medicine.

Williamson applied for a medical post with the patriot forces, but found all such positions filled. The governor of North Carolina, however, soon called on his specialized skills, and he became surgeon-general of state troops. After the Battle of Camden, SC, he frequently crossed British lines to tend to the wounded. He also prevented sickness among the troops by paying close attention to food, clothing, shelter, and hygiene.

After the war, Williamson began his political career. In 1782 he was elected to the lower house of the state legislature and to the Continental Congress. Three years later, he left Congress and returned to his legislative seat. In 1786 he was chosen to represent his state at the Annapolis Convention but arrived too late to take part. The next year, he again served in Congress (1787-89) and was chosen as a delegate to the Constitutional Convention. Attending faithfully and demonstrating keen debating skill, he served on five committees, notably on the Committee on Postponed Matters, and played a significant part in the proceedings, particularly the major compromise on representation.

After the convention, Williamson worked for ratification of the Constitution in North Carolina. In 1788 he was chosen to settle outstanding accounts between the state and the federal government. The next year, he was elected to the first U.S. House of Representatives, where he served two terms. In 1789 he married Maria Apthorpe, who bore at least two sons.

In 1793 Williamson moved to New York City to facilitate his literary and philanthropic pursuits. Over the years, he published many political, educational, economic, historical, and scientific works, but the last earned him the most praise. The University of Leyden awarded him an honorary degree. In addition, he was an original trustee

of the University of North Carolina and later held trusteeships at the College of Physicians and Surgeons and the University of the State of New York. He was also a founder of the Literary and Philosophical Society of New York and a prominent member of the New-York Historical Society.

In 1819, at the age of 83, Williamson died in New York City and was buried at Trinity Church.

*Image: Courtesy of National Archives, Records of Exposition, Anniversary, and Memorial Commissions (148-CCD-70a)*

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## The Founding Fathers: Pennsylvania

### George Clymer, Pennsylvania



Clymer was orphaned in 1740, only a year after his birth in Philadelphia. A wealthy uncle reared and informally educated him and advanced him from clerk to full-fledged partner in his mercantile firm, which on his death he bequeathed to his ward. Later Clymer merged operations with the Merediths, a prominent business family, and cemented the relationship by marrying his senior partner's daughter, Elizabeth, in 1765.

Motivated at least partly by the impact of British economic restrictions on his business, Clymer early adopted the Revolutionary cause and was one of the first to recommend independence. He attended patriotic meetings, served on the Pennsylvania council of safety, and in 1773 headed a committee that forced the resignation of Philadelphia tea consignees appointed by Britain under the Tea Act. Inevitably, in light of his economic background, he channeled his energies into financial matters. In 1775-76 he acted as one of the first two Continental treasurers, even personally underwriting the war by exchanging all his own specie for Continental currency.

In the Continental Congress (1776-77 and 1780-82) the quiet and unassuming Clymer rarely spoke in debate but made his mark in committee efforts, especially those pertaining to commerce, finance, and military affairs. During the War for Independence, he also served on a series of commissions that conducted important field investigations. In December 1776, when Congress fled from Philadelphia to Baltimore, he and George Walton and Robert Morris remained behind to carry on congressional business. Within a year, after their victory at the Battle of Brandywine, Pa. (September 11, 1777), British troops advancing on Philadelphia detoured for the purpose of vandalizing Clymer's home in Chester County about 25 miles outside the city. His wife and children hid nearby in the woods.

After a brief retirement following his last term in the Continental Congress, Clymer was reelected for the years 1784-88 to the Pennsylvania legislature, where he had also served part time in 1780-82 while still in Congress. As a state legislator, he advocated a bicameral legislature and reform of the penal code and opposed capital punishment. At the Constitutional Convention, where he rarely missed a meeting, he spoke seldom but effectively and played a modest role in shaping the final document.

The next phase of Clymer's career consisted of service in the U.S. House of Representatives in the First Congress (1789-91), followed by appointment as collector of excise taxes on alcoholic beverages in Pennsylvania (1791-94). In 1795-96 he sat on a Presidential commission that negotiated a treaty with the Cherokee and Creek Indians in Georgia. During his retirement, Clymer advanced various community projects, including the Philadelphia Society for Promoting Agriculture and the Pennsylvania Academy of the Fine Arts, and served as the first president of the Philadelphia Bank. At the age of 73, in 1813, he died at Summerseat, an estate a few miles outside Philadelphia at Morrisville that he had purchased and moved to in 1806. His grave is in the Friends Meeting House Cemetery at Trenton, NJ.

*Image: Courtesy of National Portrait Gallery, Smithsonian Institution*

### Thomas Fitzsimons, Pennsylvania

Fitzsimons (FitzSimons; Fitzsimmons) was born in Ireland in 1741. Coming to America about 1760, he pursued a mercantile career in Philadelphia. The next year, he married Catherine Meade, the daughter of a prominent local merchant, Robert Meade, and not long afterward went into business with one of his brothers-in-law. The firm of George Meade and Company soon became one of the leading commercial houses in the city and specialized in the West India trade.

When the Revolution erupted, Fitzsimons enthusiastically endorsed the Whig position. During the war, he commanded a company of militia (1776-77). He also sat on the Philadelphia committee of correspondence, council of safety, and navy board. His firm provided supplies and "fire" ships to the military forces and, toward the end of the war, donated £: 5,000 to the Continental Army.



In 1782-83 Fitzsimons entered politics as a delegate to the Continental Congress. In the latter year, he became a member of the Pennsylvania council of censors and served as a legislator (1786-89). His attendance at the Constitutional Convention was regular, but he did not make any outstanding contributions to the proceedings. He was, however, a strong nationalist.

After the convention, Fitzsimons continued to demonstrate his nationalistic proclivities as a three-term U.S. representative (1789-95). He allied himself closely with the program of Hamilton and the emerging Federalist Party. Once again demonstrating his commercial orientation, he advocated a protective tariff and retirement of the national debt.

Fitzsimons spent most of the remainder of his life in private business, though he retained an interest in public affairs. His views remained essentially Federalist. During the maritime difficulties in the late 1790s, he urged retaliation against British and French interference with American shipping. In the first decade of the 19th century, he vigorously opposed Jefferson's embargo of 1807-9. In 1810, again clashing with the Jeffersonians, he championed the recharter of the First United States Bank.

But Fitzsimons's prominence stemmed from his business leadership. In 1781 he had been one of the founders of the Bank of North America. He also helped organize and held a directorship in the Insurance Company of North America and several times acted as president of the Philadelphia Chamber of Commerce. His financial affairs, like those somewhat earlier of his associate and fellow-signer Robert Morris, took a disastrous turn in 1805. He later regained some of his affluence, but his reputation suffered.

Despite these troubles, Fitzsimons never ceased his philanthropy. He was an outstanding supporter of Philadelphia's St. Augustine's Roman Catholic Church. He also strived to improve public education in the commonwealth and served as trustee of the University of Pennsylvania.

Fitzsimons died at Philadelphia in 1811 after seven decades of life. His tomb is there in the graveyard at St. Mary's Roman Catholic Church, which is in present Independence National Historical Park.

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## Benjamin Franklin, Pennsylvania



Franklin was born in 1706 at Boston. He was the tenth son of a soap and candlemaker. He received some formal education but was principally self-taught. After serving an apprenticeship to his father between the ages of 10 and 12, he went to work for his half-brother James, a printer. In 1721 the latter founded the New England Courant, the fourth newspaper in the colonies. Benjamin secretly contributed 14 essays to it, his first published writings.

In 1723, because of dissension with his half-brother, Franklin moved to Philadelphia, where he obtained employment as a printer. He spent only a year there and then sailed to London for 2 more years. Back in Philadelphia, he rose rapidly in the printing industry. He published The Pennsylvania Gazette (1730-48), which had been founded by another man in 1728, but his most successful literary venture was the annual Poor Richard's Almanac (1733-58). It won a popularity in the colonies second only to the Bible, and its fame eventually spread to Europe.

Meantime, in 1730 Franklin had taken a common-law wife, Deborah Read, who was to bear him a son and daughter, and he also apparently had children with another nameless woman out of wedlock. By 1748 he had achieved financial independence and gained recognition for his philanthropy and the stimulus he provided to such civic causes as libraries, educational institutions, and hospitals. Energetic and tireless, he also found time to pursue his interest in science, as well as to enter politics.

Franklin served as clerk (1736-51) and member (1751-64) of the colonial legislature and as deputy postmaster of Philadelphia (1737-53) and deputy postmaster general of the colonies (1753-74). In addition, he represented Pennsylvania at the Albany Congress (1754), called to unite the colonies during the French and Indian War. The congress adopted his "Plan of Union," but the colonial assemblies rejected it because it encroached on their powers.

During the years 1757-62 and 1764-75, Franklin resided in England, originally in the capacity of agent for Pennsylvania and later for Georgia, New Jersey, and Massachusetts. During the latter period, which coincided with the growth of colonial unrest, he underwent a political metamorphosis. Until then a contented Englishman in

outlook, primarily concerned with Pennsylvania provincial politics, he distrusted popular movements and saw little purpose to be served in carrying principle to extremes. Until the issue of parliamentary taxation undermined the old alliances, he led the Quaker party attack on the Anglican proprietary party and its Presbyterian frontier allies. His purpose throughout the years at London in fact had been displacement of the Penn family administration by royal authority-the conversion of the province from a proprietary to a royal colony.

It was during the Stamp Act crisis that Franklin evolved from leader of a shattered provincial party's faction to celebrated spokesman at London for American rights. Although as agent for Pennsylvania he opposed by every conceivable means the enactment of the bill in 1765, he did not at first realize the depth of colonial hostility. He regarded passage as unavoidable and preferred to submit to it while actually working for its repeal.

Franklin's nomination of a friend and political ally as stamp distributor for Pennsylvania, coupled with his apparent acceptance of the legislation, armed his proprietary opponents with explosive issues. Their energetic exploitation of them endangered his reputation at home until reliable information was published demonstrating his unabated opposition to the act. For a time, mob resentment threatened his family and new home in Philadelphia until his tradesmen supporters rallied. Subsequently, Franklin's defense of the American position in the House of Commons during the debates over the Stamp Act's repeal restored his prestige at home.

Franklin returned to Philadelphia in May 1775 and immediately became a distinguished member of the Continental Congress. Thirteen months later, he served on the committee that drafted the Declaration of Independence. He subsequently contributed to the government in other important ways, including service as postmaster general, and took over the duties of president of the Pennsylvania constitutional convention.

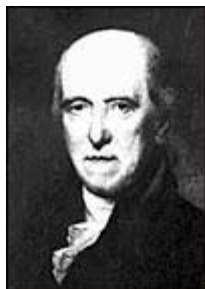
But, within less than a year and a half after his return, the aged statesman set sail once again for Europe, beginning a career as diplomat that would occupy him for most of the rest of his life. In the years 1776-79, as one of three commissioners, he directed the negotiations that led to treaties of commerce and alliance with France, where the people adulated him, but he and the other commissioners squabbled constantly. While he was sole commissioner to France (1779-85), he and John Jay and John Adams negotiated the Treaty of Paris (1783), which ended the War for Independence.

Back in the United States, in 1785 Franklin became president of the Supreme Executive Council of Pennsylvania. At the Constitutional Convention, though he did not approve of many aspects of the finished document and was hampered by his age and ill-health, he missed few if any sessions, lent his prestige, soothed passions, and compromised disputes.

In his twilight years, working on his Autobiography, Franklin could look back on a fruitful life as the toast of two continents. Energetic nearly to the last, in 1787 he was elected as first president of the Pennsylvania Society for Promoting the Abolition of Slavery-a cause to which he had committed himself as early as the 1730s. His final public act was signing a memorial to Congress recommending dissolution of the slavery system. Shortly thereafter, in 1790 at the age of 84, Franklin passed away in Philadelphia and was laid to rest in Christ Church Burial Ground.

*Image: Courtesy of National Portrait Gallery, Smithsonian Institution*

## Jared Ingersoll, Pennsylvania



The son of Jared Ingersoll, Sr., a British colonial official and later prominent Loyalist, Ingersoll was born at New Haven, CT, in 1749. He received an excellent education and graduated from Yale in 1766. He then oversaw the financial affairs of his father, who had relocated from New Haven to Philadelphia. Later, the youth joined him, took up the study of law, and won admittance to the Pennsylvania bar.

In the midst of the Revolutionary fervor, which neither father nor son shared, in 1773, on the advice of the elder Ingersoll, Jared, Jr., sailed to London and studied law at the Middle Temple. Completing his work in 1776, he made a 2-year tour of the Continent, during which time for some reason he shed his Loyalist sympathies.

Returning to Philadelphia and entering the legal profession, Ingersoll attended to the clients of one of the city's leading lawyers and a family friend, Joseph Reed, who was then occupied with the affairs of the Supreme Executive Council of Pennsylvania. In 1781 Ingersoll married Elizabeth Pettit (Petit). The year before, he had entered politics by winning election to the Continental Congress (1780-81).

Although Ingersoll missed no sessions at the Constitutional Convention, had long favored revision of the Articles of Confederation, and as a lawyer was used to debate, he seldom spoke during the proceedings.

Subsequently, Ingersoll held a variety of public positions: member of the Philadelphia common council (1789); attorney general of Pennsylvania (1790-99 and 1811-17); Philadelphia city solicitor (1798-1801); U.S. District Attorney for Pennsylvania (1800-01); and presiding judge of the Philadelphia District Court (1821-22). Meantime, in 1812, he had been the Federalist Vice-Presidential candidate, but failed to win election.

While pursuing his public activities, Ingersoll attained distinction in his legal practice. For many years, he handled the affairs of Stephen Girard, one of the nation's leading businessmen. In 1791 Ingersoll began to practice before the U.S. Supreme Court and took part in some memorable cases. Although in both *Chisholm v. Georgia* (1792) and *Hylton v. United States* (1796) he represented the losing side, his arguments helped to clarify difficult constitutional issues. He also represented fellow-signer William Blount, a senator, when he was threatened with impeachment in the late 1790s.

Ingersoll's long career ended in 1822, when he died less than a week after his 73d birthday. Survived by three children, he was buried in the cemetery of Philadelphia's First Presbyterian Church.

*Image: Courtesy of National Archives, Records of Exposition, Anniversary, and Memorial Commissions (148-CP-130)*

### Thomas Mifflin, Pennsylvania



A member of the fourth generation of a Pennsylvania Quaker family who had emigrated from England, Mifflin was born at Philadelphia in 1744, the son of a rich merchant and local politician. He studied at a Quaker school and then at the College of Philadelphia (later part of the University of Pennsylvania), from which he won a diploma at the age of 16 and whose interests he advanced for the rest of his life.

Mifflin then worked for 4 years in a Philadelphia countinghouse. In 1764 he visited Europe, and the next year entered the mercantile business in Philadelphia with his brother. In 1767 he wed Sarah Morris. Although he prospered in business, politics enticed him.

In the Pennsylvania legislature (1772-76), Mifflin championed the colonial position against the crown. In 1774 he attended the Continental Congress (1774-76). Meanwhile, he had helped to raise troops and in May 1775 won appointment as a major in the Continental Army, which caused him to be expelled from his Quaker faith. In the summer of 1775 he first became an aide-de-camp to Washington and then Quartermaster General of the Continental Army. Late in 1775 he became a colonel and in May 1776 a brigadier general. Preferring action to administration, after a time he began to perform his quartermaster duties perfunctorily. Nevertheless, he participated directly in the war effort. He took part in the Battles of Long Island, NY, Trenton, NJ, and Princeton, NJ. Furthermore, through his persuasive oratory, he apparently convinced many men not to leave the military service.

In 1777 Mifflin attained the rank of major general but, restive at criticism of his quartermaster activities, he resigned. About the same time, though he later became a friend of Washington, he became involved in the cabal that advanced Gen. Horatio Gates to replace him in command of the Continental Army. In 1777-78 Mifflin sat on the Congressional Board of War. In the latter year, he briefly reentered the military, but continuing attacks on his earlier conduct of the quartermastership soon led him to resign once more.

Mifflin returned immediately to politics. He sat in the state assembly (1778-79) and again in the Continental Congress (1782-84), from December 1783 to the following June as its president. In 1787 he was chosen to take part in the Constitutional Convention. He attended regularly, but made no speeches and did not play a substantial role.

Mifflin continued in the legislature (1785-88 and 1799-1800); succeeded Franklin as president of the Supreme Executive Council (1788-90); chaired the constitutional convention (1789-90); and held the governorship (1790-99), during which time he affiliated himself with the emerging Democratic-Republican Party.

Although wealthy most of his life, Mifflin was a lavish spender. Pressure from his creditors forced him to leave Philadelphia in 1799, and he died at Lancaster the next year, aged 56. The Commonwealth of Pennsylvania paid his burial expenses at the local Trinity Lutheran Church.

*Image: Courtesy of Independence National Historical Park*

## Gouverneur Morris, Pennsylvania



Gouverneur Morris was born at Morrisania estate, in Westchester (present Bronx) County, NY, in 1752. His family was wealthy and enjoyed a long record of public service. His elder half-brother, Lewis, signed the Declaration of Independence.

Gouverneur was educated by private tutors and at a Huguenot school in New Rochelle. In early life, he lost a leg in a carriage accident. He attended King's College (later Columbia College and University) in New York City, graduating in 1768 at the age of 16. Three years later, after reading law in the city, he gained admission to the bar.

When the Revolution loomed on the horizon, Morris became interested in political affairs. Because of his conservatism, however, he at first feared the movement, which he believed would bring mob rule. Furthermore, some of his family and many of his friends were Loyalists. But, beginning in 1775, for some reason he sided with the Whigs. That same year, representing Westchester County, he took a seat in New York's Revolutionary provincial congress (1775-77). In 1776, when he also served in the militia, along with John Jay and Robert R. Livingston he drafted the first constitution of the state. Subsequently he joined its council of safety (1777).

In 1777-78 Morris sat in the legislature and in 1778-79 in the Continental Congress, where he numbered among the youngest and most brilliant members. During this period, he signed the Articles of Confederation and drafted instructions for Benjamin Franklin, in Paris, as well as those that provided a partial basis for the treaty ending the War for Independence. Morris was also a close friend of Washington and one of his strongest congressional supporters.

Defeated in his bid for reelection to Congress in 1779 because of the opposition of Gov. George Clinton's faction, Morris relocated to Philadelphia and resumed the practice of law. This temporarily removed him from the political scene, but in 1781 he resumed his public career when he became the principal assistant to Robert Morris, Superintendent of Finance for the United States, to whom he was unrelated. Gouverneur held this position for 4 years.

