

HOW THE REPUBLIC
IS GOVERNED

§

NOAH BROOKS

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HOW THE REPUBLIC
IS GOVERNED

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HOW THE REPUBLIC
IS GOVERNED

BY

NOAH BROOKS



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CHAPTER I.

THE FEDERAL CONSTITUTION

THE fundamental law on which is built the framework of the Government of the Republic of the United States is the Federal Constitution. This instrument was constructed by a convention of delegates, or deputies, from the original thirteen States. It was finished and signed by the members of the convention on September 17, 1787.*

As originally drawn, the Constitution was composed of seven articles. The seventh article provided that the ratification of at least nine of the thirteen States should be necessary to its adoption. The first State to ratify the Constitution was Delaware, on December 6, 1787. The last to ratify was Rhode Island (being the thirteenth to vote), on May 29,

* The names of the thirteen original States and the order in which they ratified the Constitution may be found on page 155.

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1790. But the ratification by the requisite nine States was complete as early as June 21, 1788, when New Hampshire ratified.

In the fifth article of the Constitution it is provided that the instrument may be amended in the following manner: Congress may at any time propose amendments thereto, provided two-thirds of the members of each house of Congress shall vote in favor of said amendments; and then the proposed amendments shall be submitted to the States and be ratified by the Legislatures of, or by conventions of, three-fourths of said States. Or, Congress may, on the application of the Legislatures of two-thirds of the States, call a convention of delegates, or deputies, to propose amendments to the Constitution, such amendments to be subsequently acted upon by the State Legislatures, as before provided.

The First Amendments to the Constitution were ten in number, and were proposed by the First Congress; they were ratified by the States between September 25, 1789, and December 15, 1791.

The Twelfth Amendment was proposed by the Eighth Congress, and was ratified between December 12, 1803, and September 25, 1804.

The Thirteenth Amendment was proposed by

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the Thirty-eighth Congress on February 1, 1865, and was ratified by December 18, 1865.

The Fourteenth Amendment was proposed by the Thirty-ninth Congress on June 16, 1866, and was ratified by July 28, 1868.

The Fifteenth Amendment was proposed by the Fortieth Congress, on February 27, 1869, and was ratified by March 30, 1870.

CHAPTER II.

GOVERNMENT OF THE UNITED STATES

THE Government of the United States is divided into three branches, or departments. These are the Legislative, the Executive, and the Judicial branches.

The Legislative branch is the Congress of the United States ; and that body alone has the power of enacting laws for the government of the Republic.

The Executive branch of the Government has for its head the President of the United States, and under him are such officers as Congress may authorize to be appointed, or otherwise chosen. The function of the Executive department of the Government is to execute and carry into effect such laws as Congress may enact.

The Judicial branch of the Government is composed of the Justices and Judges of the United States courts. Its function is to interpret and construe the laws of Congress and to decide, when occasion arises, whether laws en-

GOVERNMENT OF THE UNITED STATES

acted by Congress or by State Legislatures, are in accordance with the provisions of the Federal Constitution.

Under some one of these three branches of the Government of the United States every officer of the Republic derives his authority, and each function and power of the Government is exercised.

CHAPTER III.

OF THE CONGRESS

THE Congress of the United States is composed of two branches, or houses, the Senate and the House of Representatives.

The Senate has two members from each State. No State is entitled to more than two Senators at one time. No State can be deprived of the right of sending two Senators to represent it in the Senate of the United States.

The House of Representatives is made up of delegates, or representatives, from each of the several States, one Representative being allotted to each unit of representation. No State may have less than one Representative, however small its population may be; but as the basis of representation is population, the larger States have the greater numbers of Representatives. At present (1894), one Representative is allotted to each Congressional district in every State; and each Congressional district must have at least 173,901 population as a

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basis of representation, except where there are not that many people in the whole State.

The Senate is designed to represent the power and the dignity of the several States. The House of Representatives, sometimes called the popular branch of Congress, represents more directly the population of the republic. Both branches have equal power in the enactment of all laws ; and no proposed law can be made a valid statute of the United States unless it receives a majority of the votes of each of the two houses of Congress.

THE SENATE.

The Senate is comprised of Senators, each two of whom represent one State. Each Senator is elected by the Legislature of a State, and each serves for six years, unless he has been appointed or elected to serve out an unexpired term.

The Senate is so constituted that one-third of its members go out of office every two years.

In case a Senator dies, resigns, or for any cause is no longer able to discharge the duties of his office, the vacancy thus created is filled by the Legislature of the State to be represented ; and if such vacancy occurs while the

OF THE CONGRESS

Legislature of the State is not in session, then the Governor of said State may appoint a Senator to fill the vacancy until the next session of that Legislature.

A Senator thus chosen by the Legislature fills out the unexpired term for which he was elected or appointed, and no more.

A Senator must be at least thirty years of age when he is elected ; and he must have been a citizen of the United States at least nine years before such election.

Whenever a State is required to choose a United States Senator, each House of the Legislature must vote, *viva voce*, for Senator on the Tuesday following its organization. On the next day the two Houses are to hold a joint meeting. If it then appears that the same person has received a majority of the votes in each House, he is declared elected. If not, the joint meeting is to take place thereafter and take at least one vote a day during the session of the Legislature, until some person shall receive a majority of the votes of the meeting, a majority of each House being present. In case of a vacancy occurring during the session of the Legislature, the same procedure is to begin on the Tuesday after the notice of the vacancy is received. Should the Legislature fail to choose

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a Senator before adjournment, the Governor is empowered to fill the vacancy until the Legislature shall meet and elect a Senator for that term.

The powers of the Senate and of the House of Representatives are equal in the enactment of the laws ; but each branch of the Legislative department has its own peculiar functions. Thus the Senate alone has the right to ratify, or reject, treaties with foreign nations which the Executive branch of the Government may negotiate ; and no such treaty is valid unless it has been approved by the Senate. The Senate also has the right to confirm, or reject, nominations or appointments to office that may be made by the President.

Such appointments to office, however, may be made by the President without the consent of the Senate, when the Senate is not in session, provided a vacancy is then to be filled ; and all such appointments must be confirmed by the Senate as soon as that body again meets in session ; otherwise, said appointments fall. Sundry of the less important offices of the Government may be filled by appointment from the Executive department without the advice and consent of the Senate.

When the Senate has under its consideration

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the business of foreign treaties, or of appointments to office, it sits in secret with closed doors ; and this is called an executive session, as the Senate is then engaged in executive business. A vote of two-thirds of the Senators voting is necessary to ratify a treaty. The vote of a majority may confirm a nomination to office.

Each branch of Congress has sole and exclusive right to determine whether any person chosen to a seat in its chamber is eligible thereto ; and each House chooses its own officers.

The Vice-President of the United States, by virtue of his office, is the presiding officer of the Senate ; but he has no vote in that body except in case of a tie [the Senate being equally divided on a vote], when the Vice-President may give the casting vote. But he may not at any time participate in the debate, or the deliberations, of the Senate. He is paid an annual salary of \$8,000.

In case of a vacancy in the office of Vice-President, or of his absence from the Senate, that body may choose from its own number one who shall be President of the Senate. While he holds that place he is called President *pro tempore* of the Senate, and he holds office at the pleasure of the Senate. It is usual for the Vice-President to absent himself from

OF THE CONGRESS

the Senate for a while, soon after the beginning of each session of Congress, in order that the Senators may choose a President *pro tempore*; and that officer presides over the Senate only when the Vice-President fails to appear to take the chair. The presiding officer of the Senate may call a Senator to take the chair temporarily during any single daily session, or part of a daily session.

The other principal officers of the Senate are the Secretary, whose duty it is to keep the journal and the pay-accounts of the Senate; the Sergeant-at-Arms, whose duty it is to assist the presiding officer in preserving order, the allotment of seats, etc.; the Chaplain, the Postmaster, and the Librarian.

Each House of Congress has its own standing committees, to which are referred all bills or proposed laws. The standing committees of the Senate are chosen and arranged at a private meeting, or caucus, of the Senators who constitute a political majority of the Senate at the time these committees are appointed. Senators who at such time represent a minority of the Senate are expected to present to the majority caucus the names of those of their number whom they desire to have places on the standing committees. It is customary that a ma-

OF THE CONGRESS

majority of each committee shall be composed of Senators who represent the political majority in the Senate.