Morris emerged as one of the leading figures at the Constitutional Convention. His speeches, more frequent than those by anyone else, numbered 173. Although sometimes presented in a light vein, they were usually substantive. A strong advocate of nationalism and aristocratic rule, he served on many committees, including those on postponed matters and style, and stood in the thick of the decision-making process. Above all, it was apparently he who actually drafted the Constitution. Morris subsequently left public life for a time to devote his attention to business. Having purchased the family home from his half-brother, Lewis, he moved back to New York. Afterward, in 1789, Gouverneur joined in a business venture with Robert Morris, and traveled to France, where he witnessed the beginnings of the French Revolution.

Morris was to remain in Europe for about a decade. In 1790-91 he undertook a diplomatic mission to London to try to negotiate some of the outstanding problems between the United States and Great Britain. The mission failed, but in 1792 Washington appointed him as Minister to France, to replace Thomas Jefferson. Morris was recalled 2 years later but did not come home. Instead, he traveled extensively in Europe for more than 4 years, during which time he handled his complicated business affairs and contemplated the complex political situation.

Morris returned to the United States in 1799. The next year, he was elected to finish an unexpired term in the U.S. Senate. An ardent Federalist, he was defeated in his bid for reelection in 1802 and left office the following year.

Morris retired to a glittering life at Morrisania, where he had built a new residence. In 1809 he married Anne Cary (Carey) Randolph of Virginia, and they had one son. During his last years, he continued to speak out against the Democratic-Republicans and violently opposed the War of 1812. In the years 1810-13 he served as chairman of the Erie Canal Commission.

Morris died at Morrisania in 1816 at the age of 64 and was buried at St. Anne's Episcopal Churchyard, in the Bronx, New York City.

*Image: Courtesy of National Portrait Gallery, Smithsonian Institution*

## Robert Morris, Pennsylvania



Robert Morris was born at or near Liverpool, England, in 1734. When he reached 13 years of age, he emigrated to Maryland to join his father, a tobacco exporter at Oxford, Md. After brief schooling at Philadelphia, the youth obtained employment with Thomas and Charles Willing's well-known shipping-banking firm. In 1754 he became a partner and for almost four decades was one of the company's directors as well as an influential Philadelphia citizen. Wedding Mary White at the age of 35, he fathered five sons and two daughters.

During the Stamp Act turmoil in 1765, Morris joined other merchants in protest, but not until the outbreak of hostilities a decade later did he fully commit himself to the Revolution. In 1775 the Continental Congress contracted with his firm to import arms and ammunition, and he was elected to the Pennsylvania council of safety (1775-76), the committee of correspondence, the provincial assembly (1775-76), the legislature (1776-78), and the Continental Congress (1775-78). In the last body, on July 1, 1776, he voted against independence, which he personally considered premature, but the next day he purposely absented himself to facilitate an affirmative ballot by his delegation.

Morris, a key congressman, specialized in financial affairs and military procurement. Although he and his firm profited handsomely, had it not been for his assiduous labors the Continental Army would probably have been forced to demobilize. He worked closely with General Washington, wheedled money and supplies from the states, borrowed money in the face of overwhelming difficulties, and on occasion even obtained personal loans to further the war cause.

Immediately following his congressional service, Morris sat for two more terms in the Pennsylvania legislature (1778-81). During this time, Thomas Paine and others attacked him for profiteering in Congress, which investigated his accounts and vindicated him. Nevertheless, his reputation suffered.

Morris embarked on the most dramatic phase of his career by accepting the office of Superintendent of Finance (1781-84) under the Articles of Confederation. Congress, recognizing the perilous state of the nation's finances and its impotence to provide remedies, granted him dictatorial powers and acquiesced to his condition that he be allowed to continue his private commercial enterprises. He slashed all governmental and military expenditures, personally purchased army and navy supplies, tightened accounting procedures, prodded the states to fulfill quotas of money and supplies, and when necessary strained his personal credit by issuing notes over his own signature or borrowing from friends.

To finance Washington's Yorktown campaign in 1781, in addition to the above techniques, Morris obtained a sizable loan from France. He used part of it, along with some of his own fortune, to organize the Bank of North America, chartered that December. The first government-incorporated bank in the United States, it aided war financing.

Although Morris was reelected to the Pennsylvania legislature for 1785-86, his private ventures consumed most of his time. In the latter year, he attended the Annapolis Convention, and the following year the Constitutional Convention, where he sympathized with the Federalists but was, for a man of his eminence, strangely silent. Although in attendance at practically every meeting, he spoke only twice in debates and did not serve on any committees. In 1789, declining Washington's offer of appointment as the first Secretary of the Treasury, he took instead a U.S. Senate seat (1789-95).

During the later years of his public life, Morris speculated wildly, often on overextended credit, in lands in the West and at the site of Washington, DC. To compound his difficulties, in 1794 he began constructing on Philadelphia's Chestnut Street a mansion designed by Maj. Pierre Charles L'Enfant. Not long thereafter, Morris attempted to escape creditors by retreating to The Hills, the country estate along the Schuylkill River on the edge of Philadelphia that he had acquired in 1770.

Arrested at the behest of creditors in 1798 and forced to abandon completion of the mansion, thereafter known in its unfinished state as "Morris' Folly," Morris was thrown into the Philadelphia debtor's prison, where he was nevertheless well treated. By the time he was released in 1801, under a federal bankruptcy law, however, his property and fortune had vanished, his health had deteriorated, and his spirit had been broken. He lingered on in poverty and obscurity, living in a simple Philadelphia home on an annuity obtained for his wife by fellow-signer Gouverneur Morris.

Robert Morris died in 1806 in his 73d year and was buried in the yard of Christ Church.

Image: Independence National Historical Park

## James Wilson, Pennsylvania



Wilson was born in 1741 or 1742 at Carskerdo, near St. Andrews, Scotland, and educated at the universities of St. Andrews, Glasgow, and Edinburgh. He then emigrated to America, arriving in the midst of the Stamp Act agitations in 1765. Early the next year, he accepted a position as Latin tutor at the College of Philadelphia (later part of the University of Pennsylvania) but almost immediately abandoned it to study law under John Dickinson.

In 1768, the year after his admission to the Philadelphia bar, Wilson set up practice at Reading, Pa. Two years later, he moved westward to the Scotch-Irish settlement of Carlisle, and the following year he took a bride, Rachel Bird. He specialized in land law and built up a broad clientele. On borrowed capital, he also began to speculate in land. In some way he managed, too, to lecture on English literature at the College of Philadelphia, which had awarded him an honorary master of arts degree in 1766.

Wilson became involved in Revolutionary politics. In 1774 he took over chairmanship of the Carlisle committee of correspondence, attended the first provincial assembly, and completed preparation of *Considerations on the Nature and Extent of the Legislative Authority of the British Parliament*. This tract circulated widely in England and America and established him as a Whig leader.

The next year, Wilson was elected to both the provincial assembly and the Continental Congress, where he sat mainly on military and Indian affairs committees. In 1776, reflecting the wishes of his constituents, he joined the moderates in Congress voting for a 3-week delay in considering Richard Henry Lee's resolution of June 7 for independence. On the July 1 and 2 ballots on the issue, however, he voted in the affirmative and signed the Declaration of Independence on August 2.

Wilson's strenuous opposition to the republican Pennsylvania constitution of 1776, besides indicating a switch to conservatism on his part, led to his removal from Congress the following year. To avoid the clamor among his frontier constituents, he repaired to Annapolis during the winter of 1777-78 and then took up residence in Philadelphia.

Wilson affirmed his newly assumed political stance by closely identifying with the aristocratic and conservative republican groups, multiplying his business interests, and accelerating his land speculation. He also took a position as Advocate General for France in America (1779-83), dealing with commercial and maritime matters, and legally defended Loyalists and their sympathizers.

In the fall of 1779, during a period of inflation and food shortages, a mob which included many militiamen and was led by radical constitutionalists, set out to attack the republican leadership. Wilson was a prime target. He and some 35 of his colleagues barricaded themselves in his home at Third and Walnut Streets, thereafter known as "Fort Wilson." During a brief skirmish, several people on both sides were killed or wounded. The shock cooled sentiments and pardons were issued all around, though major political battles over the commonwealth constitution still lay ahead.

During 1781 Congress appointed Wilson as one of the directors of the Bank of North America, newly founded by his close associate and legal client Robert Morris. In 1782, by which time the conservatives had regained some of their power, the former was reelected to Congress, and he also served in the period 1785-87.

Wilson reached the apex of his career in the Constitutional Convention (1787), where his influence was probably second only to that of Madison. Rarely missing a session, he sat on the Committee of Detail and in many other ways applied his excellent knowledge of political theory to convention problems. Only Gouverneur Morris delivered more speeches.

That same year, overcoming powerful opposition, Wilson led the drive for ratification in Pennsylvania, the second state to endorse the instrument. The new commonwealth constitution, drafted in 1789-90 along the lines of the U.S. Constitution, was primarily Wilson's work and represented the climax of his 14-year fight against the constitution of 1776.

For his services in the formation of the federal government, though Wilson expected to be appointed Chief Justice of the Supreme Court, in 1789 President Washington named him as an associate justice. He was

chosen that same year as the first law professor at the College of Philadelphia. Two years later he began an official digest of the laws of Pennsylvania, a project he never completed, though he carried on for a while after funds ran out.

Wilson, who wrote only a few opinions, did not achieve the success on the Supreme Court that his capabilities and experience promised. Indeed, during those years he was the object of much criticism and barely escaped impeachment. For one thing, he tried to influence the enactment of legislation in Pennsylvania favorable to land speculators. Between 1792 and 1795 he also made huge but unwise land investments in western New York and Pennsylvania, as well as in Georgia. This did not stop him from conceiving a grandiose but ill-fated scheme, involving vast sums of European capital, for the recruitment of European colonists and their settlement in the West. Meantime, in 1793, as a widower with six children, he remarried to Hannah Gray; their one son died in infancy.

Four years later, to avoid arrest for debt, the distraught Wilson moved from Philadelphia to Burlington, NJ. The next year, apparently while on federal circuit court business, he arrived at Edenton, NC, in a state of acute mental stress and was taken into the home of James Iredell, a fellow Supreme Court justice. He died there within a few months. Although first buried at Hayes Plantation near Edenton, his remains were later reinterred in the yard of Christ Church at Philadelphia.

*Image: Courtesy of National Portrait Gallery, Smithsonian Institution*

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## The Founding Fathers: South Carolina

### Pierce Butler, South Carolina



One of the most aristocratic delegates at the convention, Butler was born in 1744 in County Carlow, Ireland. His father was Sir Richard Butler, member of Parliament and a baronet.

Like so many younger sons of the British aristocracy who could not inherit their fathers' estates because of primogeniture, Butler pursued a military career. He became a major in His Majesty's 29th Regiment and during the colonial unrest was posted to Boston in 1768 to quell disturbances there. In 1771 he married Mary Middleton, daughter of a wealthy South Carolinian, and before long resigned his commission to take up a planter's life in the Charleston area. The couple was to have at least one daughter.

When the Revolution broke out, Butler took up the Whig cause. He was elected to the assembly in 1778, and the next year he served as adjutant general in the South Carolina militia. While in the legislature through most of the 1780s, he took over leadership of the democratic upcountry faction in the state and refused to support his own planter group. The War for Independence cost him much of his property, and his finances were so precarious for a time that he was forced to travel to Amsterdam to seek a personal loan. In 1786 the assembly appointed him to a commission charged with settling a state boundary dispute.

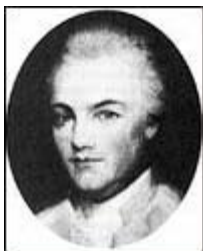
The next year, Butler won election to both the Continental Congress (1787-88) and the Constitutional Convention. In the latter assembly, he was an outspoken nationalist who attended practically every session and was a key spokesman for the Madison-Wilson caucus. Butler also supported the interests of southern slaveholders. He served on the Committee on Postponed Matters.

On his return to South Carolina Butler defended the Constitution but did not participate in the ratifying convention. Service in the U.S. Senate (1789-96) followed. Although nominally a Federalist, he often crossed party lines. He supported Hamilton's fiscal program but opposed Jay's Treaty and Federalist judiciary and tariff measures.

Out of the Senate and back in South Carolina from 1797 to 1802, Butler was considered for but did not attain the governorship. He sat briefly in the Senate again in 1803-4 to fill out an unexpired term, and he once again demonstrated party independence. But, for the most part, his later career was spent as a wealthy planter. In his last years, he moved to Philadelphia, apparently to be near a daughter who had married a local physician. Butler died there in 1822 at the age of 77 and was buried in the yard of Christ Church.

*Image: Courtesy of National Archives, Records of Exposition, Anniversary, and Memorial Commissions (148-CCD-81a)*

### Charles Pinckney, South Carolina



Charles Pinckney, the second cousin of fellow-signer Charles Cotesworth Pinckney, was born at Charleston, SC, in 1757. His father, Col. Charles Pinckney, was a rich lawyer and planter, who on his death in 1782 was to bequeath Snee Farm, a country estate outside the city, to his son Charles. The latter apparently received all his education in the city of his birth, and he started to practice law there in 1779.

About that time, well after the War for Independence had begun, young Pinckney enlisted in the militia, though his father demonstrated ambivalence about the Revolution. He became a lieutenant, and served at the siege of Savannah (September-October 1779).

When Charleston fell to the British the next year, the youth was captured and remained a prisoner until June 1781.

Pinckney had also begun a political career, serving in the Continental Congress (1777-78 and 1784-87) and in



the state legislature (1779-80, 1786-89, and 1792-96). A nationalist, he worked hard in Congress to ensure that the United States would receive navigation rights to the Mississippi and to strengthen congressional power.

Pinckney's role in the Constitutional Convention is controversial. Although one of the youngest delegates, he later claimed to have been the most influential one and contended he had submitted a draft that was the basis of the final Constitution. Most historians have rejected this assertion. They do, however, recognize that he ranked among the leaders. He attended full time, spoke often and effectively, and contributed immensely to the final draft and to the resolution of problems that arose during the debates. He also worked for ratification in South Carolina (1788). That same year, he married Mary Eleanor Laurens, daughter of a wealthy and politically powerful South Carolina merchant; she was to bear at least three children.

Subsequently, Pinckney's career blossomed. From 1789 to 1792 he held the governorship of South Carolina, and in 1790 chaired the state constitutional convention. During this period, he became associated with the Federalist Party, in which he and his cousin Charles Cotesworth Pinckney were leaders. But, with the passage of time, the former's views began to change. In 1795 he attacked the Federalist backed Jay's Treaty and increasingly began to cast his lot with Carolina back-country Democratic-Republicans against his own eastern aristocracy. In 1796 he became governor once again, and in 1798 his Democratic-Republican supporters helped him win a seat in the U.S. Senate. There, he bitterly opposed his former party, and in the presidential election of 1800 served as Thomas Jefferson's campaign manager in South Carolina.

The victorious Jefferson appointed Pinckney as Minister to Spain (1801-5), in which capacity he struggled valiantly but unsuccessfully to win cession of the Floridas to the United States and facilitated Spanish acquiescence in the transfer of Louisiana from France to the United States in 1803.

Upon completion of his diplomatic mission, his ideas moving ever closer to democracy, Pinckney headed back to Charleston and to leadership of the state Democratic-Republican Party. He sat in the legislature in 1805-6 and then was again elected as governor (1806-8). In this position, he favored legislative reapportionment, giving better representation to back-country districts, and advocated universal white manhood suffrage. He served again in the legislature from 1810 to 1814 and then temporarily withdrew from politics. In 1818 he won election to the U.S. House of Representatives, where he fought against the Missouri Compromise.

In 1821, Pinckney's health beginning to fail, he retired for the last time from politics. He died in 1824, just 3 days after his 67th birthday. He was laid to rest in Charleston at St. Philip's Episcopal Churchyard.

*Image: Courtesy of National Archives, Records of Exposition, Anniversary, and Memorial Commissions (148-CCD-54)*

### Charles Cotesworth Pinckney, South Carolina



The eldest son of a politically prominent planter and a remarkable mother who introduced and promoted indigo culture in South Carolina, Charles Cotesworth Pinckney was born in 1746 at Charleston. Only 7 years later, he accompanied his father, who had been appointed colonial agent for South Carolina, to England. As a result, the youth enjoyed a European education.

Pinckney received tutoring in London, attended several preparatory schools, and went on to Christ Church College, Oxford, where he heard the lectures of the legal authority Sir William Blackstone and graduated in 1764. Pinckney next pursued legal training at London's Middle Temple and was accepted for admission into the English bar in 1769. He then spent part of a year touring Europe and studying chemistry, military science, and botany under leading authorities.

Late in 1769, Pinckney sailed home and the next year entered practice in South Carolina. His political career began in 1769, when he was elected to the provincial assembly. In 1773 he acted as attorney general for several towns in the colony. By 1775 he had identified with the patriot cause and that year sat in the provincial congress. Then, the next year, he was elected to the local committee of safety and made chairman of a committee that drew up a plan for the interim government of South Carolina.

When hostilities broke out, Pinckney, who had been a royal militia officer since 1769, pursued a full-time military calling. When South Carolina organized its forces in 1775, he joined the First South Carolina Regiment as a captain. He soon rose to the rank of colonel and fought in the South in defense of Charleston and in the North

at the Battles of Brandywine, PA, and Germantown, PA. He commanded a regiment in the campaign against the British in the Floridas in 1778 and at the siege of Savannah. When Charleston fell in 1780, he was taken prisoner and held until 1782. The following year, he was discharged as a brevet brigadier general.

After the war, Pinckney resumed his legal practice and the management of estates in the Charleston area but found time to continue his public service, which during the war had included tours in the lower house of the state legislature (1778 and 1782) and the senate (1779).

Pinckney was one of the leaders at the Constitutional Convention. Present at all the sessions, he strongly advocated a powerful national government. His proposal that senators should serve without pay was not adopted, but he exerted influence in such matters as the power of the Senate to ratify treaties and the compromise that was reached concerning abolition of the international slave trade. After the convention, he defended the Constitution in South Carolina.

Under the new government, Pinckney became a devoted Federalist. Between 1789 and 1795 he declined presidential offers to command the U.S. Army and to serve on the Supreme Court and as Secretary of War and Secretary of State. In 1796, however, he accepted the post of Minister to France, but the revolutionary regime there refused to receive him and he was forced to proceed to the Netherlands. The next year, though, he returned to France when he was appointed to a special mission to restore relations with that country. During the ensuing XYZ affair, refusing to pay a bribe suggested by a French agent to facilitate negotiations, he was said to have replied "No! No! Not a sixpence!"

When Pinckney arrived back in the United States in 1798, he found the country preparing for war with France. That year, he was appointed as a major general in command of American forces in the South and served in that capacity until 1800, when the threat of war ended. That year, he represented the Federalists as Vice-Presidential candidate, and in 1804 and 1808 as the Presidential nominee. But he met defeat on all three occasions.

For the rest of his life, Pinckney engaged in legal practice, served at times in the legislature, and engaged in philanthropic activities. He was a charter member of the board of trustees of South Carolina College (later the University of South Carolina), first president of the Charleston Bible Society, and chief executive of the Charleston Library Society. He also gained prominence in the Society of the Cincinnati, an organization of former officers of the War for Independence.

During the later period of his life, Pinckney enjoyed his Belmont estate and Charleston high society. He was twice married; first to Sarah Middleton in 1773 and after her death to Mary Stead in 1786. Survived by three daughters, he died in Charleston in 1825 at the age of 79. He was interred there in the cemetery at St. Michael's Episcopal Church.

*Image: Courtesy of National Portrait Gallery, Smithsonian Institution*

## John Rutledge, South Carolina



John Rutledge, elder brother of Edward Rutledge, signer of the Declaration of Independence, was born into a large family at or near Charleston, SC, in 1739. He received his early education from his father, an Irish immigrant and physician, and from an Anglican minister and a tutor. After studying law at London's Middle Temple in 1760, he was admitted to English practice. But, almost at once, he sailed back to Charleston to begin a fruitful legal career and to amass a fortune in plantations and slaves. Three years later, he married Elizabeth Grimke, who eventually bore him 10 children, and moved into a townhouse, where he resided most of the remainder of his life.

In 1761 Rutledge became politically active. That year, on behalf of Christ Church Parish, he was elected to the provincial assembly and held his seat until the War for Independence. For 10 months in 1764 he temporarily held the post of provincial attorney general. When the troubles with Great Britain intensified about the time of the Stamp Act in 1765, Rutledge, who hoped to ensure continued self-government for the colonies, sought to avoid severance from the British and maintained a restrained stance. He did, however, chair a committee of the Stamp Act Congress that drew up a petition to the House of Lords.

In 1774 Rutledge was sent to the First Continental Congress, where he pursued a moderate course. After spending the next year in the Second Continental Congress, he returned to South Carolina and helped

reorganize its government. In 1776 he served on the committee of safety and took part in the writing of the state constitution. That year, he also became president of the lower house of the legislature, a post he held until 1778. During this period, the new government met many stern tests.

In 1778 the conservative Rutledge, disapproving of democratic revisions in the state constitution, resigned his position. The next year, however, he was elected as governor. It was a difficult time. The British were invading South Carolina, and the military situation was desperate. Early in 1780, by which time the legislature had adjourned, Charleston was besieged. In May it fell, the American army was captured, and the British confiscated Rutledge's property. He ultimately escaped to North Carolina and set about attempting to rally forces to recover South Carolina. In 1781, aided by Gen. Nathanael Greene and a new Continental Army force, he reestablished the government. In January 1782 he resigned the governorship and took a seat in the lower house of the legislature. He never recouped the financial losses he suffered during the war.

In 1782-83 Rutledge was a delegate to the Continental Congress. He next sat on the state chancery court (1784) and again in the lower house of the legislature (1784-90). One of the most influential delegates at the Constitutional Convention, where he maintained a moderate nationalist stance and chaired the Committee of Detail, he attended all the sessions, spoke often and effectively, and served on five committees. Like his fellow South Carolina delegates, he vigorously advocated southern interests.

The new government under the Constitution soon lured Rutledge. He was a Presidential elector in 1789 and Washington then appointed him as Associate Justice of the U.S. Supreme Court, but for some reason he apparently served only a short time. In 1791 he became chief justice of the South Carolina supreme court. Four years later, Washington again appointed him to the U.S. Supreme Court, this time as Chief Justice to replace John Jay. But Rutledge's outspoken opposition to Jay's Treaty (1794), and the intermittent mental illness he had suffered from since the death of his wife in 1792, caused the Federalist-dominated Senate to reject his appointment and end his public career. Meantime, however, he had presided over one term of the Court.

Rutledge died in 1800 at the age of 60 and was interred at St. Michael's Episcopal Church in Charleston.

*Image: Courtesy of The J.B. Speed Art Museum*

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## The Founding Fathers: Virginia

### John Blair, Virginia



Scion of a prominent Virginia family, Blair was born at Williamsburg in 1732. He was the son of John Blair, a colonial official and nephew of James Blair, founder and first president of the College of William and Mary. Signer Blair graduated from that institution and studied law at London's Middle Temple. Thereafter, he practiced at Williamsburg. In the years 1766-70 he sat in the Virginia House of Burgesses as the representative of William and Mary. From 1770 to 1775 he held the position of clerk of the colony's council.

An active patriot, Blair signed the Virginia Association of June 22, 1770, which pledged to abandon importation of British goods until the Townshend Duties were repealed. He also underwrote the Association of May 27, 1774, calling for a meeting of the colonies in a Continental Congress and supporting the Bostonians. He took part in the Virginia constitutional convention (1776), at which he sat on the committee that framed a declaration of rights as well as the plan for a new government. He next served on the Privy Council (1776-78). In the latter year, the legislature elected him as a judge of the General Court, and he soon took over the chief justiceship. In 1780 he won election to Virginia's high chancery court, where his colleague was George Wythe.

Blair attended the Constitutional Convention religiously but never spoke or served on a committee. He usually sided with the position of the Virginia delegation. And, in the commonwealth ratifying convention, Blair helped win backing for the new framework of government.

In 1789 Washington named Blair as an associate justice of the U.S. Supreme Court, where he helped decide many important cases. Resigning that post in 1796, he spent his remaining years in Williamsburg. A widower, his wife (born Jean Balfour) having died in 1792, he lived quietly until he succumbed in 1800. He was 68 years old. His tomb is in the graveyard of Bruton Parish Church.

*Image: Courtesy of National Archives, Records of Exposition, Anniversary, and Memorial Commissions (148-GW-533b)*

### James Madison, Virginia



The oldest of 10 children and a scion of the planter aristocracy, Madison was born in 1751 at Port Conway, King George County, VA, while his mother was visiting her parents. In a few weeks she journeyed back with her newborn son to Montpelier estate, in Orange County, which became his lifelong home. He received his early education from his mother, from tutors, and at a private school. An excellent scholar though frail and sickly in his youth, in 1771 he graduated from the College of New Jersey (later Princeton), where he demonstrated special interest in government and the law. But, considering the ministry for a career, he stayed on for a year of postgraduate study in theology.

Back at Montpelier, still undecided on a profession, Madison soon embraced the patriot cause, and state and local politics absorbed much of his time. In 1775 he served on the Orange County committee of safety; the next year at the Virginia convention, which, besides advocating various Revolutionary steps, framed the Virginia constitution; in 1776-77 in the House of Delegates; and in 1778-80 in the Council of State. His ill health precluded any military service.

In 1780 Madison was chosen to represent Virginia in the Continental Congress (1780-83 and 1786-88). Although originally the youngest delegate, he played a major role in the deliberations of that body. Meantime, in the years 1784-86, he had again sat in the Virginia House of Delegates. He was a guiding force behind the Mount Vernon Conference (1785), attended the Annapolis Convention (1786), and was otherwise highly instrumental in the convening of the Constitutional Convention in 1787. He had also written extensively about deficiencies in the Articles of Confederation.

Madison was clearly the preeminent figure at the convention. Some of the delegates favored an authoritarian central government; others, retention of state sovereignty; and most occupied positions in the middle of the two extremes. Madison, who was rarely absent and whose Virginia Plan was in large part the basis of the Constitution, tirelessly advocated a strong government, though many of his proposals were rejected. Despite his poor speaking capabilities, he took the floor more than 150 times, third only after Gouverneur Morris and James Wilson. Madison was also a member of numerous committees, the most important of which were those on postponed matters and style. His journal of the convention is the best single record of the event. He also played a key part in guiding the Constitution through the Continental Congress.

Playing a lead in the ratification process in Virginia, too, Madison defended the document against such powerful opponents as Patrick Henry, George Mason, and Richard Henry Lee. In New York, where Madison was serving in the Continental Congress, he collaborated with Alexander Hamilton and John Jay in a series of essays that in 1787-88 appeared in the newspapers and were soon published in book form as *The Federalist* (1788). This set of essays is a classic of political theory and a lucid exposition of the republican principles that dominated the framing of the Constitution.

In the U.S. House of Representatives (1789-97), Madison helped frame and ensure passage of the Bill of Rights. He also assisted in organizing the executive department and creating a system of federal taxation. As leaders of the opposition to Hamilton's policies, he and Jefferson founded the Democratic-Republican Party.

In 1794 Madison married a vivacious widow who was 16 years his junior, Dolley Payne Todd, who had a son; they were to raise no children of their own. Madison spent the period 1797-1801 in semiretirement, but in 1798 he wrote the Virginia Resolutions, which attacked the Alien and Sedition Acts. While he served as Secretary of State (1801-9), his wife often served as President Jefferson's hostess.

In 1809 Madison succeeded Jefferson. Like the first three Presidents, Madison was enmeshed in the ramifications of European wars. Diplomacy had failed to prevent the seizure of U.S. ships, goods, and men on the high seas, and a depression wracked the country. Madison continued to apply diplomatic techniques and economic sanctions, eventually effective to some degree against France. But continued British interference with shipping, as well as other grievances, led to the War of 1812.

The war, for which the young nation was ill prepared, ended in stalemate in December 1814 when the inconclusive Treaty of Ghent which nearly restored prewar conditions, was signed. But, thanks mainly to Andrew Jackson's spectacular victory at the Battle of New Orleans (Chalmette) in January 1815, most Americans believed they had won. Twice tested, independence had survived, and an ebullient nationalism marked Madison's last years in office, during which period the Democratic-Republicans held virtually uncontested sway.

In retirement after his second term, Madison managed Montpelier but continued to be active in public affairs. He devoted long hours to editing his journal of the Constitutional Convention, which the government was to publish 4 years after his death. He served as co-chairman of the Virginia constitutional convention of 1829-30 and as rector of the University of Virginia during the period 1826-36. Writing newspaper articles defending the administration of Monroe, he also acted as his foreign policy adviser.

Madison spoke out, too, against the emerging sectional controversy that threatened the existence of the Union. Although a slaveholder all his life, he was active during his later years in the American Colonization Society, whose mission was the resettlement of slaves in Africa.

Madison died at the age of 85 in 1836, survived by his wife and stepson.

*Image: Courtesy of the Collection of Gilcrease Museum, Tulsa*

### George Mason, Virginia

In 1725 George Mason was born to George and Ann Thomson Mason. When the boy was 10 years old his father died, and young George's upbringing was left in the care of his uncle, John Mercer. The future jurist's education was profoundly shaped by the contents of his uncle's 1500-volume library, one-third of which concerned the law.

Mason established himself as an important figure in his community. As owner of Gunston Hall he was one of the richest planters in Virginia. In 1750 he married Anne Eilbeck, and in 23 years of marriage they had five sons and four daughters. In 1752 he acquired an



interest in the Ohio Company, an organization that speculated in western lands. When the crown revoked the company's rights in 1773, Mason, the company's treasurer, wrote his first major state paper, *Extracts from the Virginia Charters, with Some Remarks upon Them*.

During these years Mason also pursued his political interests. He was a justice of the Fairfax County court, and between 1754 and 1779 Mason was a trustee of the city of Alexandria. In 1759 he was elected to the Virginia House of Burgesses. When the Stamp Act of 1765 aroused outrage in the colonies, George Mason wrote an open letter explaining the colonists' position to a committee of London merchants to enlist their support.

In 1774 Mason again was in the forefront of political events when he assisted in drawing up the Fairfax Resolves, a document that outlined the colonists' constitutional grounds for their objections to the Boston Port Act. Virginia's Declaration of Rights, framed by Mason in 1776, was widely copied in other colonies, served as a model for Jefferson in the first part of the Declaration of Independence, and was the basis for the federal Constitution's Bill of Rights.

The years between 1776 and 1780 were filled with great legislative activity. The establishment of a government independent of Great Britain required the abilities of persons such as George Mason. He supported the disestablishment of the church and was active in the organization of military affairs, especially in the West. The influence of his early work, *Extracts from the Virginia Charters*, is seen in the 1783 peace treaty with Great Britain, which fixed the Anglo-American boundary at the Great Lakes instead of the Ohio River. After independence, Mason drew up the plan for Virginia's cession of its western lands to the United States.

By the early 1780s, however, Mason grew disgusted with the conduct of public affairs and retired. He married his second wife, Sarah Brent, in 1780. In 1785 he attended the Mount Vernon meeting that was a prelude to the Annapolis convention of 1786, but, though appointed, he did not go to Annapolis.

At Philadelphia in 1787 Mason was one of the five most frequent speakers at the Constitutional Convention. He exerted great influence, but during the last 2 weeks of the convention he decided not to sign the document.

Mason's refusal prompts some surprise, especially since his name is so closely linked with constitutionalism. He explained his reasons at length, citing the absence of a declaration of rights as his primary concern. He then discussed the provisions of the Constitution point by point, beginning with the House of Representatives. The House he criticized as not truly representative of the nation, the Senate as too powerful. He also claimed that the power of the federal judiciary would destroy the state judiciaries, render justice unattainable, and enable the rich to oppress and ruin the poor. These fears led Mason to conclude that the new government was destined to either become a monarchy or fall into the hands of a corrupt, oppressive aristocracy.

Two of Mason's greatest concerns were incorporated into the Constitution. The Bill of Rights answered his primary objection, and the 11th amendment addressed his call for strictures on the judiciary.

Throughout his career Mason was guided by his belief in the rule of reason and in the centrality of the natural rights of man. He approached problems coolly, rationally, and impersonally. In recognition of his accomplishments and dedication to the principles of the Age of Reason, Mason has been called the American manifestation of the Enlightenment. Mason died on October 7, 1792, and was buried on the grounds of Gunston Hall.

*Image: Courtesy of National Archives, Records of Exposition, Anniversary, and Memorial Commissions (148-CP-121)*

## James McClurg, Virginia

James McClurg was born near Hampton, VA, in 1746. He attended the College of William and Mary and graduated in 1762. McClurg then studied medicine at the University of Edinburgh and received his degree in 1770. He pursued postgraduate medical studies in Paris and London and published *Experiments upon the*

Human Bile and Reflections on the Biliary Secretions (1772) in London. His work and writings were well-received and respected by the medical community, and his article was translated into several languages. In 1773 McClurg returned to Virginia and served as a surgeon in the state militia during the Revolution.

Before the end of the war the College of William and Mary appointed McClurg its professor of anatomy and medicine. The same year, 1779, he married Elizabeth Seldon. James McClurg's reputation continued to grow, and he was regarded as one of the most eminent physicians in Virginia. In 1820 and 1821 he was president of the state medical society.

In addition to his medical practice, McClurg pursued politics. In 1782 James Madison advocated McClurg's appointment as secretary of foreign affairs for the United States but was unsuccessful. When Richard Henry Lee and Patrick Henry declined to serve as representatives to the Constitutional Convention in 1787, McClurg was asked to join Virginia's delegation. In Philadelphia McClurg advocated a life tenure for the President and argued for the ability of the federal government to override state laws. Even as some at the convention expressed apprehension of the powers allotted to the presidency, McClurg championed greater independence of the executive from the legislative branch. He left the convention in early August, however, and did not sign the Constitution.

James McClurg's political service did not end with the convention. During George Washington's administration McClurg served on Virginia's executive council. He died in Richmond, VA, on July 9, 1823.

### Edmund Randolph, Virginia



On August 10, 1753, Edmund Randolph was born in Tazewell Hall, Williamsburg, VA. His parents were Ariana Jenings and John Randolph. Edmund attended the College of William and Mary and continued his education by studying the law under his father's tutelage.

When the Revolution broke out, father and son followed different paths. John Randolph, a Loyalist, followed the royal governor, Lord Dunmore, to England, in 1775. Edmund then lived with his uncle Peyton Randolph, a prominent figure in Virginia politics. During the war Edmund served as an aide-de-camp to General Washington and also attended the convention that adopted Virginia's first state constitution in 1776. He was the convention's youngest member at age 23. Randolph married Elizabeth Nicholas in 1776.

Randolph continued to advance in the political world. He became mayor of Williamsburg and Virginia's attorney-general. In 1779 he was elected to the Continental Congress, and in November 1786 Randolph became Governor of Virginia. In 1786 he was a delegate to the Annapolis Convention.

Four days after the opening of the federal convention in Philadelphia, on May 29, 1787, Edmund Randolph presented the Virginia Plan for creating a new government. This plan proposed a strong central government composed of three branches, legislative, executive, and judicial, and enabled the legislative to veto state laws and use force against states that failed to fulfill their duties. After many debates and revisions, including striking the section permitting force against a state, the Virginia Plan became in large part the basis of the Constitution.

Though Randolph introduced the highly centralized Virginia Plan, he fluctuated between the Federalist and Antifederalist points of view. He sat on the Committee of Detail that prepared a draft of the Constitution, but by the time the document was adopted, Randolph declined to sign. He felt it was not sufficiently republican, and he was especially wary of creating a one-man executive. He preferred a three-man council since he regarded "a unity in the Executive" to be the "foetus of monarchy." In a Letter . . . on the Federal Constitution, dated October 10, 1787, Randolph explained at length his objections to the Constitution. The old Articles of Confederation were inadequate, he agreed, but the proposed new plan of union contained too many flaws. Randolph was a strong advocate of the process of amendment. He feared that if the Constitution were submitted for ratification without leaving the states the opportunity to amend it, the document might be rejected and thus close off any hope of another plan of union. However, he hoped that amendments would be permitted and second convention called to incorporate the changes.

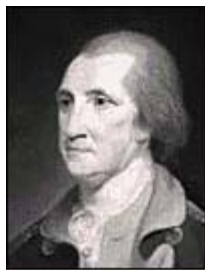
By the time of the Virginia convention for ratification, Randolph supported the Constitution and worked to win his state's approval of it. He stated his reason for his switch: "The accession of eight states reduced our deliberations to the single question of Union or no Union."