In case any civil officer of the United States is accused of a crime against the United States, he is tried by the Senate, then sitting as a High Court of Impeachment. The charges against the accused are presented by the House of Representatives and are called articles of impeachment, corresponding to an indictment as found by a grand jury in criminal practice. The Senate acts as a trial jury, and a vote of two-thirds of the Senators is necessary to secure a conviction. When the President of the United States is the person accused, the Chief Justice of the United States is the presiding officer of the High Court of Impeachment.

THE HOUSE OF REPRESENTATIVES.

The presiding officer of the House of Representatives is called the Speaker. He is chosen from the members of the House by a vote of the majority and is paid an annual salary of \$8,000.

The Speaker holds office during the full term of the Congress for which he was elected ; that is to say, two years, unless sooner removed by vote of the House.

OF THE CONGRESS

The House may at any time, by a majority vote, remove its Speaker and choose a Speaker *pro tempore*. Or, should illness or other cause prevent the attendance of the Speaker, the House may choose one of its number to act in his place temporarily. Or, the Speaker may call to the chair a member of the House to act in his place for one day, or for a shorter time; but he may not put any one in his place for a longer time than a single day's session.

The other principal officers of the House are the Sergeant-at-Arms, whose duty it is to execute the orders of the Speaker in preserving order and to keep the financial accounts of the House; the Clerk, who has charge of the journals of the House, enrolled and engrossed bills, and who generally supervises the records and documents of the House; the Doorkeeper, who is charged with the appointment of the keepers of the doors of the House and with minor details of management; and the Chaplain and the Postmaster.

The Speaker is the only officer of the House who is a member of that body; the other officers of the House are chosen by the members, after nomination by a caucus of the Representatives who constitute a majority of the whole membership.

OF THE CONGRESS

The Speaker, being a Representative in Congress from a State, is entitled to mileage and other privileges of membership; and he may vote whenever he chooses, under the rules of the House. Should the House be equally divided on a question, the Speaker is required to vote thereon, provided he has not already voted. Or, if his vote would cause an equal division of the House, and he has not already voted, then he is required to vote; and in case of such an equal division the question is lost.

When the House acts as a committee, by itself, the session is known as that of the Committee of the Whole House and is presided over by a member who is called to the chair by the Speaker. When the sitting of the Committee of the Whole House is completed, the committee rises, and the result of its proceedings is reported to the Speaker, who has resumed the chair, by the chairman of the committee.

To be eligible to membership in the House of Representatives one must be at least twenty-five years of age, and have been a citizen of the United States at least seven years.

The term of office of each member of the House of Representatives is two years.

Each Congress is in existence two years, and each is numbered from the beginning of the first

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Congress, which assembled in 1789. Therefore, to find the number of any Congress, past or to come, reckon the number of years from 1789 to the year required, divide the sum by two, and the quotient will give the number of the Congress in question.

The functions and powers of the House in all matters of legislation are the same as those of the Senate, with few exceptions. The House has no power to act on executive appointments, and none in the ratification or rejection of treaties with foreign nations. But the House may, by delaying or withholding appropriations for treaty purposes, hinder action thereon.

Only the House can prepare and present articles of impeachment against a civil officer of the United States; and when the accused is tried by the Senate, sitting as a High Court of Impeachment, it is the duty of the House to conduct the prosecution; this is done by managers on the part of the House, with such assistants as they may be authorized to employ.

All bills for raising the revenue for public purposes must originate in the House. The Senate, when it receives from the House a bill for raising the revenue, may alter and amend such bill at its pleasure; or the Senate may substitute for the House bill another of its own,

OF THE CONGRESS

which would be in the nature of an amendment ; but the Senate may not originate any such bill.

The practice of originating in the House all bills for the raising of the public revenues has led to the prevailing custom of leaving to the House the originating of all bills appropriating large sums for carrying on the Government. Usually, all such bills are first drawn and considered in the House, that body having charge of the ways and means for raising the money needed for public purposes. But the Senate may not only alter and amend these bills for appropriating money ; it may originate appropriation bills and send them to the House for its action.

No money can be drawn from the treasury of the United States for any purpose whatever unless it has been appropriated for that purpose by an act of Congress.

Each Territory is entitled to send one Representative to the House. He is called a Delegate, and although he may speak on any pending question, or participate in the general business of the House, he is not permitted to vote on any proposition whatever.

The Legislature of each State is empowered to divide its population into districts, allowing to each district the number of persons fixed

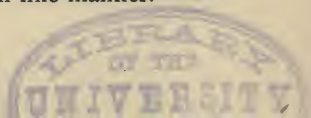
OF THE CONGRESS

upon by act of Congress as the basis, or unit, of representation in the House of Representatives.

In the case of a vacancy occurring in a Congressional district, by the death, resignation, or disability of the sitting member, it is the duty of the Governor of the State in which said district is situated to call a special election to fill the vacancy ; and the member so chosen by popular vote serves out the remainder of the unexpired term.

The general elections for Congress, with a very few exceptions, take place throughout the United States in November of every other year. Thus the elections for the Congress which meets in December, 1895, were chosen by the people in November, 1894.

The Congressional districts are, or may be, rearranged by the Legislatures of the States once in ten years, as soon as may be after the taking of the decennial census of the population under the authority of the United States. In case the population has increased to an extent equal to one unit, or more, prescribed as the basis of representation, then that State is entitled to additional representation in the House. If the population has diminished, the State's representation is reduced in like manner.



OF THE CONGRESS

When any State is entitled to two or more Representatives in Congress, the districts from which each is elected are numbered, as the First, Second, Third, etc. But any State may, by the action of its Legislature, choose to elect all of its Representatives, or a part of them, on one general ballot by all the people, and not by the voters in the separate districts. Where one Representative is so chosen by all the voters of a State, he is called a Congressman-at-Large.

The standing committees of the House, to whom are referred the various matters of business appropriate to each, are appointed by the Speaker at the beginning of each session.

GENERAL PROVISIONS RELATING TO CONGRESS.

Senators and Representatives in Congress are paid an annual salary of \$5,000, each. They are also entitled to draw money for the payment of their travelling expenses at the rate of twenty cents for each mile travelled each way, from and to their homes, at each session of Congress. Each Senator and Representative is also entitled to draw \$125 a year for stationery and newspapers. Absence without leave entails deduction from the annual compensation.

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It is customary for members of any legislative body to make an agreement with each other by which two members who would have voted on opposite sides of any question, or series of questions, shall refrain from voting. The result is thus left unaffected, and one or both of the parties to the agreement may be absent. This is called "a pair."

A majority of all the members of each House is necessary for the legal transaction of business; but a smaller number may engage in debate unless objection is made by a member.

Either House may by itself pass resolutions which do not take the form of law. These may express the sentiments of the House passing such resolutions, or may call on the Executive branch of the Government for information, etc.; but they have no validity, and the Executive branch may disregard them if it chooses. But a joint resolution, which requires the concurrence of both Houses of Congress, has the force and effect of law when duly passed.

Neither House of Congress can adjourn for more than three days at one time without the concurrence of both branches. In case the two Houses shall fail to fix on a day for adjournment, and the disagreement be final, then the President may prorogue, or declare adjourned,

OF THE CONGRESS

that session of Congress. But he may not terminate a session except in such a case.

Each Senator and Representative in Congress is allowed by law a certain number of books and documents printed under the authority and at the expense of the Government. To aid in the circulation of these books and documents, each member of Congress is allowed to send said printed matter free through the mails, under his own signature; but no other exercise of the franking privilege is permitted to members.

The first session of each Congress begins on the first Monday of the December of the year following that in which the Representatives were elected. Thus the members elected in November, 1894, do not meet in regular session until the first Monday in December, 1895. But the President may call Congress together in special, or extraordinary, session at any time whenever in his opinion the public business shall require.

The second regular session of Congress begins in like manner on the first Monday of December of the second year of its existence; it must end on the fourth of March next succeeding, as the life of each Congress is terminated on the fourth of March in the second year of

OF THE CONGRESS

its existence. The first session of a Congress closes when the two Houses, by a concurrent vote, agree to adjourn. Hence the first session, which usually lasts until late in the summer or autumn after its meeting in March, is called the long session ; the second, which must end on the following fourth of March, is called the short session.

Either branch of Congress may be called by itself in special session by the President to consider any matter which does not require the co-operative action of the other branch. But this never happens except when the Senate is called to consider executive business (treaties or nominations to office), that may be laid before it by the President.