Under President Washington, Edmund Randolph became Attorney General of the United States. After Thomas

Jefferson resigned as Secretary of State, Randolph assumed that post for the years 1794-95. During the Jefferson-Hamilton conflict he tried to remain unaligned. After retiring from politics in 1795, Randolph resumed his law practice and was regarded as a leading figure in the legal community. During his retirement he wrote a history of Virginia. When Aaron Burr went on trial for treason in 1807, Edmund Randolph acted as his senior counsel. In 1813, at age 60 and suffering from paralysis, Randolph died while visiting Nathaniel Burwell at Carter Hall. His body is buried in the graveyard of the nearby chapel.

*Image: Courtesy of National Archives, Records of Exposition, Anniversary, and Memorial Commissions (148-CCD-40)*

## George Washington, Virginia



The eldest of six children from his father's second marriage, George Washington was born into the landed gentry in 1732 at Wakefield Plantation, VA. Until reaching 16 years of age, he lived there and at other plantations along the Potomac and Rappahannock Rivers, including the one that later became known as Mount Vernon. His education was rudimentary, probably being obtained from tutors but possibly also from private schools, and he learned surveying. After he lost his father when he was 11 years old, his half-brother Lawrence, who had served in the Royal Navy, acted as his mentor. As a result, the youth acquired an interest in pursuing a naval career, but his mother discouraged him from doing so.

At the age of 16, in 1748, Washington joined a surveying party sent out to the Shenandoah Valley by Lord Fairfax, a land baron. For the next few years, Washington conducted surveys in Virginia and present West Virginia and gained a lifetime interest in the West. In 1751-52 he also accompanied Lawrence on a visit he made to Barbados, West Indies, for health reasons just before his death.

The next year, Washington began his military career when the royal governor appointed him to an adjutantship in the militia, as a major. That same year, as a gubernatorial emissary, accompanied by a guide, he traveled to Fort Le Boeuf, PA, in the Ohio River Valley, and delivered to French authorities an ultimatum to cease fortification and settlement in English territory. During the trip, he tried to better British relations with various Indian tribes.

In 1754, winning the rank of lieutenant colonel and then colonel in the militia, Washington led a force that sought to challenge French control of the Ohio River Valley, but met defeat at Fort Necessity, PA - an event that helped trigger the French and Indian War (1754-63). Late in 1754, irked by the dilution of his rank because of the pending arrival of British regulars, he resigned his commission. That same year, he leased Mount Vernon, which he was to inherit in 1761.

In 1755 Washington reentered military service with the courtesy title of colonel, as an aide to Gen. Edward Braddock, and barely escaped death when the French defeated the general's forces in the Battle of the Monongahela, PA. As a reward for his bravery, Washington won his colonelcy and command of the Virginia militia forces, charged with defending the colony's frontier. Because of the shortage of men and equipment, he found the assignment challenging. Late in 1758 or early in 1759, disillusioned over governmental neglect of the militia and irritated at not rising in rank, he resigned and headed back to Mount Vernon.

Washington then wed Martha Dandridge Custis, a wealthy widow and mother of two children. The marriage produced no offspring, but Washington reared those of his wife as his own. During the period 1759-74, he managed his plantations and sat in the Virginia House of Burgesses. He supported the initial protests against British policies; took an active part in the nonimportation movement in Virginia; and, in time, particularly because of his military experience, became a Whig leader.

By the 1770s, relations of the colony with the mother country had become strained. Measured in his behavior but strongly sympathetic to the Whig position and resentful of British restrictions and commercial exploitation, Washington represented Virginia at the First and Second Continental Congresses. In 1775, after the bloodshed at Lexington and Concord, Congress appointed him as commander in chief of the Continental Army. Overcoming severe obstacles, especially in supply, he eventually fashioned a well-trained and disciplined fighting force.

The strategy Washington evolved consisted of continual harassment of British forces while avoiding general actions. Although his troops yielded much ground and lost a number of battles, they persevered even during the



dark winters at Valley Forge, PA, and Morristown, NJ. Finally, with the aid of the French fleet and army, he won a climactic victory at the Battle of Yorktown, VA, in 1781.

During the next 2 years, while still commanding the agitated Continental Army, which was underpaid and poorly supplied, Washington denounced proposals that the military take over the government, including one that planned to appoint him as king, but supported army petitions to the Continental Congress for proper compensation. Once the Treaty of Paris (1783) was signed, he resigned his commission and returned once again to Mount Vernon. His wartime financial sacrifices and long absence, as well as generous loans to friends, had severely impaired his extensive fortune, which consisted mainly of his plantations, slaves, and landholdings in the West. At this point, however, he was to have little time to repair his finances, for his retirement was brief.

Dissatisfied with national progress under the Articles of Confederation, Washington advocated a stronger central government. He hosted the Mount Vernon Conference (1785) at his estate after its initial meetings in Alexandria, though he apparently did not directly participate in the discussions. Despite his sympathy with the goals of the Annapolis Convention (1786), he did not attend. But, the following year, encouraged by many of his friends, he presided over the Constitutional Convention, whose success was immeasurably influenced by his presence and dignity. Following ratification of the new instrument of government in 1788, the electoral college unanimously chose him as the first President.

The next year, after a triumphal journey from Mount Vernon to New York City, Washington took the oath of office at Federal Hall. During his two precedent-setting terms, he governed with dignity as well as restraint. He also provided the stability and authority the emergent nation so sorely needed, gave substance to the Constitution, and reconciled competing factions and divergent policies within the government and his administration. Although not averse to exercising presidential power, he respected the role of Congress and did not infringe upon its prerogatives. He also tried to maintain harmony between his Secretary of State Thomas Jefferson and Secretary of the Treasury Alexander Hamilton, whose differences typified evolving party divisions from which Washington kept aloof.

Yet, usually leaning upon Hamilton for advice, Washington supported his plan for the assumption of state debts, concurred in the constitutionality of the bill establishing the Bank of the United States, and favored enactment of tariffs by Congress to provide federal revenue and protect domestic manufacturers.

Washington took various other steps to strengthen governmental authority, including suppression of the Whisky Rebellion (1794). To unify the country, he toured the Northeast in 1789 and the South in 1791. During his tenure, the government moved from New York to Philadelphia in 1790, he superintended planning for relocation to the District of Columbia, and he laid the cornerstone of the Capitol (1793).

In foreign affairs, despite opposition from the Senate, Washington exerted dominance. He fostered United States interests on the North American continent by treaties with Britain and Spain. Yet, until the nation was stronger, he insisted on the maintenance of neutrality. For example, when the French Revolution created war between France and Britain, he ignored the remonstrances of pro-French Jefferson and pro-English Hamilton.

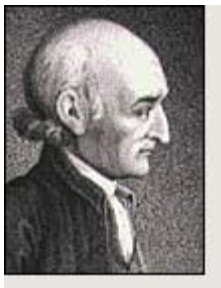
Although many people encouraged Washington to seek a third term, he was weary of politics and refused to do so. In his "Farewell Address" (1796), he urged his countrymen to forswear party spirit and sectional differences and to avoid entanglement in the wars and domestic policies of other nations.

Washington enjoyed only a few years of retirement at Mount Vernon. Even then, demonstrating his continued willingness to make sacrifices for his country in 1798 when the nation was on the verge of war with France he agreed to command the army, though his services were not ultimately required. He died at the age of 67 in 1799. In his will, he emancipated his slaves.

*Image: Courtesy of National Portrait Gallery, Smithsonian Institution*

## George Wythe, Virginia

George Wythe, the second of Thomas and Margaret Wythe's three children, was born in 1726 on his family's plantation on the Back River in Elizabeth City County, VA. Both parents died when Wythe was young, and he grew up under the guardianship of his older brother, Thomas. Though Wythe was to become an eminent jurist and teacher, he received very little formal education. He learned Latin and Greek from his well-educated mother, and he probably attended for a time a grammar school operated by the College of William and Mary.



Wythe's brother later sent him to Prince George County to read law under an uncle. In 1746, at age 20, he joined the bar, moved to Spotsylvania County, and became associated with a lawyer there. In 1747 he married his partner's sister, Ann Lewis, but she died the next year. In 1754 Lt. Gov. Robert Dinwiddie appointed him as acting colonial attorney general, a position that he held for only a few months. The next year, Wythe's brother died and he inherited the family estate. He chose, however, to live in Williamsburg in the house that his new father-in-law, an architect, designed and built for him and his wife, Elizabeth Taliaferro. They married in 1755, and their only child died in infancy.

At Williamsburg, Wythe immersed himself in further study of the classics and the law and achieved accreditation by the colonial supreme court. He served in the House of Burgesses from the mid-1750s until 1775, first as delegate and after 1769 as clerk. In 1768 he became mayor of Williamsburg, and the next year he sat on the board of visitors of the College of William and Mary. During these years he also directed the legal studies of young scholars, notably Thomas Jefferson. Wythe and Jefferson maintained a lifelong friendship, first as mentor and pupil and later as political allies.

Wythe first exhibited revolutionary leanings in 1764 when Parliament hinted to the colonies that it might impose a stamp tax. By then an experienced legislator, he drafted for the House of Burgesses a remonstrance to Parliament so strident that his fellow delegates modified it before adoption. Wythe was one of the first to express the concept of separate nationhood for the colonies within the British empire.

When war broke out, Wythe volunteered for the army but was sent to the Continental Congress. Although present from 1775 through 1776, Wythe exerted little influence and signed the Declaration of Independence after the formal signing in August 1776. That same year, Wythe, Jefferson, and Edmund Pendleton undertook a 3-year project to revise Virginia's legal code. In 1777 Wythe also presided as speaker of the Virginia House of Delegates.

An appointment as one of the three judges of the newly created Virginia high court of chancery followed in 1778. For 28 years, during 13 of which he was the only chancellor, Wythe charted the course of Virginia jurisprudence. In addition, he was an ex officio member of the state superior court.

Wythe's real love was teaching. In 1779 Jefferson and other officials of the College of William and Mary created the first chair of law in a U.S. institution of higher learning and appointed Wythe to fill it. In that position, he educated America's earliest college-trained lawyers, among them John Marshall and James Monroe. In 1787 he attended the Constitutional Convention but played an insignificant role. He left the proceedings early and did not sign the Constitution. The following year, however, he was one of the Federalist leaders at the Virginia ratifying convention. There he presided over the Committee of the Whole and offered the resolution for ratification.

In 1791, the year after Wythe resigned his professorship, his chancery duties caused him to move to Richmond, the state capital. He was reluctant to give up his teaching, however, and opened a private law school. One of his last and most promising pupils was young Henry Clay.

In 1806, in his eightieth year, Wythe died at Richmond under mysterious circumstances, probably of poison administered by his grandnephew and heir, George Wythe Sweeney. Reflecting a lifelong aversion to slavery, Wythe emancipated his slaves in his will. His grave is in the yard of St. John's Episcopal Church in Richmond.

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# THE U.S. NATIONAL ARCHIVES & RECORDS ADMINISTRATION

[www.archives.gov](http://www.archives.gov)

March 13, 2011

## Creating the Declaration of Independence - A Time Line

**June 7, 1776**

### Lee Resolution

Richard Henry Lee, a delegate from Virginia, read a resolution before the Continental Congress "that these United Colonies are, and of right ought to be, free and independent States, that they are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved."

[Lee Resolution Document](#)



**June 11, 1776**

### Committee of Five Appointed

Consideration of the Lee Resolution was postponed-- the "Committee of Five" was appointed to draft a statement presenting to the world the colonies' case for independence.

**June 11**

**July 1, 1776**

### Declaration of Independence Drafted

On June 11, Congress recessed for three weeks. During this period the "Committee of Five" (John Adams, Roger Sherman, Benjamin Franklin, Robert Livingston, and Thomas Jefferson) drafted the Declaration of Independence. Thomas Jefferson drafted it, Adams and Franklin made changes to it. Congress reconvened on July 1, 1776.

(Drafting the Declaration of Independence. The Committee-Franklin, Jefferson, Adams, Livingston and Sherman. Copy of engraving after Alonzo Chappel. (NWDNS-30-N-31(170))



**July 2, 1776**

### Lee Resolution Adopted & Consideration of Declaration

On July 2, the Lee resolution was adopted by 12 of the 13 colonies (New York did not vote). Immediately afterward, Congress began to consider the Declaration. Congress made some alterations and deletions to it on July 2, 3, and the morning of the 4th.

[More Information in the American Originals Exhibit](#)

**July 4, 1776**

### Declaration of Independence Adopted and Printed

Late in the morning of July 4, the Declaration was officially adopted, and the "Committee of Five" took the manuscript copy of the document to John Dunlap, official printer to the Congress.

[Printed Declaration of Independence](#)

**July 5, 1776**

### Copies of the Declaration Dispatched

On the morning of the July 5, copies printed by John Dunlap were dispatched by members of Congress to various committees, assemblies, and to the commanders of the Continental troops.

(On July 9, the action of Congress was officially approved by the NY Convention.)

**July 19, 1776**

### Congress Orders the Declaration Engrossed on Parchment

Congress ordered that the Declaration be "fairly engrossed on parchment, with the title and stile {sic} of 'The unanimous declaration of the thirteen United States of America' and that the same, when engrossed, be signed by every member of Congress."

**August 2, 1776**

### **Declaration Signed**

The document was signed by most of the members on August 2. George Wythe signed on August 27. On September 4, Richard Henry Lee, Elbridge Gerry, and Oliver Wilcott signed. Matthew Thornton signed on November 19, and Thomas McKean signed in 1781.



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## Signers of the Declaration of Independence

Name	State Rep.	Date of Birth	Birthplace	Age at Signing	Occupation	Number of Marriages	Number of Children	Date of Death	Age at Death
Adams, John	MA	10/30/1735	Quincy, MA	40	Lawyer	1	5	7/4/1826	90
Adams, Samuel	MA	9/27/1722	Boston, MA	53	Merchant	2	2	10/2/1803	81
Bartlett, Josiah	NH	11/21/1729	Amesbury, MA	46	Physician	1	12	5/19/1795	65
Braxton, Carter	VA	9/10/1736	Newington, VA	39	Plantation	2	18	10/10/1797	61
Carroll, Charles of Carrollton	MD	9/19/1737	Annapolis, MD	38	Merchant, Plantation	1	7	11/14/1832	95
Chase, Samuel	MD	4/17/1741	Somerset Co., MD	35	Lawyer	2	4	6/19/1811	70
Clark, Abraham	NJ	2/15/1726	Elizabethtown, NJ	50	Lawyer, Surveyer	1	10	9/15/1794	68
Clymer, George	PA	3/16/1739	Philadelphia, PA	37	Merchant	1	8	1/24/1813	73
Ellery, William	RI	12/22/1727	Newport, RI	48	Lawyer, Merchant	2	16	2/15/1820	92
Floyd, William	NJ	12/17/1734	Brookhaven, NY	41	Land Speculator	2	3	8/4/1821	86
Franklin, Benjamin	PA	1/17/1706	Boston, MA	70	Scientist, Printer	1	3	4/17/1790	84
Gerry, Elbridge	MA	7/17/1744	Marblehead, MA	32	Merchant	1	7	11/23/1814	70
Gwinnett, Button	GA	c. 1735	Gloucester, England	41	Merchant, Plantation	1	3	5/15/1777	42
Hall, Lyman	GA	4/12/1724	Wallingford, CT	52	Physician, Minister	2	1	10/19/1790	66
Hancock, John	MA	1/12/1737	Quincy, MA	40	Merchant	1	2	10/8/1793	56
Harrison, Benjamin	VA	4/7/1726	Charles City Co., VA	50	Plantation, Farmer	1	7	4/24/1791	65
Hart, John	NJ	c. 1711	Hunterdon Co, NJ	65	Land owner	1	13	5/11/1779	68
Hewes, Joseph	NC	1/23/1730	Kingston, NJ	46	Merchant	-	-	10/10/1779	49
Heyward Jr., Thomas	SC	7/28/1746	St. Helena Parish, SC	30	Lawyer, Plantation	2	8	3/6/1809	62
Hooper, William	NC	6/17/1742	Boston, MA	34	Lawyer	1	3	10/14/1790	48
Hopkins, Stephen	RI	3/7/1707	Providence, RI	69	Merchant	2	7	4/13/1785	78
Hopkinson, Francis	NJ	10/2/1737	Philadelphia, PA	38	Lawyer, Musician	1	5	5/9/1791	53
Huntington, Samuel	CT	7/3/1731	Windham, CT	45	Lawyer	1	2	1/5/1796	64
Jefferson, Thomas	VA	4/13/1743	Albemarle Co, VA	33	Lawyer, Plantation, Scientist	1	6	7/4/1826	83
Lee, Francis Lightfoot	VA	10/14/1734	Mt. Pleasant, VA	41	Plantation	1	0	1/11/1797	62
Lee, Richard Henry	VA	1/20/1732	Stratford, VA	44	Plantation, Merchant	2	6	6/19/1794	62
Lewis, Francis	NY	3/21/1713	Llandaff, Wales	63	Merchant	1	7	12/30/1802	89
Livingston, Philip	NY	1/15/1716	Albany, NY	60	Merchant	1	9	6/12/1778	62
Lynch Jr., Thomas	SC	8/5/1749	Prince George's Parrish, SC	26	Lawyer	1	0	c. 1779	30
McKean, Thomas	DE	3/19/1735	Chester Co., PA	42	Lawyer	2	11	6/24/1817	83
Middleton, Arthur	SC	6/26/1742	Charleston, SC	34	Plantation	1	9	1/1/1787	44
Morris, Lewis	NY	4/8/1726	West Chester Co., NY	50	Plantation	1	10	1/22/1798	71
Morris, Robert	PA	1/31/1734	Liverpool, England	42	Merchant, Land Speculator	1	7	5/8/1806	72

Name	State Rep.	Date of Birth	Birthplace	Age at Signing	Occupation	Number of Marriages	Number of Children	Date of Death	Age at Death
Morton, John	PA	c. 1724	Ridley Township, PA	52	Farmer	1	8	c. 1777	53
Nelson Jr., Thomas	VA	12/26/1738	Yorktown, VA	37	Merchant, Plantation	1	13	1/4/1789	50
Paca, William	MD	10/31/1740	Abington, MD	35	Lawyer, Plantation	2	5	10/13/1799	58
Paine, Robert Treat	MA	3/11/1731	Boston, MA	45	Lawyer, Scientist	1	8	5/12/1814	83
Penn, John	NC	5/6/1740	Carolina Co, VA	36	Lawyer	1	3	9/14/1788	48
Read, George	DE	9/18/1733	Northeast MD	42	Lawyer	1	5	9/21/1798	65
Rodney, Caesar.	DE	10/7/1728	Dover, DE	47	Plantation, Military	0	0	6/29/1784	55
Ross, George	PA	5/10/1730	New Castle, DE	46	Lawyer	1	3	7/14/1779	49
Rush, Benjamin Dr.	PA	1/4/1746	Philadelphia, PA	30	Physician	1	13	4/19/1813	67
Rutledge, Edward	SC	11/23/1749	Christ Church Parish, SC	26	Lawyer, Plantation	2	3	1/23/1800	50
Sherman, Roger	CT	4/19/1721	Newton, MA	55	Lawyer	2	15	7/23/1793	72
Smith, James	PA	c. 1719	Northern Ireland	57	Lawyer	1	5	7/11/1806	87
Stockton, Richard	NJ	10/1/1730	Princeton, NJ	45	Lawyer	1	6	2/28/1781	50
Stone, Thomas	MD	c. 1743	Charles Co., MD	33	Lawyer	1	3	10/5/1787	44
Taylor, George	PA	c. 1716	Ireland	60	Merchant	1	2	2/23/1781	65
Thornton, Matthew	NH	c. 1714	Ireland	62	Physician	1	5	6/24/1803	89
Walton, George	GA	c. 1741	Cumberland Co, VA	35	Lawyer	1	2	2/2/1804	63
Whipple, William	NH	1/14/1730	Kittery, ME	46	Merchant	1	0	11/28/1785	55
Williams, William	CT	4/18/1731	Lebannon, CT	45	Merchant	1	3	8/2/1811	80
Wilson, James	PA	9/14/1742	Carskerdo, Scotland	33	Lawyer ?	2	7	8/21/1798	55
Witherspoon, John	NJ	2/5/1723	Gifford, Scotland	53	Minister	2	12	11/15/1794	71
Wolcott, Oliver	CT	11/20/1726	Windsor, CT	49	Lawyer	1	4	12/1/1797	71
Wythe, George	VA	c. 1726	Elizabeth City Co, VA	50	Lawyer	2	1	6/8/1806	80

Information obtained from:

American Council of Learned Societies. **American National Biography**. New York: Oxford University Press, 1999.