Congress may by a joint resolution vote to hold a special session at any time during its existence. Or it may in like manner vote to take a recess of any length during its existence, provided such recess does not extend over the date on which the life of that Congress is terminated by law.

Joint sessions of the Senate and House of Representatives are rare. These are held only on ceremonial occasions and when the two Houses meet to count the votes for President and Vice-President.

OF THE CONGRESS

LEGISLATIVE METHODS.

Nearly all the legislative business of Congress is prepared in the standing committees of each House. To each one of these is referred the schemes of law which come under the purview of such committee. Thus bills, or schemes of law, relating to banks and banking are sent to the Committee on Banking and Currency, those relating to the management of the Indians to the Committee on Indian Affairs, and so on.

The members of Congress are required to take an oath to support the Constitution of the United States, and the officers of Congress are required to take an additional oath to perform faithfully the duties of their office.

Bills, or schemes of law, are presented in each House by the members of that House, and usually take the regular order, being sent to some one of the standing committees designated for that purpose. In due course of time each bill is considered by the committee and the decision thereupon is reported back to the House. A bill may be re-committed, or sent back to the committee, or to some other committee, as often as the Senate or House may choose. A bill cannot pass either House unless it has re-

OF THE CONGRESS

ceived the affirmative vote of a majority of all the members present and voting.

A bill (or proposed law) is first written out under the direction of the member of the Senate, or House, who introduces it. When he has brought it before the House of which he is a member, it is usually ordered to be printed, and it is referred to its appropriate committee. Should the committee agree that a bill ought to become a law, it is brought back to the House with a recommendation that it do pass. But if the committee is of the contrary opinion, then an adverse report is brought in, and the bill customarily fails to pass. The vote of a majority of a committee is necessary to determine the favorable, or unfavorable, character of the report on any bill.

When a bill has passed one of the two branches of Congress, it is enrolled on large sheets of paper, signed by the presiding officer, and secretary or clerk of the House passing it, and sent to the other branch by one of the officers of said House. When a bill has passed both Houses of Congress, it is engrossed on large sheets of parchment, is signed by the presiding officers of both Houses, and the Secretary of the Senate and Clerk of the House, and is sent to the President.

OF THE CONGRESS

Should the President approve the bill, he affixes to it his signature, and it becomes a law and is then filed in the Department of State ; and the President notifies Congress that he has so signed the bill.

Should the President decline to approve a bill so presented to him, he may retain it ten days (provided Congress remains in session), and during, or at the end of that time, he is required to return it to the House of Congress in which it originated, giving his reasons for withholding his approval. This act is called sending in a veto message.

Congress may re-pass a bill that the President has vetoed, provided two-thirds of the members of each House, present and voting, agree to pass the bill, the President's objections to the contrary notwithstanding.

In such case, the bill becomes law without the signature of the President ; and the certificate of the Secretary of State is appended thereto in lieu of other Executive endorsement.

Should Congress adjourn at the end of a session, leaving in the hands of the President an unsigned bill, then the bill fails to become a law ; but it may be taken up and passed again as a new measure by both Houses of Congress, at a subsequent session. When the President re-

OF THE CONGRESS

tains a bill in this manner in order to prevent it from becoming a law, his action is called a "pocket veto" of the measure.

Should the President retain a bill in his possession for ten days, while Congress remains in session, without taking any action thereupon, it becomes a law without his signature.

Each House of Congress makes its own rules for the government of its members and to regulate the transaction of business.

In the House, debate is restricted in various ways. Set speeches are limited to one hour in delivery, except by unanimous consent of the members present; and the House may at any time order "the previous question" to be taken on any pending proposition, which has the effect of closing all debate whatsoever. Or, the House may, by vote of its members, order that no member shall speak more than a certain number of minutes on a given question.

These rules do not prevail in the Senate; but no Senator may speak more than twice on the same subject on the same day without leave of the Senate; this rule, however, is not often enforced.

In case the two Houses of Congress cannot agree upon any detail of legislation which has been considered by both Houses, a conference

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committee, consisting of three members of each House is appointed to consider the questions relative to the disagreement. If the members of the conference committee agree as to the matters in dispute, then they report that fact to their respective Houses, and the acceptance of the report concludes the action of the Houses on the bill. In case the conference committee fails to agree, and that fact is reported to the respective Houses, another conference committee is ordered, unless one of the two Houses votes to recede from its previous action on the pending bill. If no agreement is finally reached by a committee of conference, then the bill fails, as the consent of both Houses is requisite to the enactment of a law, or the passage of a joint resolution.

The salaries and compensation of all officers of the Government are fixed and determined by Congress, but the salaries and emoluments of the President of the United States and the judges of the United States courts may not be diminished during their continuance in office; and the President's salary may not be increased during his official term.

When an election for President and Vice-President is carried into the House of Representatives, that election is determined by the

OF THE CONGRESS

action of the Representatives voting together as representing their State. In such case, each State is entitled to one vote only ; and the several Representatives must among themselves decide for whom that vote shall be cast. A majority of all the votes cast in the House is necessary for a choice of President.

In case the choice of President devolves upon the House of Representatives, that choice must be made before the fourth day of March next ensuing ; and if the House fails to make a choice, then the Vice-President becomes President, as in case of the death or disability of the President. The person having the greatest number of votes cast for Vice-President is Vice-President, provided he has a majority of all the votes cast by the Electors ; and if no person has a majority of the votes of the Electors, the Senate is required to choose a Vice-President from the two persons who stand first and second on the list of persons voted for Vice-President by the Electors.

State elections may be held in the several States at any time, or on any day, that the Legislature of said State may order. But elections for the choice, or appointment, of presidential electors must be held in every State of the Union on one day—the Tuesday follow-

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ing the first Monday of November, in each fourth year.

The Electoral College of each State must meet in its State capital on the first Wednesday of the December next succeeding the presidential election ; and the counting of the votes in the presence of both Houses of Congress must be had on the second Wednesday of February next succeeding the meeting of the Electoral Colleges.

The President and Vice-President take office at noon on the fourth day of March next succeeding the counting of the votes by both Houses of Congress. This induction into office is usually a public ceremony ; but the law does not require of either President or Vice-President anything at that time but the taking of an oath to support and defend the Constitution and faithfully to discharge the duties of his office.

CHAPTER IV.

THE EXECUTIVE DEPARTMENT

THE chief officer of the Executive Department of the Government of the United States is the President. It is his duty to see that the laws of Congress are faithfully executed.

In addition to his civil powers, the President is 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 National Government. Exercising these functions, the President is bound to see that the laws are executed and rebellion and insurrection suppressed, by force if necessary.

The President must be a native of the United States, be at least thirty-five years of age, and have been a resident within the jurisdiction of the United States fourteen years prior to his election.

The salary of the President is fixed by Congress and may not be increased or diminished

THE EXECUTIVE DEPARTMENT

during his official term. At present his salary is \$50,000 a year ; and he is allowed the use and occupancy of the Executive Mansion (or White House), with certain employees who are paid out of the public treasury.

In case of the death, resignation, or disability of the President, he is succeeded by the Vice-President, who then becomes President. The Vice-President, therefore, must have all the qualifications for his office that are required of the President as regards age and nativity.

The President has the power of negotiating treaties with foreign nations and of making appointments to office that are provided for by law under the Constitution. It is also his duty to lay before Congress, at the beginning of each session such information respecting the state of the country and recommendations relative to the public business, as he may see fit. He may also, from time to time, communicate to Congress, by written message, any information or recommendation that he may deem advisable.

The term of office of the President begins on the fourth of March next after his election, and lasts four years from that date. He may be impeached and removed by action of Congress, as provided by the Constitution.

THE EXECUTIVE DEPARTMENT

SUBDIVISIONS OF THE EXECUTIVE DEPARTMENT.

To assist him in the execution of the laws the President is allowed, under the authority of Congress, to appoint, with the advice and consent of the Senate, certain officers who are not only heads of the various sub-departments of the Executive branch of the Government, but are members of a council or cabinet.

Usage, not law, has given to these officers the functions of a council; and they are to a certain extent the advisers of the President; but their powers and duties as councillors are not recognized or defined by the Constitution; and the President, if he chooses, may disregard their advice, omit to call them together in session, or dismiss any one of them at any time; although the Constitution authorizes the President to "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."

The departments of which these officers are the chiefs are as follows: Department of State, Treasury Department, War Department, Department of Justice, Post Office Department,

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Navy Department, Department of the Interior, and Department of Agriculture. There are other smaller subdivisions of the Executive branch of the Government, independent of these, whose chiefs report directly to the President, but who do not have places in the Cabinet of the President.

Each one of these departments and subdivisions has been created by acts of Congress, and that body may abolish them, or direct their consolidation, or otherwise change their functions and duties.

The annual salary of the members of the President's Cabinet is \$8,000 each.

In case of the inability of both the President and the Vice-President to exercise the functions of Chief Executive, the duties of that office devolve upon the members of the Cabinet in the following order, provided that the officer so succeeding has the requisite qualifications of age, nativity, etc., and has been previously confirmed by the Senate: The Secretary of State, the Secretary of the Treasury, the Secretary of War, the Attorney-General, the Postmaster-General, the Secretary of the Navy, the Secretary of the Interior. The officer so succeeding to the presidential office thereby vacates his place at the head of a department, and he

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serves out the unexpired term of the person whom he has succeeded.

It is the duty of the heads of the eight Executive departments of the Government to make annual reports to the President; and these reports are transmitted to Congress by the President along with his annual message. It is also their duty to make special reports on subjects relating to their offices whenever required to do so by Congress, or by the President.

Official correspondence of the various branches of the Executive department of the Government, and public documents emanating therefrom, are permitted to be transmitted free through the mails under the frank of officers designated for that purpose. But this franking privilege does not extend to persons addressing the departments, and its exercise by officers is confined strictly to official business.

The Department of State.—This is one of the three Executive departments originally created by Congress at the foundation of the Government. The Secretary of State is sometimes (but erroneously) styled the Prime Minister, or Premier. There is no such officer in the Government of the Republic. The functions of the Secretary of State chiefly relate to the foreign affairs and relations of the Government;



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and he is also the medium of communication between the Executive of the United States and the executive authorities of the several States. He is also the organ of communication with all other governments ; and, with the approval of the President, he conducts the correspondence with ministers and consuls residing abroad, and with diplomatic representatives of other nations, whether in the United States or abroad. He has charge of all treaties, and of the engrossed laws of the United States, and is the custodian of the great seal of the United States ; he publishes the laws and resolutions of Congress, and all treaties and executive proclamations ; he also records and issues passports to Americans travelling abroad, and countersigns state papers that may be issued by the President.

The Secretary of State is aided in the discharge of the duties of his office by three Assistant Secretaries of State, one of whom, in the absence or disability of the chief officer, may act as Secretary of State.

The routine business of the Department of State is transacted in several bureaus, as archives and indexes, diplomatic, consular, accounts, rolls and library, statistics, etc.

The foreign intercourse of the United States is conducted abroad, under the direction of the

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President and the Secretary of State, by ambassadors, ministers, consuls, and commercial agents.

Diplomatic duties are discharged by ambassadors who are accredited to the governments of France, Germany, Great Britain, and Italy, and by ministers resident and ministers plenipotentiary, or envoys extraordinary, who are accredited to other foreign governments. These officers receive an annual compensation, or salary, varying from \$17,500 to \$5,000, each.

To each embassy, or legation of the United States, in foreign parts, are attached a secretary and a staff of clerks, as the duties of the place may require.

Whenever the chief officer of an embassy, or legation, is absent or disabled, the officer designated to discharge temporarily the duties of the post is styled *chargé d'affaires ad interim*.

The consular service includes consuls-general, consuls, and commercial agents. Their chief duties and powers relate to the commercial interests of the United States and include the protection of American citizens and sailors abroad, the ascertainment of ruling prices of goods in foreign markets, and the verification of invoices of goods shipped to the United

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States. Nearly all of these officers are paid an annual salary; those at the least important posts derive their compensation from fees.

In certain countries where the United States exercises ex-territorial, or special, jurisdiction, the consular officers sit in a tribunal which has jurisdiction in criminal and civil cases in which citizens of the United States may be either plaintiff, or defendant, or both.

The Treasury Department.—This is the second of the three original Executive departments; it is also the most extensive and complex of all the subdivisions of the Government.

The Secretary of the Treasury is forbidden to be engaged in the transaction of the business of trade or commerce. He has charge of the finances of the Government and is custodian of its funds. He is required to keep the public accounts, prepare plans to provide a public revenue and to maintain the public credit, and to report to Congress what sums of money are required to carry on the Legislative, Executive and Judicial branches of the Government.

In addition to this, it is the duty of the Secretary of the Treasury to superintend the collection of the revenue, issue all warrants on which money may be drawn from or paid into the treasury of the United States; manage

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the public debt, coinage, and currency ; supervise the national banks, the internal revenue service, the customs establishment, the revenue marine, the light-house system, the coast and geodetic survey, the life-saving service, the marine hospitals, the commercial marine of the United States, steamboat inspection, and construction of public buildings.

The Secretary of the Treasury is aided in the discharge of his duties by three Assistant Secretaries, to whom various subdivisions of labor are assigned ; and one of these, in the absence or disability of the Secretary, may act in his stead.

The other principal subdivisions of the Treasury Department are in charge of the chief clerk, first and second comptrollers, the first, second, third, fourth, fifth, and sixth auditors, the treasurer, the register of the treasury, the director of the mint, the comptroller of the currency, the commissioner of customs, the commissioner of internal revenue, the commissioner of navigation, the superintendent of coast and geodetic survey, supervising inspector-general of steam-vessels, supervising surgeon-general of marine hospital service, general superintendent of the life-saving service, supervising architect, chief of bureau of statistics,

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chief of bureau of printing and engraving, superintendent of immigration, and president of light-house board.

The duties of most of these officers are indicated by their titles. In addition to this it may be explained that the first comptroller countersigns all warrants issued by the Secretary of the Treasury, whether designed to transfer the public revenues to the treasury or to draw moneys therefrom; and he also receives, examines, and reports upon a variety of public accounts. The second comptroller, in like manner, has charge of such accounts as do not pass through the office of the first comptroller.

The six auditors receive, examine, audit and refer to the two comptrollers the public accounts, to each auditor being allotted certain classes of accounts, as those of the consular and diplomatic service, the postal service, army pensions, etc.

The War Department.—This is the third of the three Executive departments originally created at the foundation of the Government. The Secretary of War is charged with all matters relating to the army, and generally of the military establishment, including fortifications, arsenals, etc. He is under the direction of the President, and has custody of all papers,

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records and other documents relating to the army; also he is charged with the superintendence of the purchase and distribution of military stores and supplies, all military transportation, the signal service and meteorological records, the military academy, the disbursement of money appropriated for the improvement of rivers and harbors and their survey, the supply of arms, accoutrements, and munitions of war, and the establishment of harbor lines and the approval of bridges over navigable streams that may be authorized by act of Congress.

The Secretary of War is aided in the discharge of his duties by an Assistant Secretary, who may, in the absence of his chief, act in his stead. The other principal civil officer of the department is the chief clerk, who has charge of the official mail and who discharges certain routine duties.

The general business of the War Department is transacted in the military subdivisions, or bureaus, the chiefs of which are officers of the army who are assigned to these duties and each of whom receives the pay of a brigadier-general. These bureaus are as follows: Adjutant-General, Inspector-General, Quartermaster-General, Commissary-General, Surgeon-General, Paymaster-

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General, Chief of Engineers, Chief of Ordnance, Judge-Advocate-General, Chief Signal Officer.

The Adjutant-General issues the orders of the President, the Secretary of War, and the General commanding the army. He also conducts the correspondence of the office with the army, issues commissions, receives resignations and reports, keeps the muster-rolls, and is custodian of the roster and records of the army. The Inspector-General inspects and reports upon the condition of the army, the military posts, and the accounts of disbursing officers. The Quartermaster-General has charge of transportation, equipage, forage, clothing, etc. The Commissary-General has charge of the subsistence of the army and the purchase of rations. The Surgeon-General supervises the medical department of the army, including military hospitals. The Paymaster-General keeps the accounts and disburses the pay of the army. The Chief of Engineers is commander of a corps that is charged with the care of fortifications, military bridges, and river and harbor surveys and improvements, etc. The Chief of Ordnance has charge of all arms and munitions of war, artillery, arsenals, and weapons. The Chief Signal Officer superintends

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the signal service and the meteorological, or weather bureau. The Judge Advocate-General receives and reviews proceedings of courts-martial and other military tribunals, and furnishes opinions and reports on legal questions when called upon by the Secretary of War.