**Who Was Who in America: Historical Volume 1607-1896**. Chicago: The A.N. Marquis Company, 1963.



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Bartlett, Josiah	NH	11/21/1729	Amesbury, MA	46	Physician	1	12	5/19/1795	65
Braxton, Carter	VA	9/10/1736	Newington, VA	39	Plantation Owner	2	18	10/10/1797	61
Carroll, Charles of Carrollton	MD	9/19/1737	Annapolis, MD	38	Merchant, Plantation Owner	1	7	11/14/1832	95
Chase, Samuel	MD	4/17/1741	Somerset Co., MD	35	Lawyer	2	4	6/19/1811	70
Clark, Abraham	NJ	2/15/1726	Elizabethtown, NJ	50	Lawyer, Surveyer	1	10	9/15/1794	68
Clymer, George	PA	3/16/1739	Philadelphia, PA	37	Merchant	1	8	1/24/1813	73
Ellery, William	RI	12/22/1727	Newport, RI	48	Lawyer, Merchant	2	16	2/15/1820	92
Floyd, William	NJ	12/17/1734	Brookhaven, NY	41	Land Speculator	2	3	8/4/1821	86
Franklin, Benjamin	PA	1/17/1706	Boston, MA	70	Scientist, Printer	1	3	4/17/1790	84
Gerry, Elbridge	MA	7/17/1744	Marblehead, MA	32	Merchant	1	7	11/23/1814	70
Gwinnett, Button	GA	c. 1735	Gloucester, England	41	Merchant, Plantation Owner	1	3	5/15/1777	42
Hall, Lyman	GA	4/12/1724	Wallingford, CT	52	Physician, Minister	2	1	10/19/1790	66
Hancock, John	MA	1/12/1737	Quincy, MA	40	Merchant	1	2	10/8/1793	56
Harrison, Benjamin	VA	4/7/1726	Charles City Co., VA	50	Plantation Owner, Farmer	1	7	4/24/1791	65
Hart, John	NJ	c. 1711	Hunterdon Co., NJ	65	Land owner	1	13	5/11/1779	68
Hewes, Joseph	NC	1/23/1730	Kingston, NJ	46	Merchant	-	-	10/10/1779	49
Heyward Jr., Thomas	SC	7/28/1746	St. Helena Parish, SC	30	Lawyer, Plantation Owner	2	8	3/6/1809	62
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Lee, Richard Henry	VA	1/20/1732	Stratford, VA	44	Plantation Owner, Merchant	2	6	6/19/1794	62
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Lawyer, Plantation

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Witherspoon, John	NJ	2/5/1723	Gifford, Scotland	53	Minister	2	12	11/15/1794	71
Wolcott, Oliver	CT	11/20/1726	Windsor, CT	49	Lawyer	1	4	12/1/1797	71
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## The Flip Side of History

**By Lee Ann Potter**

In case you were wondering, there is writing on the back of the original, signed Declaration of Independence. But it is not invisible, nor does it include a map, as the recently released Disney feature film, *National Treasure*, suggests. The writing on the back reads

"Original Declaration of Independence  
dated 4th July 1776"

and it appears on the bottom of the document, upside down. While no one knows for certain who wrote it, it is known that early in its life, the large parchment document (it measures 29¾ inches by 24½ inches) was rolled up for storage. So, it is likely that the notation was added simply as a label.

The Declaration moved from city to city with Congress during the Revolutionary War. In 1789, it was officially transferred to the custody of the secretary of state, then it moved with the capital of the country, first from New York to Philadelphia, then in 1800 to the District of Columbia.

As this little-known information about the Declaration suggests, the backside of a historical document can reveal interesting details about the document's history as an artifact. The details might relate directly to the document's travels, its owners, or handlers, or they might offer clues to the economic, social, or political conditions at the time of the document's creation.

Eighteenth- and early nineteenth-century letters, for example, were folded and sealed shut with sealing wax because envelopes had not been invented. The address was typically written in the center of the last page of a folded folio so it could be seen when sealed shut. The address can often provide insight into information not necessarily contained in the text of the letter.

For example, the backsides of many of the letters submitted to Congress by the various states transmitting their [Electoral College](#) vote counts for the 1840 Presidential election read simply "To the President of the Senate of the United States/Washington City." This small amount of information serves as a reminder of the requirements of [Article II, section 1, of the U.S. Constitution](#)—that electoral vote counts be submitted to the President of the Senate.

Another interesting example is the letter sent by Thomas Jefferson in February of 1790 to George Washington accepting the appointment to become the first secretary of state. The backside of the letter is addressed to simply "George Washington/President of the/United States." It was stamped in black ink "RICHMOND, Feb 18/FREE."

In addition, nineteenth- and early twentieth-century government documents were tri-folded, and often their backsides contained endorsements that revealed who received the document, when it was received, and often a brief synopsis or comment—much like a routing and transmittal slip used today.

The after-action report on the Battle of Gettysburg that Robert E. Lee submitted to the Confederate Secretary of War James A. Seddon is one example. Considered by many historians as a turning point in the Civil War, the battle, fought from July 1 to July 3, 1863, was a major defeat for the Confederacy and for General Lee in his second invasion of the North.

The backside of Lee's report includes, among other notations, a message from Jefferson Davis, president of the

Confederacy, indicating that he had read the document "with satisfaction" on August 5, 1863. Other nineteenth-century examples include thousands of petitions and memorials submitted to Congress that were trifolded and annotated with the date received and committee of referral.

Also, at times when paper was in short supply, information was frequently recorded on both sides of a page or written on the back of a page used for an earlier, unrelated purpose.

The Emancipation Proclamation, signed by President Abraham Lincoln, for example, was originally written on two folios that were folded into four sheets. The sheets were at some point separated, and the text appears on the first three sheets of paper—pages one and two are back to back, pages three and four are back to back, page five is a single sheet with no writing on its back, and the last sheet is blank on both sides.

Lincoln had worked on the [Emancipation Proclamation](#), which took effect on January 1, 1863, for six months. It declared slaves in the states "then . . . in rebellion against the United States" to be free and announced that black men would be accepted into the Union armed forces.

An earlier example is a bill presented to the government by George R. Lawton, an auctioneer from Philadelphia, for supplies used by the Lewis and Clark expedition, dated May 18, 1803. The document lists various articles of [fishing tackle](#) that were received by Meriwether Lewis and is written on the [back of a printed broadside](#).



Front and back of a bill for supplies used by the Lewis and Clark expedition, dated May 18, 1803.

Lewis spent weeks in the spring of 1803 assembling the supplies and materials he would need for the historic expedition across the Louisiana Territory, which began May 14, 1804, and lasted for two and a half years.

Another Civil War–era document in the holdings of the National Archives that has an interesting backside is a flag design for the Confederacy that was submitted for consideration on the back of a sheet of wallpaper.

Sometimes notations on the back of a document acted as certifications or were necessary to fulfill the obligations of the front of the document. The back of an enrolled act or resolution of Congress contains the attestation phrase, "I certify that this Act originated in the Senate [or House of Representatives]," and is signed by either the chamber's clerk or secretary.

And the back of a check or Treasury warrant can include an endorsement in the form of a signature. The back of the Treasury warrant for the purchase of Alaska, for example, was signed by Russia's minister to the United States, Edouard de Stoeckl in August 1868. By endorsing it, he allowed for the transfer of \$7.2 million dollars from the U.S. Treasury to Russia and the transfer of Alaska to the United States.



**Title:** Treasury Warrant in the Amount of \$7.2 Million for the Purchase of Alaska, 08/01/1868

**Creator:** Department of the Treasury. Office of the Register of the Treasury. Notes, Coupon, Currency, and Files Division. (ca. 1797 - ca. 1921) (Most Recent)

**ARC Identifier:** 301667

To find the image of the front of the Treasury warrant or other digital images in NARA's holdings, visit our [Archival Research Catalog \(ARC\)](#). Please note that the image of the back of the Treasury warrant for the purchase of Alaska is not available in ARC.

Finally, the information contained on the back of a historical document can serve as a reminder that the value of a historical document is not just in its obvious content but also in its obscure content and its physical form—that the unexpected notations and material prompt questions and generate interest that can lead to exciting historical research and a deeper understanding of the past.

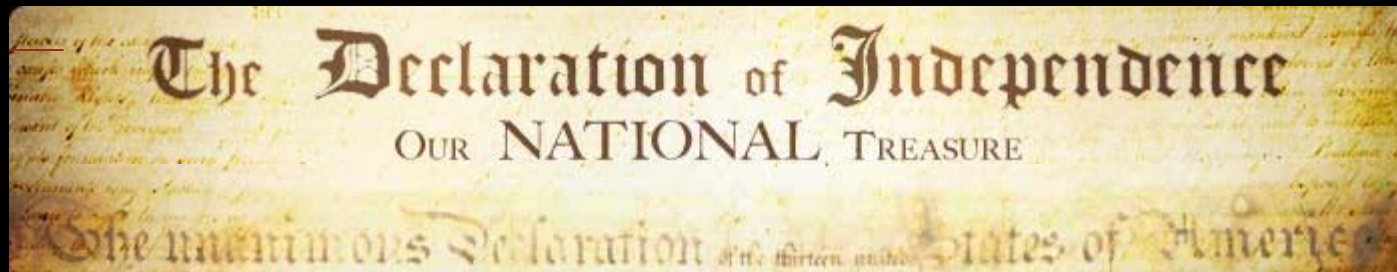
## Note on Sources

All of the examples cited in this article are in the holdings of the National Archives and Records Administration. The [Declaration of Independence](#), the [Emancipation Proclamation](#), and the public laws are in [Record Group 11](#), General Records of the United States; the Electoral College transmittal letters are in [Record Group 46](#), Records of the United States Senate; Jefferson's letter comes from Record Group 59, General Records of the Department of State; Robert E. Lee's report is in [Record Group 109](#), War Department Collection of Confederate Records; the Lawton receipt is in [Record Group 92](#), Records of the Office of Quartermaster General; and the Alaska Treasury warrant is in [Record Group 217](#), Records of the Accounting Officers of the Department of the Treasury.

## Author

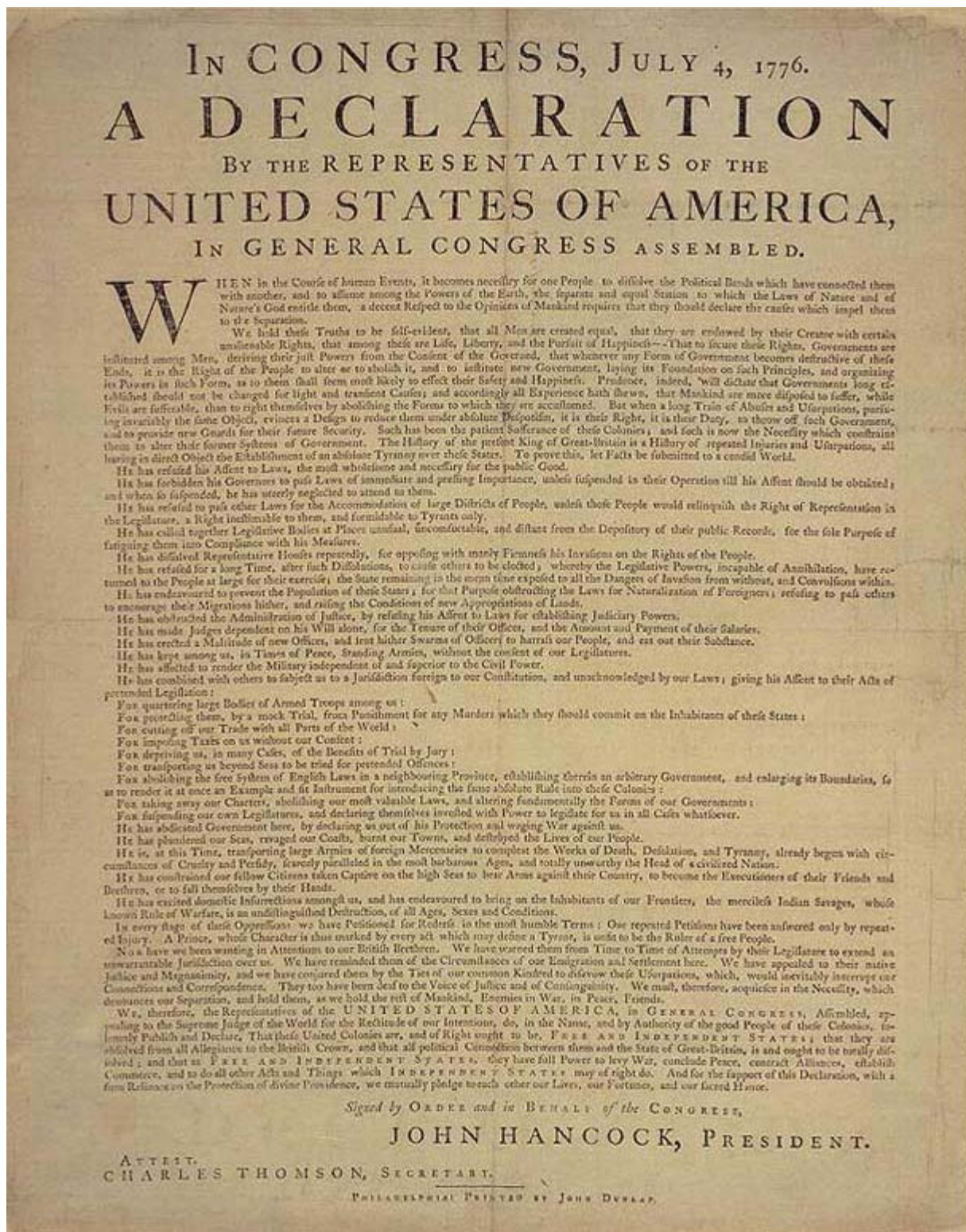
**Lee Ann Potter** is the head of Education and Volunteer Programs at the National Archives and Records Administration, Washington, D.C.

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## The Dunlap Broadside



**Title:** Dunlap Broadside [Declaration of Independence], 07/04/1776  
**Creator:** Second Continental Congress.(09/05/1775-03/02/1781) (Most Recent)  
**ARC Identifier:** 301682

To find this or other digital images in NARA's holdings, visit our [Archival Research Catalog \(ARC\)](#).

# The Declaration of Independence

## OUR NATIONAL TREASURE

The unanimous Declaration of the thirteen united States of America

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## Travels of the Declaration of Independence

### A Time Line

The locations given for the Declaration from 1776 to 1789 are based on the locations for meetings of the Continental and Confederation Congresses.

#### Philadelphia, Pennsylvania: August – December 1776

After the signing ceremony on August 2, 1776, the Declaration was most likely filed in Philadelphia in the office of Charles Thomson, who served as the Secretary of the Continental Congress from 1774 to 1789. On December 12, threatened by the British, Congress adjourned and reconvened eight days later in Baltimore.



**Title:** The Declaration of Independence, 1776. Copy of painting by John Trumbull, 1817-18., 1931-1932

**Creator:** George Washington Bicentennial Commission. (ca. 1924-ca. 12/31/1934) (Most Recent)

**ARC Identifier:** 532924

To find this or other digital images in NARA's holdings, visit our [Archival Research Catalog \(ARC\)](#).

#### Baltimore, Maryland: December 1776 – March 1777

On January 18, 1777, while the Declaration was still in Baltimore, Congress, bolstered by military successes at Trenton and Princeton, ordered the second official printing of the document. The July 4 printing had included only the names of John Hancock and Charles Thomson, and even though the first printing had been promptly circulated to the states, the names of subsequent signers were kept secret for a time because of fear of British reprisals. By its order of January 19, however, Congress required that "an authentic copy of the Declaration of Independency, with the names of the members of Congress subscribing to the same, be sent to each of the United States, and that they be desired to have the same put upon record." The "authentic copy" was duly printed, complete with signers' names, by [Mary Katherine Goddard](#) in Baltimore.



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### **Philadelphia, Pennsylvania: March – September 1777**

Assuming that the Declaration moved with the Congress, it would have been back in Philadelphia from March to September 1777.