The United States Military Academy is established for the purpose of training young men to serve as officers of the army. Each Representative and Delegate in Congress is authorized to appoint a cadet at the academy, provided the appointment previously made for his district has expired. In addition to these, there are ten appointments at large, and one for the District of Columbia, which are filled by the President. The course of instruction lasts four years, and the cadets, while at the academy, are under strict military discipline. The officers of the establishment are detailed from the army, and the establishment is subject to the articles of war. On graduation, provided there are vacancies in the army, each cadet is commissioned as second lieutenant and assigned to duty. In case there are few vacancies in the army, the graduating cadets, or so many of them as may exceed the number of vacancies to be filled, are honorably discharged with the payment of one year's annual salary. Cadets,

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while at the academy, are allowed an annual salary of \$500.

The Department of Justice.—The chief officer of this department is the Attorney-General. His office was created in 1789; but the Attorney-General was not made a member of the President's cabinet until 1814; and the Department of Justice was not organized under that title as one of the executive departments of the Government until 1870, when Congress placed under the supervision of the Attorney-General the various law officers of the Government whose functions are to interpret and apply the statutes governing the business of the several departments and bureaus and to prosecute violations of the law in certain cases.

The Attorney-General is the head of the Department of Justice and is the chief law officer of the Government. He advises the President and other executive officers of the Government, when required, on questions of law. He also exercises a general supervision over the United States attorneys and marshals in the judicial circuits and districts of the several States and Territories; and he provides special counsel for the United States when requested to do so by any of the executive departments. Either he or the Solicitor-General conducts and argues

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before the United States Supreme Court and the Court of Claims all cases in which the Government is a party to the suit.

The Solicitor-General assists the Attorney-General in the discharge of his duties, and in the absence or disability of that officer he is the acting Attorney-General. The Solicitor-General may be sent by the Attorney-General to represent the United States in any case brought in any State or United States court, or foreign tribunal, when the interests of the Government may require.

Four Assistant Attorneys-General assist the Attorney-General and the Solicitor-General in the discharge of their duties. These are charged with the argument and preparation of causes in the Supreme Court, the defence of the United States in the Court of Claims, and the defence of claims for Indian depredations.

The different law officers of the various executive departments exercise their functions under the supervision of the Department of Justice. These are the Assistant Attorney-General for the Department of the Interior, the Assistant Attorney-General for the Post-Office Department, the Solicitor of the Treasury, the Solicitor of Internal Revenue, and the Solicitor for the Department of State. The legal advisers of

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the War and Navy departments are a Judge-Advocate-General in each.

The Department of Justice is also charged with the business management of the judicial department of the Government, including the appointment, or recommendation for appointment, of judges, attorneys, marshals, and other officers of United States courts in all the States and Territories, and the examination and allowance of the accounts of the same.

The district attorneys (whose official title is assistant attorney of the United States) and the United States marshals are appointed for four years by the President, with the advice and consent of the Senate; they are paid partly by salaries and partly by fees, but their compensation is limited by law to a maximum of \$6,000 a year. Clerks of the United States courts are appointed by the judges and are paid by fees, their total compensation being limited by law.

The Post-Office Department.—This department was created by act of Congress in 1794; but the office of Postmaster-General had been in existence since the foundation of the Government. The Postmaster-General did not become a member of the President's cabinet until 1829.

The Postmaster-General has the direction and

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management of the Post - Office Department. He appoints all its officers and employees, with the exception of the four Assistant Postmasters-General, who are appointed by the President, with the advice and consent of the Senate. He also appoints all postmasters whose compensation does not exceed \$1,000 per annum; all others are appointed by the President and Senate and are called presidential postmasters. The Postmaster-General also (with the advice and consent of the President) makes postal treaties with foreign governments, awards contracts, and directs the management of the domestic and foreign mail service of the United States.

The Postmaster - General has the power to establish and discontinue post - offices (but not post-roads); to control the styles of and the times for issuing and recalling postal stamps, envelopes, wrappers, etc.; to prescribe the manner of keeping and transmitting accounts of postal employees, and to control the expenditure of the moneys that may be appropriated for the maintenance of the postal service.

In case of the absence, death, or disability of the Postmaster-General, the duties of his office are discharged by some one of the four Assistant Postmasters-General, in the order of

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their rank ; and the officer thus temporarily in charge is Acting Postmaster-General.

The duties of the four Assistant Postmasters-General are divided in such a way as to place in each bureau several allotments of the routine business of the department.

The First Assistant Postmaster-General has charge of the following subdivisions : salaries and allowances, free delivery, money-orders, dead letters, and correspondence.

The Second Assistant Postmaster - General has charge of the transportation of all mails, and his bureau embraces six subdivisions, as follows : contracts, inspection, railway adjustment, mail equipment, railway mail service, foreign mails.

The Third Assistant Postmaster-General has charge of the finance department of the service ; and the subdivisions of his office are those of accounts and finances, postage-stamps and stamped envelopes, registered letters, classification of mail matter, special delivery, and official files and indexes.

The Fourth Assistant Postmaster-General has general charge of the bureau of appointments, of bonds and commissions of appointees, of post-office inspectors and of depredations on the mails, and violations of the postal laws.

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The salaries of the postmasters of the United States are fixed by law ; and those who do not receive annual salaries are compensated by commissions determined on the amounts of the receipts of the respective offices.

The Department of the Navy.—This department and the office of Secretary of the Navy were created by act of Congress, in 1798. Previous to that time the affairs of the navy were administered by the Secretary of War. There is no law of Congress under which the Secretary has been made a member of the cabinet of the President ; but usage has permitted this. The Secretary exercises over the management of the navy the same functions that are exercised over the affairs of the army by the Secretary of War. He performs such duties as the President, who is Commander-in-Chief, may assign to him ; and he has general superintendence of construction, manning, equipment, armament, detail, and employment of the vessels of war.

The other principal civil officers of the department are an Assistant Secretary of the Navy and a chief clerk. The Assistant Secretary performs such duties as may be assigned to him by the Secretary, and in case the Secretary of the Navy becomes disabled or is for any

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reason unable to discharge the duties of his office, the Assistant becomes Acting Secretary of the Navy.

The routine business of the department is transacted in eight bureaus, the chiefs of which are officers of the navy who are detailed for this duty. Each of these officers must have reached the rank of captain; and the pay of the officers is \$5,000 a year while on duty.

The bureaus of the Navy Department, like those of the War Department, are charged with duties so classed as to embrace the several branches of the service; they are as follows: yards and docks, equipment and recruiting, navigation, ordnance, construction and repair, steam engineering, provisions and clothing, medicine and surgery, supplies and accounts.

In addition to these the Navy Department has supervision of the Naval Academy, the Naval Observatory, and a hydrographic office which provides charts, sailing directions, etc., to the vessels of the navy and for the use of navigators generally.

The Bureau of Yards and Docks has charge of all buildings and other structures within the limits of the naval reservations of the United States, but not of hospitals and magazines outside of those limits. The bureau is responsi-

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ble for the care and maintenance of all such buildings and grounds and the appliances required thereupon.

The Bureau of Equipment is charged with the duty of providing for the equipment of the naval vessels with ship stores, supplies, rigging, fuel, apparatus, and all other appliances that may not be otherwise provided for in the duties of other subdivisions of the department.

The duties of the Bureau of Ordnance comprise all that relate to the manufacture of naval ordnance and ammunition, the armanent of vessels of war, the arsenals and magazines, the trials and tests of ordnance, arms and ammunition, torpedo stations and experimental batteries.

The chief of the Bureau of Construction and Repairs has charge of all dry docks and all vessels undergoing repairs ; the designing, building, and fitting-out of vessels, and the armor of iron-clads.

The chief of the Bureau of Steam Engineering directs and supervises the designing, construction, fitting-out, and repairing of the steam marine engines, boilers, and other appurtenances employed on the vessels and in the workshops of the naval establishment.

The chief of the Bureau of Provisions and

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Clothing has charge of the purchase and distribution of provisions, clothing, small stores, and water for drinking and cooking purposes, on board the vessels of the navy.

The chief of the Bureau of Medicine and Surgery has charge of everything relating to the conduct and maintenance of the medical department of the navy and naval hospitals.