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### **Lancaster, Pennsylvania: September 27, 1777**

On September 27, the Declaration would have moved to Lancaster, Pennsylvania, for one day only.

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### **York, Pennsylvania: September 30, 1777 – June 1778**

From September 30, 1777 through June 1778, the Declaration would have been kept in the courthouse at York, Pennsylvania.

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### **Philadelphia, Pennsylvania: July 1778 – June 1783**

From July 1778 to June 1783, the Declaration would have had a long stay back in Philadelphia.



**Title:** Exterior view of Independence Hall (circa 1770s)  
**Creator:** Commission of Fine Arts. (1910-) (Most Recent)  
**ARC Identifier:** 518208

To find this or other digital images in NARA's holdings, visit our [Archival Research Catalog \(ARC\)](#).

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### **Princeton, New Jersey: June – November 1783**

In 1783, the Declaration would have been at Princeton, New Jersey, from June to November.

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### **Annapolis, Maryland: November 1783 – October 1784**

After the signing of the [Treaty of Paris](#), the Declaration would have been moved to Annapolis, Maryland,

where it stayed until October 1784.

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### **Trenton, New Jersey: November – December 1784**

For the months of November and December 1784, the Declaration would have been at Trenton, New Jersey.

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### **New York, New York: 1785 – 1790**

In 1785, when Congress met in New York, the Declaration was housed in the old New York City Hall, where it probably remained until 1790 (although when Pierre L'Enfant was remodeling the building for the convening of the First Federal Congress, it might have been temporarily removed).

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### **Philadelphia, Pennsylvania: 1790 - 1800**

In July 1789, the First Congress under the new Constitution created the Department of Foreign Affairs and directed that its Secretary should have “the custody and charge of all records, books, and papers” kept by the department of the same name under the old government. On July 24, Charles Thomson retired as Secretary of the Congress and, upon the order of President George Washington, surrendered the Declaration to Roger Alden, Deputy Secretary of Foreign Affairs. In September 1789, the name of the department was changed to the Department of State. Thomas Jefferson, the drafter of the Declaration, returned from France to assume his duties as the first Secretary of State in March of 1790. Appropriately, those duties now included custody of the Declaration.

In July 1790 Congress provided for a permanent capital to be built among the woodlands and swamps bordering the Potomac River. Meanwhile, the temporary seat of government was to return to Philadelphia. The Declaration was back in Philadelphia by the close of 1790.

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### **Washington, DC (three locations): 1800 – 1814**

In 1800, by direction of President John Adams, the Declaration and other government records were moved from Philadelphia to the new federal capital now rising in the District of Columbia. To reach its new home, the Declaration traveled down the Delaware River and Bay, out into the ocean, into the Chesapeake Bay, and up the Potomac River to Washington, completing its longest water journey.

For about two months the Declaration was housed in buildings built for the use of the Treasury Department. For the next year it was housed in one of the “Seven Buildings” then standing at Nineteenth Street and Pennsylvania Avenue. Its third home before 1814 was in the old War Office Building on Seventeenth Street.

In August 1814, the United States was again at war with Great Britain. Secretary of State James Monroe alerted a State Department clerk named Stephen Pleasonton of the imminent threat to the capital city and, of course, the government’s official records. Pleasonton “proceeded to purchase coarse linen, and cause it to be made into bags of convenient size, in which the gentlemen of the office” packed the precious books and records including the Declaration.

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### **Leesburg, Virginia: August - September 1814**

On August 24, the day of the British attack on Washington, the Declaration was on its way to Leesburg, VA. That evening, while the White House and other government buildings were burning, the Declaration remained safe at a private home 35 miles away in Leesburg where it remained for several weeks—in fact, until the British had withdrawn their troops from Washington and their fleet from the Chesapeake Bay.

### **Washington, DC (three locations): 1814 - 1841**

In September 1814, the Declaration was returned to the national capital where it remained until May 1841. From 1814 to 1841, it was kept in three different locations as the State Department records were shifted about the growing city. The last of these locations was a brick building that, it was later observed, "offered no security against fire." With the exception of a trip to Philadelphia for the Centennial and to Fort Knox during World War II, it has remained in Washington, DC ever since.

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### **Washington, DC (Patent Office Building): 1841 - 1876**

On June 11, 1841, Daniel Webster, who was Secretary of State wrote to Commissioner of Patents Henry L. Ellsworth, who was then occupying a new building (now the National Portrait Gallery), that "having learned that there is a new building appropriated to the Patent Office suitable accommodations for the safe-keeping, as well as the exhibition of the various articles now deposited in this Department, and usually, exhibited to visitors...I have directed them to be transmitted to you." An inventory accompanied the letter. Item 6 was the Declaration.

The Declaration and George Washington's commission as commander in chief were mounted together in a single frame and hung in a white painted hall opposite a window offering exposure to sunlight. They were to remain on exhibit for 35 years, even after the Patent Office separated from the State Department to become administratively a part of the Interior Department. This prolonged exposure to sunlight accelerated the deterioration of the ink and parchment of the Declaration, which was approaching 100 years of age toward the end of this period.

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### **Philadelphia, Pennsylvania: May - November 1876**

In 1876, the Declaration traveled to Philadelphia, where it was on exhibit for the Centennial National Exposition from May to October. Philadelphia's Mayor William S. Stokley was entrusted by President Ulysses S. Grant with temporary custody of the Declaration. The Public Ledger for May 8, 1876, noted that it was in Independence Hall "framed and glazed for protection, and ...deposited in a fireproof safe especially designed for both preservation and convenient display. [When the outer doors of the safe were opened, the parchment was visible behind a heavy plate-glass inner door; the doors were closed at night.]

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### **Washington, DC (State, War, and Navy Building): 1877 - 1921**

On March 3, 1877, the Declaration was moved to the new, fireproof building that the State Department shared with the War and Navy Departments (now the Eisenhower Executive Office Building). The Declaration was placed in a cabinet on the eastern side of the State Department library, where it was to be exhibited for 17 years. It may be noted that not only was smoking permitted in the library, but the room contained an open fireplace. Nevertheless this location turned out to be safer than the premises just vacated; much of the Patent Office was gutted in a fire that occurred a few months later.

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### **Washington, DC (Library of Congress): 1921 - 1941**

On September 29, 1921, President Warren G. Harding issued the Executive order authorizing the transfer of custody of the Declaration of Independence and the Constitution of the United States from the State Department to the Library of Congress.

The Declaration was framed in gold-plated bronze doors and covered with double panes of plate glass with specially prepared gelatin films between the plates to exclude the harmful rays of light. On February 28, 1924, the shrine was dedicated in the presence of President and Mrs. Calvin Coolidge, Secretary of State Charles Evans Hughes, and other distinguished guests. A 24-hour guard would provide protection.

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### **Fort Knox, Kentucky\*: 1941 - 1944**

After the Japanese attacked Pearl Harbor on December 7, 1941, the Declaration and the Constitution were removed from the shrine at the Library of Congress on December 23, and placed between two sheets of acid-free manilla paper. The documents were then carefully wrapped in a container of all-rag neutral millboard and placed in a specially designed bronze container. The container was secured with padlocks on each side and then sealed with lead and packed in a heavy box. On December 26, the box, along with other boxes containing vital records, was taken by train to Louisville, Kentucky, where it was met by Secret Service agents and a cavalry troop of the 13<sup>th</sup> Armored Division and convoyed to the Bullion Depository at Fort Knox.

*\*Except that the document was displayed on April 13, 1943, at the dedication of the Thomas Jefferson Memorial in Washington, DC.*

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### **Washington, DC (Library of Congress): 1944 - 1952**

In 1944, military authorities assured the Library of Congress that all danger of enemy attack had passed. On September 19, the documents were withdrawn from Fort Knox. On Sunday, October 1, at 11:30 a.m. the doors of the Library were opened. The Declaration was back in its shrine.

In 1951 the Declaration was sealed in a thermopane enclosure filled with properly humidified helium. The exhibit case was equipped with a filter to screen out damaging light. The new enclosure also had the effect of preventing harm from air pollution, a growing peril.

Soon after, the Declaration was to make one more move, the one to its present home.

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### **Washington, DC (National Archives): 1952 - present**

On April 30, 1952, the Joint Committee on the Library of Congress ordered that the Declaration of Independence and the U.S. Constitution be transferred to the National Archives. Not only was the Archives the official depository of the government's records, it was also, in the judgment of the committee, the most nearly bombproof building in Washington.

On December 13, 1952, the documents were formally delivered into the custody of Archivist of the United States Wayne Grover.

The formal enshrining ceremony took place on December 15, 1952, and was attended by officials of more than 100 national civic, patriotic, religious, veterans, educational, business, and labor groups. President Harry S. Truman, the featured speaker said:

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



**Title:** Photograph of President Truman and other dignitaries at the dedication of the new shrine at the National Archives for the Declaration of Independence, the Constitution, and the Bill of Rights. 12/15/1952

**Creator:** Truman, Harry S., 1884-1972 (Most Recent)

**ARC Identifier:** 200407

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## THE CHARTERS OF FREEDOM

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MAKING OF THE CHARTERS



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## THE CHARTERS OF FREEDOM

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## the Charters of Freedom

"A NEW WORLD IS AT HAND"



### *A New Era Begins for the Charters of Freedom*

by Mary Lynn Ritzenthaler and Catherine Nicholson  
*Prologue, Fall 2003*

#### Timeless Messages of Liberty and Freedom

For almost fifty years, the Declaration, the Bill of Rights, and pages 1 and 4 of the Constitution had been on continuous display, sealed in glass and metal encasements filled with the inert gas helium, with an additional loose sheet of glass resting directly on the parchment. The encasement glass was beginning to show evidence of deterioration, which would eventually affect the visibility of the documents. This glass deterioration was a serious concern because it also indicated that the environment within the encasement was more humid than intended.

The design of the encasements did not permit easy access to the documents, since the encasements could not be opened and resealed. Advances in techniques for mounting parchment for exhibition and a greater understanding of materials also argued for removing the Charters of Freedom from the encasements that had protected them for fifty years. All of these conservation and scientific factors led to the decision to re-encase the Charters.

A multiyear collaborative project resulted, involving National Archives staff as well as scientists and technical experts from the National Institute of Science and Technology (NIST) and other agencies and organizations. Now at the completion of the project, the Charters of Freedom are protected in new state-of-the-art encasements. But this story begins with the first critical moment of opening an encasement to reveal a historic sheet of parchment that had been sealed in inert gas for fifty years.

#### Science in Support of History

Opening an encasement was a step in a process that began more than twenty years ago with questions raised about the safety and stability of the Charters' encasements.

In 1982 the National Archives invited a panel of respected scientists and preservation professionals to assess the preservation needs of the Charters of Freedom. They advised comparing images of the Charters made at intervals over time to look for changes that might raise concerns.

The National Archives turned to the Imaging Processing Lab at the Jet Propulsion Laboratory (JPL) to assist in this effort. Borrowing technology from America's space program, the JPL developed an imaging system like that used in space exploration. The resulting Charters Monitoring System



A conservator examines the ink on Page One of the Constitution, letter by letter. In the treatment of this document, the most important step was to ensure that the original iron gall ink remained well adhered.



The image at left shows loss in the edge of the parchment near the word "America" on the Declaration of Independence. At right is the same area after conservation treatment. The loss was filled with a small piece of Japanese paper that was toned and burnished to resemble the parchment. With the loss filled, the edge of the Declaration is stable and visually intact.

(CMS) created digital image files by scanning one-inch squares on each document.

During imaging, the encased document lay on a tabletop with legs that floated on nitrogen in cylinders, which acted as shock absorbers to eliminate vibration. An overhead charged-couple device "camera" captured the relative brightness of 1,024 lines of 1,024 pixels in each patch through glass layers, using precise positioning to allow return to the exact spot in future scans.

The National Archives received the Charters Monitoring System in 1987. Conservation staff made baseline measurements for patches on the pages of the Charters. In following years, patches were re-scanned and compared pixel by pixel to the baseline image, looking for physical changes.

In 1996, after more than 125 scans, staff reported the findings. The CMS did not reveal feared changes in ink intensity or loss of ink. In all the scans on the seven encased documents, just one insecure flake of ink was noted on a raised ridge of parchment on the Transmittal Page of the Constitution.

But if the ink of 1787 was holding its own, the encasements of 1951 were not.

The CMS space-age technology ultimately confirmed findings made in 1987 with the microscope: minute crystals and microdroplets of liquid were found on surfaces of the two glass sheets over each document. The scans confirmed that these changes in the glass progressed between 1987 and 1995. Conservators using a binocular microscope could see crystals and liquid droplets on the glass surfaces. These signs of glass deterioration were a clue to the relative humidity inside the encasements. Glass deteriorates at a relative humidity greater than 40 percent. But the encasement helium had been carefully humidified to 30 percent. This low humidity was intended to minimize parchment hydrolysis, a chemical term that means "water cutting." The CMS scans confirmed evidence of progressive glass deterioration, which was a major impetus in deciding to re-encase the Charters of Freedom.

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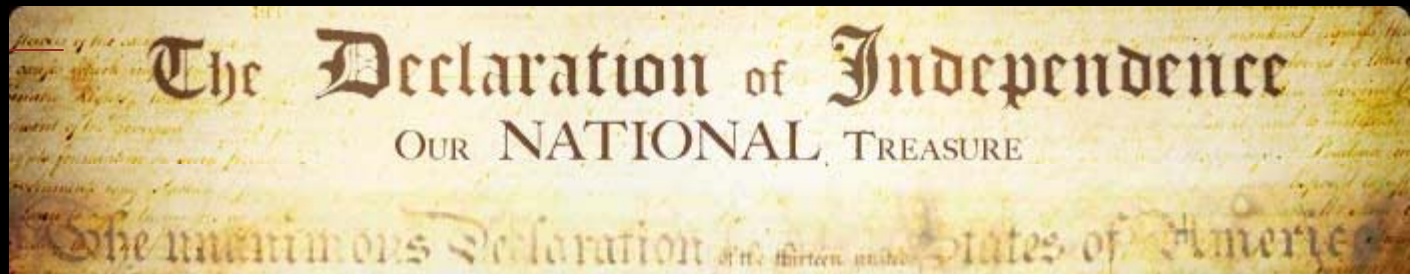
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### Treasure Hunters in Nova Scotia

Many treasure hunters, including President Franklin D. Roosevelt, have tried to find treasure at Oak Island, Nova Scotia. In 1910, Roosevelt, at the age of 27, was part of an exploration group. He maintained a lifelong interest in Oak Island.



**Title:** [Franklin D. Roosevelt](#) et al. at Oak Island in New Brunswick, 1910.

**Creator:** Roosevelt, Franklin D. (Franklin Delano), 1882-1945 (Most Recent)

**ARC Identifier:** 196803

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### Freemasonry and a Modern President

#### Harry S. Truman

President Truman joined the Masons in 1909. On October 19, 1945, he was coroneted a 33rd Degree Scottish Rite Mason.



**Caption:** Color portrait of President Truman in the regalia of Grand Master of the Grand Lodge of Missouri, a post that he held from 1940 to 1941. This portrait, painted by Greta Kempton, was unveiled in 1949. (NLHST #67-938)



**Caption:** President Truman addressing the audience at the dedication of a statue of George Washington at the [George Washington Masonic National Memorial](#) in Alexandria, VA on February 22, 1950. (ARC Identifier: 200177, NLHST #65-2302)

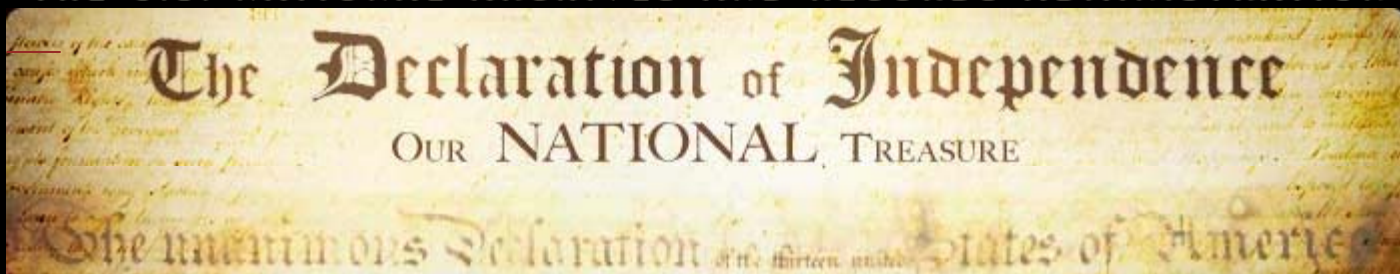
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President Truman's remarks at the dedication ceremony are available on the [Harry S. Truman Presidential Library and Museum](#) web site.

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### The Founding Fathers — Statesmen, Diplomats, Inventors...

#### Benjamin Franklin: Master of Visibility

Founding Father Benjamin Franklin was a printer, author, philanthropist, inventor, statesman, diplomat, scientist, and a member of the [Committee of Five](#).

In the movie *National Treasure*, special glasses are used to read invisible ink that was used to draw a treasure map on the back of the Declaration of Independence.

Invisible ink and codes were used extensively during the Revolutionary War period. Many 18th-century ambassadors used codes that haven't yet been broken.

In 1784 [Benjamin Franklin](#) developed bifocal glasses. As he aged, he experienced increasing difficulty with seeing things that were close and things that were far away. Because he became tired of switching between two types of glasses, he devised a way to fit both types of lenses into the frame. The distance lens was placed at the top, and the near vision lens was placed at the bottom.

#### Thomas Jefferson: Master of Revelation and Revolution

Founding Father Thomas Jefferson was the author of the Declaration of Independence and the Virginia Statute for Religious Freedom, third President of the United States, and founder of the University of Virginia. His interests included agriculture and gardening, art and architecture, food and wine, inventions and innovations, and music.

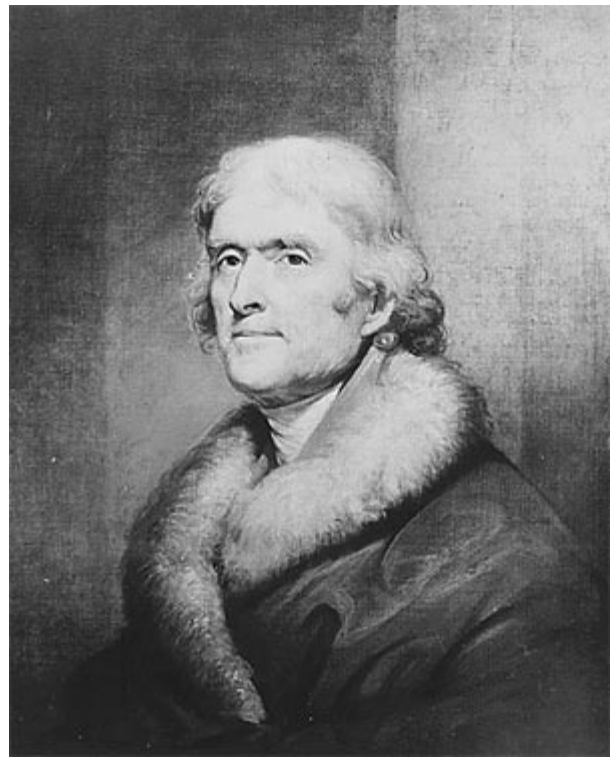
Jefferson invented a cipher called the "Jefferson cylinder" or "[Jefferson cipher wheel](#)" that was used to encode and decode messages. During the American Revolution, Jefferson had relied primarily on messengers to hand-carry sensitive letters. Codes became an essential part of his correspondence when he was America's minister to France from 1784 to 1789 since European postmasters opened and read all letters passing through their command.



**Title:** Benjamin Franklin. Copy of painting by Joseph Duplessis, circa 1794-1802., 1935-1939.

**Creator:** U.S. Constitution Sesquicentennial Commission. (1935-ca. 12/31/1939) (Most Recent)

**ARC Identifier:** 532834



**Title:** Thomas Jefferson. Copy of painting by Rembrandt Peale, circa 1805, 1942-1945

**Creator:** Office for Emergency Management. Office of War Information. Overseas Operations Branch. New York Office. News and Features Bureau. (Most Recent)

**ARC Identifier:** 535935

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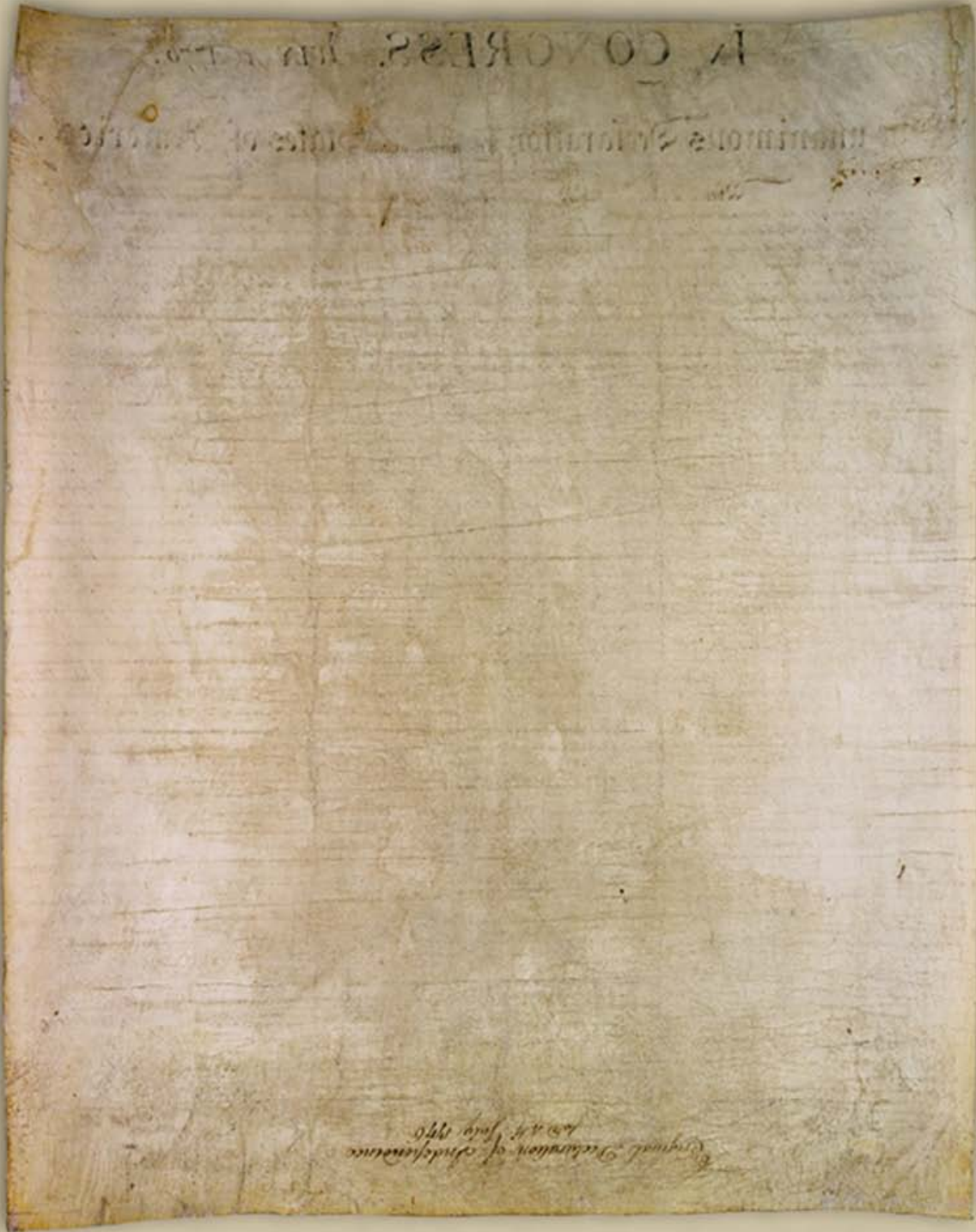
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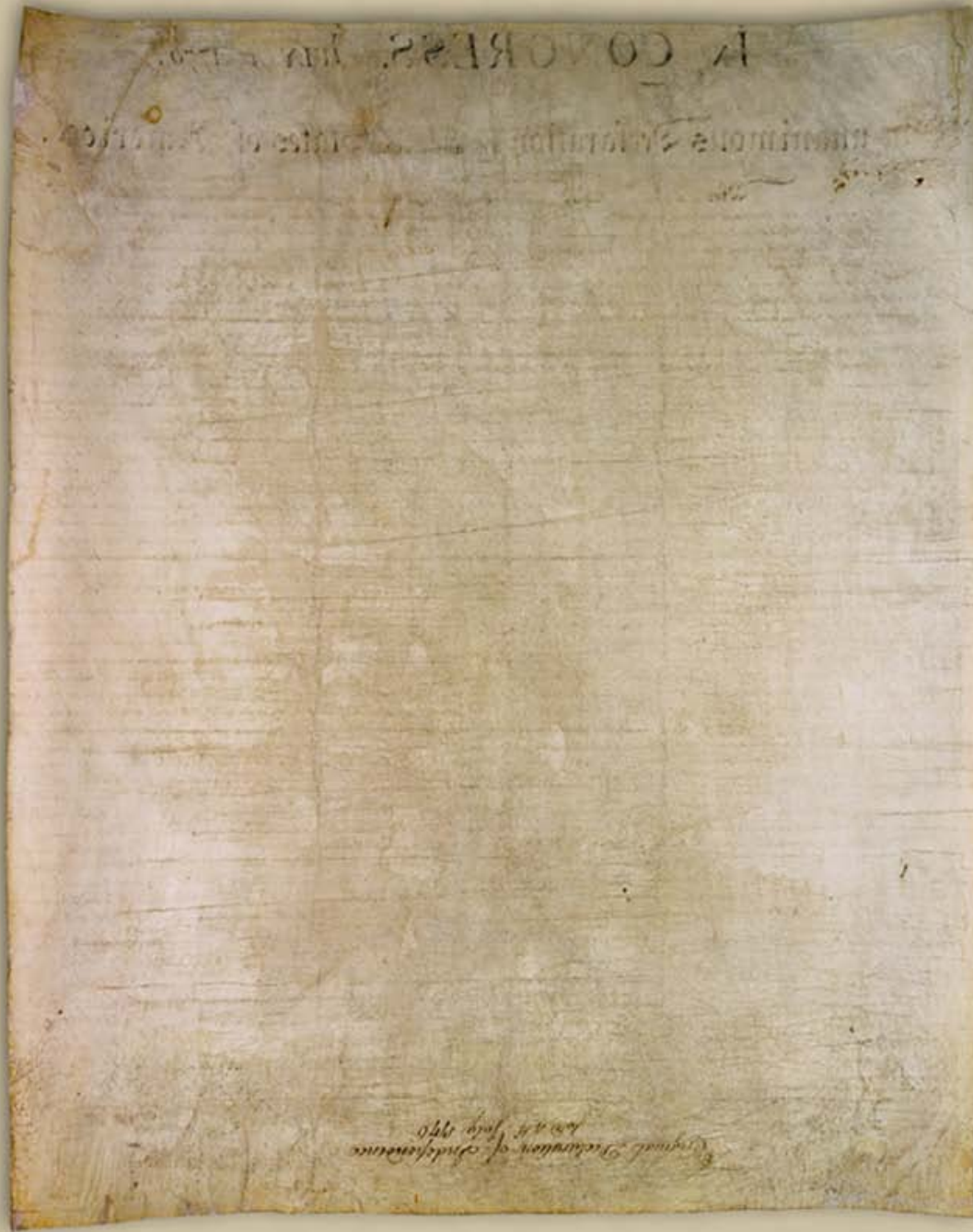
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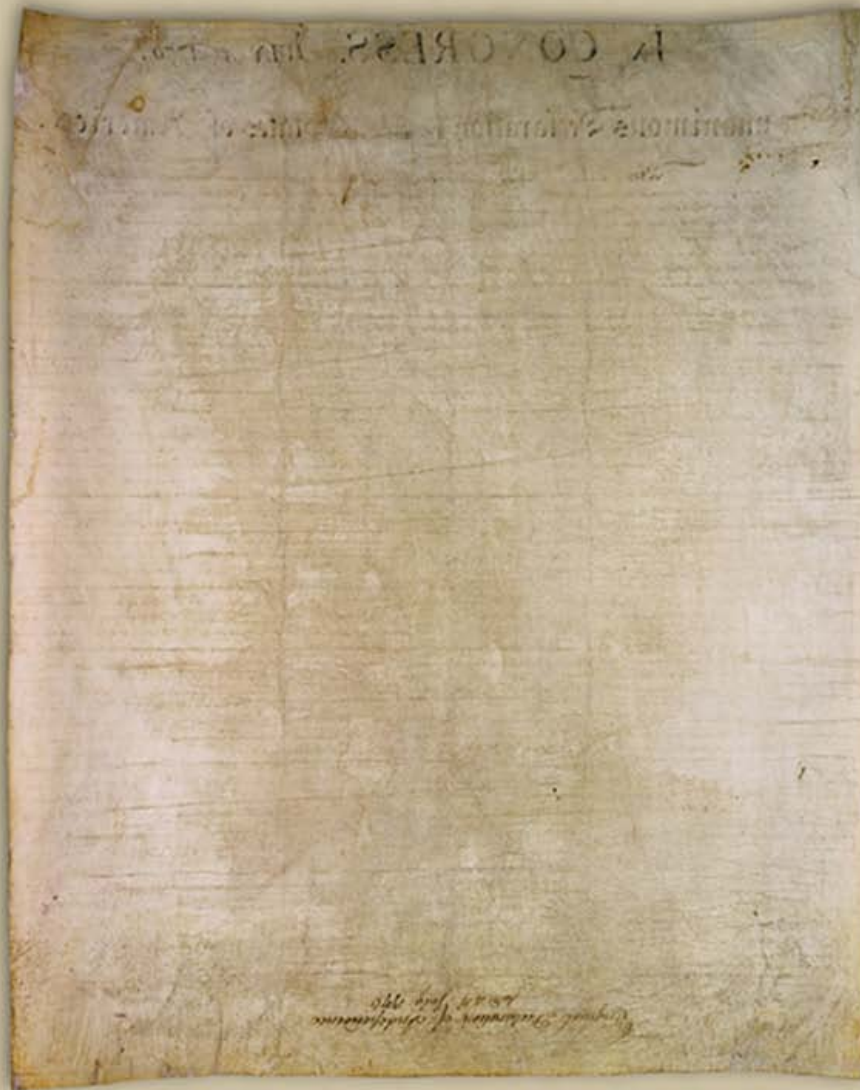


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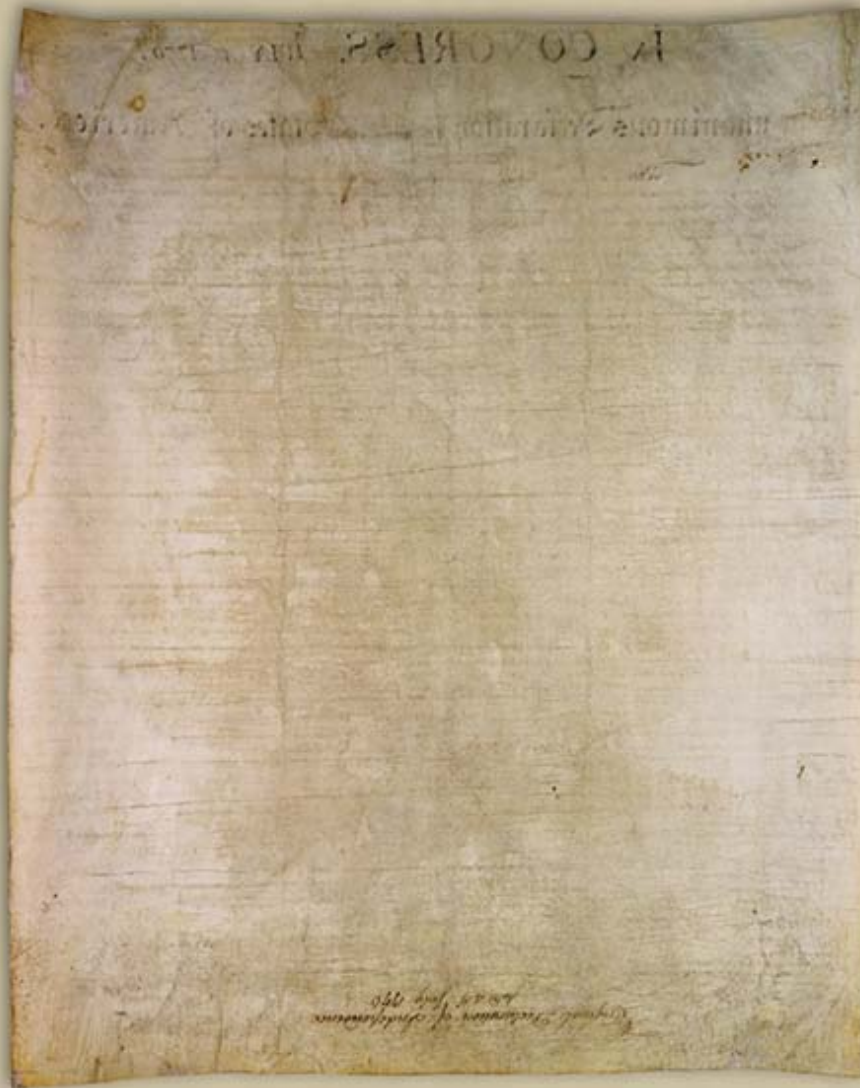


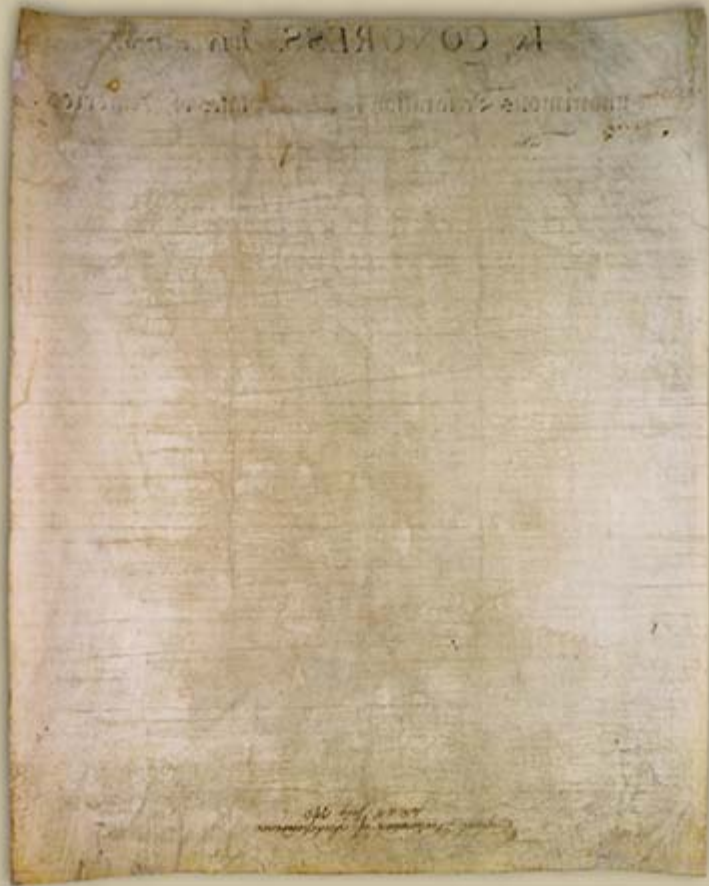












IN CONGRESS, JULY 4, 1776.