The Bureau of Supplies and Accounts has charge of all the accounts of the naval establishment, except those otherwise provided for; and it is the office of the Paymaster-General of the Navy, who is charged with the duty of paying officers, enlisted men, and civil employees of the navy.

The Judge-Advocate-General, under direction of the Secretary of the Navy, receives, revises, reports upon and records the proceedings of all courts-martial and courts of inquiry in the navy, examines claims, and is the law officer of the department.

The Commandant of the Marine Corps is responsible for the general efficiency and discipline of the corps, distributes the officers and men, and executes such orders and instructions as may be necessary for the employment and recruiting of that force.

Attached to the Navy Department are these

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boards and officers: naval war records, nautical almanac, inspection and survey, naval intelligence, museum of hygiene, naval examining board, retiring board, medical examining board, hydrography, and naval intelligence.

The Naval Academy was established by act of Congress, in 1845, for the purpose of educating and training young men as officers of the navy. One cadet is appointed by each member of Congress, or Territorial Delegate, provided appointments for the district represented have previously expired. There are, in addition to these, ten appointments at large and one appointment for the District of Columbia, to be made by the President. The term of a cadet is for six years, the last two years being spent on sea duty. On final graduation, the cadets are assigned to duty in some one of the divisions of the naval service, with the rank of ensign. Cadets not assigned to service after graduation are honorably discharged with one year's pay. The pay of a cadet during his term at the academy is \$500 a year; and he is allowed an increase in pay for additional expenses while on a cruise before final graduation and commission as ensign.

The Department of the Interior.—This department was created by act of Congress in 1849, and was called, in that act, The Home

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Department ; but usage has substituted the name by which it is now universally and officially known. The Secretary of the Interior is by usage a member of the President's cabinet ; but there is no authority in law for the custom. Before the establishment of the Department of the Interior, the functions of the department were distributed among the executive departments then in existence, excepting the office of Attorney-General.

The Secretary of the Interior is charged with the supervision of all public business relating to patents for inventions ; bounty lands and pensions ; the survey and sale, or other disposition, of the public lands ; the Indians, education, railroads, the geological surveys, the census of the United States, reservations other than military or naval, distribution of appropriations for mechanical and agricultural colleges in the United States ; public hospitals and charitable institutions in the District of Columbia, and certain duties and powers in relation to the Territories of the United States.

The Secretary of the Interior is aided in the discharge of his duties by two Assistant Secretaries. The First Assistant Secretary considers a certain class of appeals from the Commissioner of the General Land Office ; examines com-

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plaints against officers and employees of the department ; instructs Indian and mine inspectors ; supervises purchases of Indian supplies, and all matters relating to the Indian bureau service, generally ; has oversight of the aforementioned Government reservations, and of the governmental institutions in the District of Columbia, and acts as Secretary of the Interior in the absence of that officer.

The Second Assistant Secretary of the Interior considers appeals from the Commissioner of Pensions, generally supervises the business matters relating to violations of the pension laws, and decisions in the Patent Office, and has the examination of official bonds and contracts.

The Chief Clerk has the general supervision of the clerks and employees of the department, the correspondence of the department, and of the printing and general order of the establishment.

The Commissioner of Patents is charged with the duty of examining all applications for patents for inventions and the renewal of patents already granted, and the registration of trademarks and labels. He supervises all matters relating to the issue of letters-patent for such inventions.

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The Commissioner of Pensions supervises the examination and adjudication of all claims arising under the laws of Congress granting bounty land or pensions to any person on account of services rendered to the United States.

The Commissioner of the General Land Office is charged with the survey, mapping, sale or other disposition of the public lands, under the authority of the laws of Congress.

The Commissioner of Indian Affairs has charge of all matters relating to the various Indian tribes that are under the care of the United States, whether in the States or the Territories. He issues instructions and receives reports from agents and school superintendents; and he superintends the purchase and distribution of supplies and presents for the Indians and the payment of annuities due them, subject to the orders of the Secretary of the Interior.

The Commissioner of Education collects such statistics and facts as may relate to the condition and progress of education in the United States, publishes and disseminates such information, and generally aids in the promotion of popular education throughout the United States.

The Commissioner of Railroads prescribes a system of reports to be rendered to him by rail-

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road companies whose roads have been aided in their construction by grants of land, loans, or subsidy in bonds by the Government. It is his duty to see that the laws relating to the management of such railroads are strictly complied with; and he is obliged by law to make an annual report which shall fully set forth all matters relating to these and other railroads that may be useful for the information of Congress.

The Superintendent of the Census supervises the taking of the decennial census of the United States and the subsequent publication of information so collected; such information relates not only to the numbers of the population of the States and Territories, but to the wealth and industry, social condition, educational acquirements, and other characteristics of the people of the United States.

The Department of Agriculture.—This Department was established by act of Congress, May 15, 1862. The chief officer of the department was a Commissioner who had no seat in the cabinet of the President. Congress subsequently (in 1889) created the office of Secretary of Agriculture, and that officer was assigned to a seat in the cabinet.

The Secretary of Agriculture supervises all

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business relating to the industry of agriculture. He appoints all officers and employees of his department except the Assistant Secretary and the Chief of the Weather Bureau, who are appointed by the President; directs the management of all the subdivisions of his department, and has supervision of all quarantine stations for the detention and examination of cattle imported from foreign lands or transferred from States in which contagious diseases may exist.

The Secretary is aided in the discharge of his duties by an Assistant Secretary, who, in the absence of the chief, acts in his stead.

The subdivisions of the Department of Agriculture have charge of the following concerns relating to agriculture: Botany, pomology, vegetable pathology, microscopy, chemistry, economic ornithology, mammalogy, entomology, animal industry, forestry, seeds, experiment stations, weather bureau, irrigation inquiry, fibre investigation, statistics, and illustration.

It is the duty of the chiefs of these bureaus and offices to collect information relating to all the interests of the industry of agriculture, and to prepare the same for distribution to the public in the form of reports and press notices.

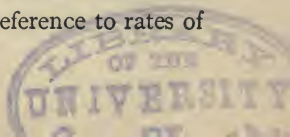
Minor Subdivisions.—There are several subdivisions of the Executive Department of the

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Government, independent of those already named, whose chiefs are not included in the cabinet of the President.

The Department of Labor is in charge of a Commissioner, who is directed by law to acquire and diffuse among the people of the United States useful information concerning labor; especially with relation to hours, rates of wages, earnings of working people, and the best means for the promotion of the material, intellectual, social, and moral prosperity of working men and women. It is also his duty to collect and disseminate information relating to trusts, controversies between employers and employed, costs of production, etc., and other matters of interest to persons employed in every variety of manual labor.

The Inter-State Commerce Commission, established by Congress under authority of the clause of the Constitution relating to the power "to regulate commerce," is charged with the duty of looking into the management of all common carriers whose business is that of transporting merchandise and passengers on lines that extend outside of the boundaries of any single State. Generally, the Commission inquires into the details of interstate communication by rail, with special reference to rates of



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traffic, their reasonableness, etc.; but the functions of the commission extend to some supervision of the foreign trade of the United States, so far as rates and charges are concerned.

The United States Civil Service Commission is directed by law to prepare rules and regulations for the admission of persons to the civil service of the Government, for promotions in the service and for the advancement of the efficiency of the same.

The Commissioner of Fish and Fisheries is charged with the duty of collecting and circulating useful information concerning the propagation of food fishes in the saline and fresh waters of the United States; to inquire into the causes of the diminution of said supply; to study the characteristics of the fishing grounds of all the waters of the United States; to promote the distribution of means to increase the supply of food fishes, and to collect and publish statistics of the fisheries, etc.

The Public Printer has charge of all printing, binding, and illustration of books and documents ordered to be printed at the expense of the Government.

The Board on Geographic Names is composed of experts from several departments of the Government, who are charged with the

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duty of settling all questions relating to the spelling of geographic names, in order that a uniform nomenclature shall obtain in all of the departments of the Government.

The Bureau of American Republics collects and publishes information relating to the republics of North America and South America, with special reference to the development of their material interests.

The Intercontinental Railway Commission is charged with the duty of examining and reporting upon the most feasible routes, and their cost, for a railway that shall connect the United States of America and other American republics.

Tenure of Office.—The Constitution does not limit the term of any officer of the United States except those of President and Vice-President. Congress has provided by law that no officer, subject to confirmation by the Senate, shall be removed except by consent of the Senate. During any recess of the Senate the President may suspend such officer, and the suspension shall hold until the end of the next session of Congress, subject to an agreement meantime between the President and the Senate. Where Congress has fixed a limit to the term of civil officers, it has been limited to four

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years; but the great majority of the civil officers of the United States Government hold their places at the pleasure of the appointing power. Civil service rules forbid the removal of subordinate officials and employees except for just cause.

CHAPTER V.

THE JUDICIARY

THE National Judiciary comprises the following courts: the Supreme Court of the United States, the Circuit Courts of Appeals, the Circuit Courts, and the District Courts. In addition to these, though not immediately related to them and embodied in the same system, are the United States courts in the Territories and the District of Columbia, the Court of Claims, and the Court of Private Land Claims.

The United States courts, with the exception of those in the Territories and the District of Columbia, and the courts of claims above named, have jurisdiction of all cases which involve the rights of States; the true meaning of the articles of the Constitution; the meaning, constitutionality, and enforcement of the laws of Congress; the construction and enforcement of treaties with foreign nations; the rights and privileges of foreign ambassadors and other diplomatic or consular agents accredited to the Government of the United States; the rights

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and duties of Federal officials ; and in all cases in which the plaintiff and defendant are States, or citizens of one State and the government of another State. These courts also have jurisdiction of admiralty cases, that is to say, those which arise out of the navigation laws—collisions of vessels, maritime contracts, the taking of prizes at sea, etc. All crimes against the public revenue (smuggling dutiable goods, counterfeiting coins, bank-notes, or postage-stamps, etc.), and violations of the postal laws, patent laws, and other enactments of Congress, are cognizable only in the courts of the United States.

THE SUPREME COURT OF THE UNITED STATES.

This tribunal is provided for in the Constitution. All lesser and inferior courts are left to be created by Congress at its discretion.

The Supreme Court, as now constituted, is composed of one Chief Justice and eight Associate Justices. These are appointed by the President, with the consent of the Senate, for life, or during good behavior. They receive an annual salary of \$10,000 each, with the exception of the Chief Justice, whose salary is \$10,500 a year.

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The Constitution forbids that the compensation of United States justices and judges shall be diminished during their terms of office.

The Justices of the Supreme Court may retire with full annual pay on reaching the age of seventy years, provided such incumbent shall have served ten years previous to retirement.

The Supreme Court of the United States has original jurisdiction (that is, suits are to be begun in this court) only in two classes of cases—those which affect ambassadors, consuls, and other public ministers, and those to which a State, or the United States, may be a party. All other cases must be begun in some one of the inferior courts; but certain of such cases may reach the Supreme Court on appeal from the courts below.

All sessions of the Supreme Court of the United States are held in the Capitol building at Washington. The officers of the court are appointed by the justices of the court.

Under the judicial system of the United States, the Republic is divided into nine judicial circuits, each presided over by the Chief Justice or one of the eight Associate Justices, one in each circuit. Each of these nine circuits comprises two or more States, but the boundaries of no circuit includes a fraction of any State.

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THE CIRCUIT COURTS OF APPEAL.

These courts are next lower in order after the Supreme Court, and to them are carried a certain class of cases appealed from the courts below. In each circuit is established one of these courts of appeal; and the judges composing the judicial officers are the Supreme Court Justice assigned to that circuit, the Circuit Judge, and an additional Circuit Judge appointed under the law creating the tribunal known as the Circuit Courts of Appeal.

The sittings of these courts are at different points in the circuits, as the public convenience may require; always in buildings of the United States.

The Circuit Judges must reside in the circuit for which they are appointed. Their salary is \$6,000, each, per year.

THE CIRCUIT COURTS.

Next in order below the courts of appeal are the Circuit Courts, one in each of the nine circuits above referred to.

The original jurisdiction of these courts lies under the appellate jurisdiction of the Supreme

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Court. From the final judgment of a circuit court, when the matter in dispute exceeds the value of \$5,000, an appeal lies to the next higher court. But in cases in which are involved violations, or the construction, of the pension or the patent laws, the right of appeal is not limited by the amount of value.

In each circuit, court may be held by the Associate Justice of the Supreme Court alone, or by either of the Circuit Judges alone, by either of these two together, or by either one of the superior judges with the District Judge.

THE DISTRICT COURTS.

The lowest court in the judicial system is the District Court. The nine judicial circuits are subdivided into districts, sixty-four in all; and the boundaries of each district are comprised within the boundaries of a State, the more populous States having two or more districts as the public needs may require.

In each district there is appointed a District Judge, who has an annual salary of \$5,000, and who receives his appointment from the President, with the consent of the Senate. The District Attorney in each one of these districts receives appointment from the Department of

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Justice, and is paid in fees, the amount of which is limited by law to a fixed sum.

GENERAL PROVISIONS.

In addition to these tribunals, United States Commissioners are appointed by law to reside at the various centres of population throughout the United States. The functions of these officers relate to a cognizance of minor offences against the laws of the United States and to the verification of papers to be certified from one State to another under the laws of the United States; or a commissioner may sit as a committing magistrate in certain cases of the violation of the statutes.

Criminal cases, relating to violations of the patent, internal revenue, pension, and other laws, must originate in the Circuit and District Courts. Certain of these cases may be carried to the court of last resort, which is the Supreme Court of the United States. Civil cases between different States, or between persons of different States, must originate in a Circuit Court; and there is a right of appeal in suits of sufficient importance on which they may be carried to the Circuit Court of Appeals.

The Circuit Court of Appeals may, without

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trying a case brought before it, order it to the United States Supreme Court ; or the Supreme Court may order a case to be taken from the docket of the Circuit Court of Appeals and transferred to its own docket.

A case involving the construction of constitutional law, originating in one of the lower courts, does not go on appeal to the Circuit Court of Appeals, but directly to the Supreme Court.

Cases may be taken directly to the Supreme Court of the United States from the higher courts of the States, but only under certain restrictions.

Criminal cases have been rarely appealed from State courts to the Supreme Court ; but appeals have been taken when the appellant complained that he was about to be deprived of life, liberty, or other natural rights, without due process of law.

Of the possible cases arising under constitutional law, may be mentioned those which involve the right of a State to enact laws that may be violative of the rights and privileges of citizens of the United States, or contrary to the spirit of the Federal Constitution.

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COURTS OF CLAIMS.

The Court of Claims, established by act of Congress in 1855, takes cognizance of all claims founded upon any law of Congress, or upon any regulation of any executive department, or upon any contract with the Government of the United States, and of all claims that may be referred to it by Congress.

All such claims, however, are barred unless presented to the court within six years from the time when the claim shall have accrued. In case the claim is so barred, the claimants may petition Congress for redress, and that body may waive the statute of limitations and order a reference of the claim to the court.

The Court of Claims was created for the purpose of relieving Congress of the consideration of a great variety of claims against the Government, and that tribunal is still regarded as more intimately connected with the legislative branch than with any other department of the Government of the United States. Congress, accordingly, may order any demand or claim against the Government to be taken to this court for adjudication and determination.

In a limited class, cases may be taken on ap-

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peal to the Supreme Court of the United States from this court.

The justices of the Court of Claims are a Chief Justice and three Associate Judges, each of whom is paid an annual salary of \$4,500; under certain conditions, any one of these may be retired with full annual pay.

The sittings of this court are held in Washington.

The Court of Private Land Claims was also created by act of Congress to relieve that body of the consideration of a certain class of claims arising under the laws of the United States relating to land grants and concessions in the more recently acquired territory of the United States.

This court has a Chief Justice and four Associate Justices, who receive an annual compensation of \$5,000 and necessary travelling expenses. The court sits in the State of Colorado and the Territory of New Mexico.

CHAPTER VI.

NATIONAL AND STATE RIGHTS

THE Republic of the United States is an indestructible union of independent States.

Each State is sovereign in all things except those whose sovereignty has been conceded to the National Government.

Under the Constitution, the National Government has the exclusive right to levy and collect duties on goods imported from foreign countries, coin money, make treaties with or declare war against foreign governments, enact naturalization laws, establish post-offices and post-roads, regulate commerce between the States and with foreign nations and with Indian tribes, grant patents and copyrights, fix a standard of weights and measures, constitute tribunals under the jurisdiction of the Supreme Court of the United States, grant letters of marque and reprisal in time of war, and issue passports to Americans travelling in foreign lands.