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

When in the Course of human Events, it becomes necessary for one People to dissolve the political Bands which have connected them with another, and to assume among the Powers of the earth, the separate and equal Station to which the Laws of Nature and of Nature's God entitle them, a decent Respect to the Opinions of Mankind requires that they should declare the Causes which impel them to the Separation. — We hold these Truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. — That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the governed. — That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such Principles and organizing its Powers in such Form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient Causes; and accordingly all experience hath shewn, that Mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. — But when a long Train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Tyranny, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future Security. — Such has been the patient Sufferance of these Colonies, and such is now the necessity which constrains them to alter their former Systems of Government. The History of the present King of Great Britain is a History of repeated injuries and usurpations, all having in direct or indirect Aim the Establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid World. —

He has refused his Assent to Laws, the most wholesome and necessary for the public good. — He has forbidden his Governors to pass Laws of immediate and pressing Importance, unless suspended in their Operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them. — He has refused to pass other Laws for the Accommodation of large Districts of People, unless those People would relinquish the Right of Representation in the Legislature, a right inestimable to them and formidable to Tyrants only. — He has called together legislative Bodies at places unusual, uncomfortable, and distant from the Depository of their Records, for the sole Purpose of embarrassing them with his Measures. — He has dissolved Representative Houses repeatedly, for opposing with manly Firmness his Invasions on the Rights of the People. — He has refused for a long Time, after such Dissolutions, to cause others to be elected; whereby the Legislative Powers, incapable of Annihilation, have returned to the People at large; for their Advice, and the Abuse remaining in the mean Time exposed to all the Dangers of Invasion from without, and Convulsions within. — He has endeavoured to prevent the Population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners, refusing to pass others to encourage their Migration hither, and raising the Conditions of new Appropriations of Land. — He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary Powers. — He has made Judges dependent on his Will alone, for the Tenure of their Offices, and the Amount and Payment of their Salaries. — He has erected a multitude of New Offices, and sent hither Swarms of Officers to harass our People, and eat out their Substance. — He has kept among us, in Times of Peace, Standing Armies without the Consent of our Legislature. — He has endeavoured to bring us to a complete Separation from the British Empire, by declaring us out of his Allegiance and waging War against us. — He has plundered our Seas, ravaged our Coasts, burnt our Towns, and destroyed the Lives of our People. — He is at this Time transporting large Armies of foreign Mercenaries to compleat the Works of Death, Desolation and Tyranny, which he has begun, and is daily pushing forward in the most barbarous and bloody manner. — He has constrained our fellow Citizens to bear Arms, to become the execrable Objects of their Friends and Neighbors, and to fall themselves by their Swords. — He has excited domestic Insurrections amongst us, and has endeavoured to bring on the Inhabitants of our Colonies, the merciless Indian Savages, whose known Rule of Warfare, is an undistinguished Destruction of all Ages, Sexes and Conditions. — He has attempted to make us a separate Kingdom, by declaring us separate Kingdoms, and by sending us Messengers to the most distant Parts of the World to procure our Assent to this Declaration of Independence, which no one of us would ever consent to. — He has refused to accept of our Petitions for Redress in the most humble Terms. Our repeated Petitions have been answered only with Contumacious and insulting Answers, which are too numerous to mention. — We must therefore, acquiesce in the necessity, which denounces our Separation, and hold them as we hold the rest of Mankind, Enemies in War, in Peace, our Brethren. — We declare, therefore, the thirteen united States of America, to be free, sovereign and independent States, that they have full Power to do all Things which independent States may do, and to enter into all Treaties, Alliances, Confederations and Union, which they shall think proper to enter into, and to send and receive Ambassadors, Consuls, and other public Ministers, and to exercise all other Powers which are necessary to the Welfare of independent States. — In Witness whereof, the Representatives of the united States of America, in General Congress assembled, have hereunto set their hands and seals, the fifth Day of July, in the second Year of the said Independence.

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IN CONGRESS, JULY 4, 1776.

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When in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature, and of Nature's God, entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation. We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.— That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. — That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such Principles, and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experienced Men, who wish to see the good side of the world, will admit that Governments should not be changed for light and transient causes; and accordingly all experienced Men, who wish to see the good side of the world, will admit that Governments should not be changed for light and transient causes...



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Declaration of Independence Mural  
Rotunda, National Archives Building, Washington DC















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Constitution Mural  
Rotunda, National Archives Building, Washington DC

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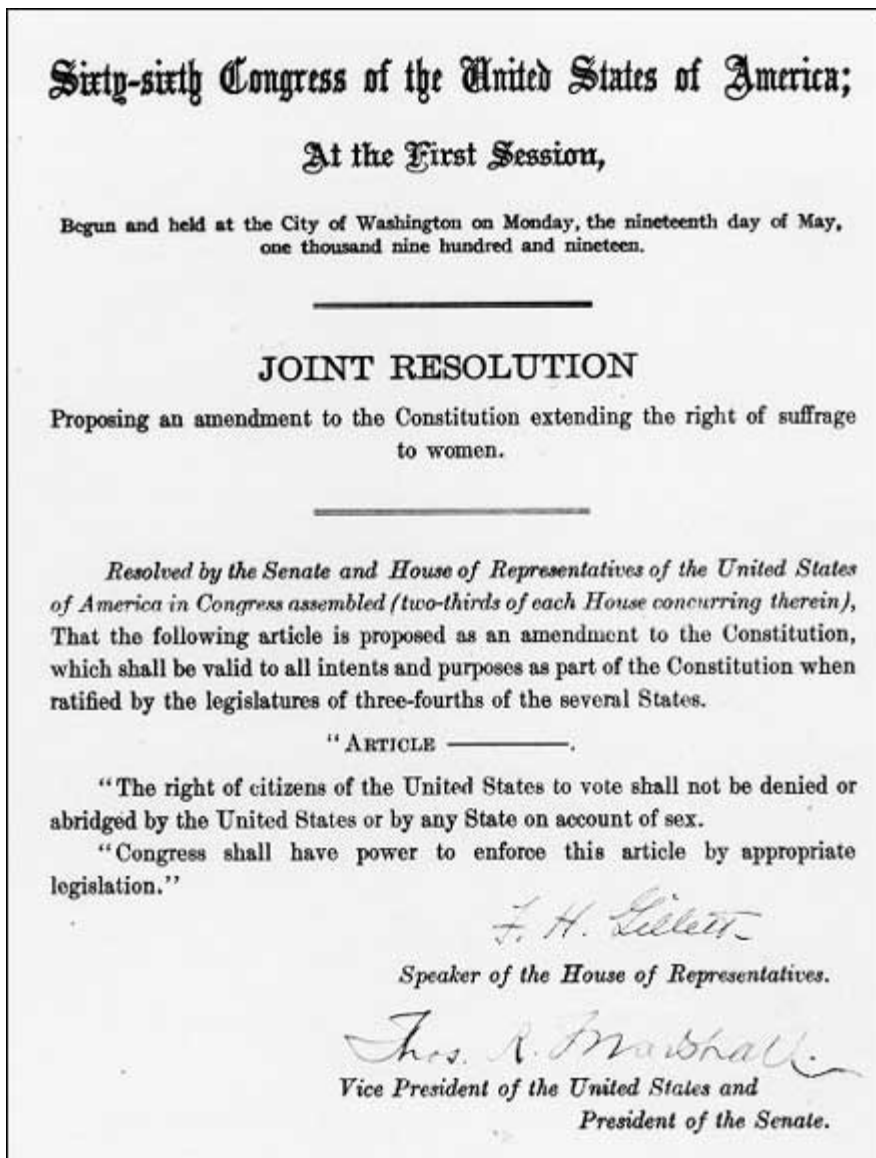

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March 13, 2011

**The 19th Amendment**

August 1995 marked the 75th anniversary of the ratification of the 19th amendment to the Constitution. The amendment guarantees all American women the right to vote. Achieving this milestone required a lengthy and difficult struggle; victory took decades of agitation and protest. Beginning in the mid-19th century, several generations of woman suffrage supporters lectured, wrote, marched, lobbied, and practiced civil disobedience to achieve what many Americans considered a radical change of the Constitution. Few early supporters lived to see final victory in 1920.

**House Joint Resolution 1 proposing the 19th amendment to the states**


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Between 1878, when the amendment was first introduced in Congress, and August 18, 1920, when it was ratified, champions of voting rights for women worked tirelessly, but strategies for achieving their goal varied. Some pursued a strategy of passing suffrage acts in each state--nine western states adopted woman suffrage legislation by 1912. Others challenged male-only voting laws in the courts. Militant suffragists used tactics such as parades, silent vigils, and hunger strikes. Often supporters met fierce resistance. Opponents heckled, jailed, and sometimes physically abused them.

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**Suffrage Parade, New York City, ca. 1912** (208-PR-14M-1)

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By 1916, however, almost all of the major suffrage organizations were united behind the goal of a constitutional amendment. When New York adopted woman suffrage in 1917 and when President Woodrow Wilson changed his position to support an amendment in 1918, the political balance began to shift in favor of the vote for women. On May 21, 1919, the House of Representatives passed the amendment, and 2 weeks later, the Senate followed. When Tennessee became the 36th state to ratify the amendment on August 18, 1920, the amendment passed its final hurdle of obtaining the agreement of three-fourths of the states. Secretary of State Bainbridge Colby certified the ratification on August 26, 1920, and the face of the American electorate changed forever.

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During World War I, militant suffragists, demanding that President Wilson reverse his opposition to a federal amendment, stood vigil at the White House and carried banners such as this one comparing the President to Kaiser Wilhelm II of Germany. In the heated patriotic climate of wartime, such tactics met with hostility and sometimes violence and arrest.

(165-WW-600A-5)

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March 13, 2011

### Notes on The 27th Amendment

The date of September 25, 1789, is correct. The amendment was initially ratified by 6 states (MD, NC, SC, DE, VT, VA), and the other 8 states excluded, omitted, rejected, or excepted it. The amendment was ratified by various states over time, and in 1992 was fully ratified as an amendment to the Constitution.

For more information see: United States. The Constitution of the United States of America : with a summary of the actions by the states in ratification thereof ; to which is appended, for its historical interest, the Constitution of the Confederate States of America / prepared and distributed by the Virginia on Constitutional Government. Richmond : Virginia Commission on Constitutional Government, 1961. 94 p.

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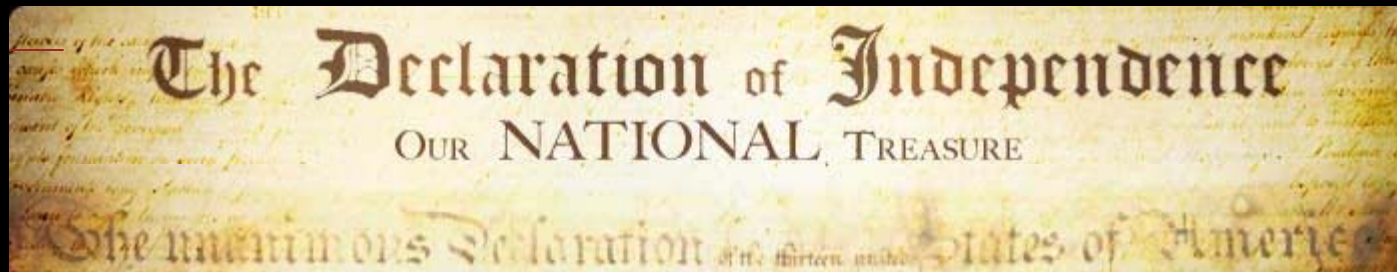
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## Lewis and Clark Expedition Fishing Tackle Broadside



**FISHING TACKLE**

Of all Sorts, at the Old Experienced TACKLE SHOP kept by  
**GEORGE R. LAWTON,**  
 SUCCESSOR TO  
**EDWARD POLE.**

No. 32, Great Dock-street, between Front and Second-streets, near the  
 Drawbridge, Philadelphia. Where may be had a large complete and general  
 assortment of all kinds of FISHING TACKLE, for the use of either Sea or Ri-  
 ver, viz.

<p><b>F</b>LY, trolling, bottom bag, and all other sorts and si-          zes of fishing rods, either hollow or solid, plain or          ringed,          Plain and Multiplying Brass Wheels,          Horse hair, silk, hardish, silk-worms gut, Indian Grass,          Hempen, Cotton, Lay-out, and Angling Lines,          Deep-seas, for Sea or River Fishing, ready fitted,          Trimmers for Pike Fishing,          Cork Floats, a variety, with either Goose or Swan Quills,          Artificial Flies, Moths, Hackles, Minnow, Chubb, Grass-          Hoppers, Dilleries, Frog, Lice, Birds, Caddis, &amp;c.          for Trout and other Fishing,          Best Silk-worms Gut, Indian-grass and Weed.          Leads of various Patterns, for Black Point and other</p>	<p>Fishing,          Best Kirby and Common Fishing Hooks of every Size,          either Loose or ready Hung, on Silk, Hair, Silk-worms          Gut, Indian-Grass, or Weed,          Double and Treble, Spring and Dead Snap Pike, and          Eel-hooks wired,          Box, and Plain Salmon, Jack, Pearch, and Trout-fishers,          4, 8, 10, &amp; 12, Stave Round and Flat Pocket Reels,          ready fitted,          White and Yellow Gimp, for Pike Fishing,          Fishing Baskets and Aprons,          Dram Bottles and Flasks, covered with Leather,          Casting Minnow, Landing, Scoop, and Crab Netts,          &amp;c. &amp;c.</p>
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Carolina reeds for reed makers or fishing rods by the thousand or single one.  
 Allowance made to country store keepers and others purchasing quantities  
 to fill again.

Any orders from town or country, will be as carefully attended to, and as  
 duly executed as if personally present.

All kinds of Fishing Tackle, repaired and made to any pattern.

From an experience of upwards of thirty years, and the complete and general  
 assortment of Fishing Tackle kept at this Shop, it is expected that purcha-  
 sers can be supplied better and on more reasonable terms, than any other shop  
 in the United States, as he always has a large stock on hand.

At the same place may also be had a general assortment of  
**FOWLING TACKLE.**

N. B. Gentlemen going on parties of pleasure, in the Fowling or Fishing way, either to Black Point, Sea or River,  
 or any other place, may be completely furnished with any kind of Fishing or Fowling Tackle, at the shortest notice.  
 N. B. Ready money for any quantity of Carolina Reeds, White Horse Tails, Silk Worms Gut, &c. &c.

Front side of a bill presented to the government by George R. Lawton, an auctioneer from Philadelphia, for supplies used by the Lewis and Clark expedition, dated May 18, 1803. The document lists various articles of fishing tackle that were received by Meriwether Lewis and is written on the back of a printed broadside.



Phila. May 18 1803

Mr. Isaac Wadsworth

By George R. Lawton

70 Large hooks 30 ft	\$2.80
55 do. do. 20 ft	1.65
1 doz. drum line	4 =
1 do. Rock ditto	2.50
1/2 doz. India Line \$5	7.50
1 India Line	" 42
2 Lines \$1	2 =
Sportsman Mask	1.50
3 Hand reel	3 =
	\$ 25.37

Received of  
Geo. R. Lawton

Received the within articles  
Meriwether Lewis  
Capt 1st US Regt Inftry

181.  
G. Lawton

Back of a bill presented to the government by George R. Lawton, an auctioneer from Philadelphia, for supplies used by the Lewis and Clark expedition, dated May 18, 1803. The document lists various articles of fishing tackle that were received by Meriwether Lewis and is written on the back of a printed broadside.

## THE CHARTERS OF FREEDOM

[Making of the Charters](#) [The Declaration](#) [The Constitution](#) [The Bill of Rights](#) [Impact of the Charters](#)

## the Charters of Freedom

### "A NEW WORLD IS AT HAND"



## A New Era Begins for the Charters of Freedom

by Mary Lynn Ritzenthaler and Catherine Nicholson  
*Prologue, Fall 2003*

### Examining the Documents

As a document was freed from its encasement, it became available for close examination, measuring, and photography without the barrier of intervening layers of glass. While some records exist on the creation, history, travels, and exhibition of the documents over the years—including a few nineteenth- and twentieth-century photographs—the information is relatively sparse. But the documents themselves offered a wealth of clues and insights into the ways they were created and handled. Patterns of creases and folds on the documents pointed to how they had been folded or stored.

The Bill of Rights still had pronounced horizontal and vertical creases from having been folded, though it had been stored flat for almost a century.

The Declaration had both fold lines and parallel horizontal creases that were evidence of rolling. It also had a noticeable band along all edges that was flat and very clean. Records indicate that early in the twentieth century the Declaration had been glued along the four edges to a support.

The Constitution did not show evidence of folding but had adhesive in broad strokes on the backs of the parchments, suggesting that the leaves had been glued overall to a backing.

Each document was available for direct examination for a short time before re-encasement, but this time was sufficient to apply modern examination techniques and tools to evaluate and record the document's condition and develop and carry out appropriate conservation treatment. The full dimensions of each parchment were measured as well as its average thickness, which varied somewhat along the edges and from top to bottom. The color of the parchment was measured. Many photographs were made of the condition of the parchment before any treatment was proposed or undertaken.

### How the Charters Were Made

The Declaration of Independence, the Constitution, and the Bill of Rights were handwritten by a clerk or scribe on parchment, an animal skin specially treated with lime and stretched to create a strong, long-lasting writing support.

The clerk's job was a demanding one. He was trained to create a fine



A conservator examines the ink on Page One of the Constitution, letter by letter. In the treatment of this document, the most important step was to ensure that the original iron gall ink remained well adhered.



The image at left shows loss in the edge of the parchment near the word "America" on the Declaration of Independence. At right is the same area after conservation treatment. The loss was filled with a small piece of Japanese paper that was toned and burnished to resemble the parchment. With the loss filled, the edge of the Declaration is stable and visually intact.

handwritten text. In his work, he wrote a very regular and legible cursive script, with titles and important phrases engrossed, that is, made larger and darker with additional strokes of ink. His tools included a pen knife and quill pens cut from large feathers. He wrote with ink made from oak galls and iron, with gum arabic as binder, and often with a colorant such as logwood added to enhance the initially pale ink. Following English practice, he wrote important legal documents and contracts on parchment. Parchment was expensive, generally imported from Great Britain, but its life expectancy was very long.

The clerk often had little time to take a corrected rough draft and write out a "fair" or "smooth" final legible copy before it was to be signed. He needed rule lines to guide his hand and ensure straight lines of text. Corrections were difficult to make because parchment was such a tough and unforgiving medium. He scraped out words or lines with his penknife or inserted words or phrases carefully into the text, sometimes including an errata paragraph to attest that the approved document was unaltered.

The clerk could never have imagined that two centuries later, conservators would peer through a binocular microscope to examine his pen strokes. Examining these documents, conservators found faint rule lines that were present on several, appearing as reddish brown lines on the Constitution and a gray medium on the Declaration. They saw several scraped erasures on the documents, visible as areas of roughened parchment often grayed with surface dirt, and occasionally, omitted words or phrases inserted into the text. On the last page of the Constitution, the scribe wrote a final errata paragraph noting his corrections to the text. Many random ink splotches or spatter, large and small, show evidence of the difficulty of writing with a quill pen.

Working closely with the documents, conservators also came to recognize the characteristic handwriting of the different scribes who wrote these three documents. They also saw unobtrusive marks or annotations on the documents, including small numbers, an "x" mark, and brackets in the margins, presumably to mark or emphasize a section of text. Who made these marks and when is not known. Most of these faint marks appear to be in a soft gray medium that resembles graphite.

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