NATIONAL AND STATE RIGHTS

Each State has the exclusive right to legislate concerning the duties, rights, and privileges of its own citizens ; to enact laws relating to the administration of justice within its borders, to regulate its militia, to limit or enlarge the right of suffrage for its own citizens, to provide for the regulation of the affairs of counties, cities, and towns, and, generally, to regulate the domestic affairs of the people of the State.

The National Government has no right to interfere with the processes of the courts of any State, or with the acts of any State Legislature, so long as these processes and acts are not contrary to the Constitution of the United States.

Offences against the laws of a State are cognizable only in courts organized by State laws. Offences against the laws of Congress are cognizable only in courts of the United States.

Should there be any question as to the right of a State to enact certain laws, that question is referable finally to the Supreme Court of the United States ; and its decision is conclusive in any such case, as there is no court to which appeal can thereafter be taken.

Treason against the National Government is cognizable only in courts of the United States ; and all acts of American citizens, or of foreign residents in the United States, that may

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be contrary to the provisions of treaties between the Government of the United States and foreign nations, are referable only to the National courts.

The Government of the United States is National ; it is distinct from the governments of the several individual States.

The government of each State is independent ; in the making of its laws and the regulation of its own domestic concerns it cannot be interfered with by any other State, or by the National Government, provided always that its acts are not in contravention of the provisions of the National Constitution, nor invasive of the rights of another independent State.

As all questions that relate to an alleged invasion of the rights and privileges guaranteed by the National Constitution are finally determined by the Supreme Court of the United States, the sovereignty of the National Government is assured.

A citizen of the United States owes allegiance to the National Government, which manages the affairs of the nation ; to it he pays taxes, direct or indirect, for its maintenance. He also owes allegiance to the State within whose limits he lives ; and the State Government has authority to tax him for the maintenance of its

NATIONAL AND STATE RIGHTS

legislative, executive, and judicial officers, public schools, and the administration of justice, and for the establishment and maintenance of such other public institutions as may be authorized by the constitution and laws of the State. The citizen is also subject to taxation for the maintenance of the county government and the municipal government within whose jurisdiction he has fixed his place of residence; and he is entitled to participate in the management of said governments in any of their several branches.

State constitutions and State laws may not agree with the laws and constitutions of other States in their methods of regulating the rights of suffrage; methods of amending the State Constitution; treatment of alien residents; capital punishment for crime; management of banks, taxation, divorces, and bankruptcy; the pardoning power, pay and official tenure of legislative, executive, and judicial functionaries; frequency of legislative sessions; observance of the Sabbath; punishment for civil and criminal offences; provision for public schools and maintenance of a militia, and other matters of exclusive State jurisdiction.

CHAPTER VII.

NATURALIZATION

THE Congress of the United States has sole jurisdiction of all matters pertaining to the naturalization of foreign-born persons. But Congress may confer upon State courts, or other judicial authority, any portion of the process of naturalization. As a matter of fact, Congress has given to State courts certain authority in these particulars.

Any State may admit aliens to the rights of citizenship, or exclude them therefrom, so far as the exercise of those rights, or the denial thereof, does not conflict with the provisions of the National Constitution.

The conditions which Congress exacts of foreign-born persons desiring to become citizens of the United States relate chiefly to the length of time during which the applicant has resided within the jurisdiction of the Government of the United States.

In order to secure naturalization, the applicant must be a free white person, or a person of African descent.

CHAPTER VIII.

PRESIDENTIAL ELECTORS

AN elector is a person who has a legal right to vote at an election held for the purpose of filling any office. In the usage of the people of the United States, an elector (usually known as a presidential elector), is a person designated by vote of the people to signify their choice in the election of a President and Vice-President.

The Constitution provides that 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 said State shall be entitled in Congress. Therefore, to find how many presidential electors are allowed to any State, add together the number of Senators and Representatives in Congress to which said State is at that time entitled, and the result will show the number of electoral votes belonging to that State.

PRESIDENTIAL ELECTORS

In the early years of the Republic of the United States, some of the States appointed their presidential electors by act of Legislature ; some chose them by vote of the people ; and other States combined the two methods. At present, all the States agree in choosing their electors by vote of the people.

Candidates for presidential electors are named by conventions of voters ; and each man so nominated is expected to vote for the candidates for President and Vice-President who are the choice of the convention of voters which nominated the candidates for electors. But any presidential elector may lawfully vote for any candidate for President or Vice-President whom he chooses.

An Electoral College is the meeting of the presidential electors of a State, convened for the purpose of casting their votes for President and Vice-President.

When those votes have been cast, a certified list of the persons voted for, the titles of the places to be filled, and the number of votes cast in each case, is made out by the electors. Copies of this list are sent to the presiding officer of the United States Senate, by mail ; to the same officer by messenger, and to the judge of the United States district court within

PRESIDENTIAL ELECTORS

whose jurisdiction the Electoral College has met.

The lists transmitted to the presiding officer of the United States Senate are opened in the presence of both branches of Congress, in joint convention, and, their contents being made known, tellers representing both houses of Congress are appointed to keep account thereof; and, when the result is ascertained, declaration of the same is made.

The persons having a majority of the votes cast for President and for Vice-President are declared elected. In case no person has a majority of the votes cast, then the House of Representatives is charged with the duty of choosing the President of the United States; the only candidates eligible under such circumstances are the three highest on the list of those who have been voted for by the presidential electors.

CHAPTER IX.

THE TERRITORIES

TERRITORIES of the United States are under the exclusive control of Congress. They are formed from domains known as the public lands, and are governed under regulations prescribed by Congress, the power of appointing officers therein being vested in the executive branch of the United States Government.

Congress may pass an act to organize a Territory, or the first step in that direction may be taken by the people of a district of territory applying for an organic act. But in any case, Congress must provide the framework for such Territorial government, or that which is provided by the people of said district must be approved by Congress before it can become operative.

The Governor of a Territory is appointed for four years; he has power to pardon offences against the Territorial laws and to reprieve of-

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fences against United States laws until an appeal can be made to the President.

The Secretary of a Territory is appointed for four years, and it is his business to record all the official acts of the Governor and the Territorial Legislature and to transmit certified copies of the same to the President.

The Legislature is partly appointed by the President and partly elected by the people. Its acts must be in consonance with rules laid down in the act of Congress organizing the Territory. Congress retains the right to disapprove and annul any of the acts of a Territorial Legislature.

The judiciary of a Territory consists of a chief justice and two or more associate judges, appointed for four years. The courts are also provided with marshals, attorneys, and other needed officials.

Each Territory is entitled to send a Delegate to Congress, who is allowed all the privileges of a Representative from a State except that of voting.

The salaries of the Federal officials appointed to places in a Territorial government, and all the other expenses of a Territorial government, are paid out of the National treasury under authority of an act of Congress.



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The name chosen for the title of a newly organized Territory is fixed in the act to organize said Territory ; but when the people of a Territory accept an act to enable them to enter the Union as a State, they may change that name for any other that they may choose.

Local courts, under the jurisdiction of the Territorial courts that have been authorized by act of Congress, may be created by the Territorial Legislature ; and the Legislature may provide ways and means for county, municipal, and other forms of local government.

When the constitution proposed for a new State has been approved by Congress and the President, and has been ratified by the people of the Territory to be admitted as a State, that community is thereby admitted to the Federal Union, due proclamation of said admission being made by the executive branch of the Government of the United States ; and the new State is thereafter entitled to choose two members of the United States Senate, and at least one member of the House of Representatives ; or more than one Representative, provided the State has sufficient population to present more than one unit of the basis of representation.

When once admitted to the Federal Union,

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there is no power in Congress to relegate a State to the condition of a Territory.

THE DISTRICT OF COLUMBIA.

The District of Columbia is a portion of the territory of the United States which is governed directly by Congress.

It was originally ceded to the Federal Government as a site for the National capital, by the States of Virginia and Maryland ; the land lay on either side of the Potomac River, and was ten miles square. The buildings of the United States Government were erected on the Maryland side of the river, and that portion of the territory that lay on the Virginia shore was subsequently re-ceded to that State by Congress.

The District of Columbia may have its form of government changed by Congress at any time ; but the usage of Congress has been to place the executive power of the local government in the hands of a board of commissioners, appointed by the President, with the consent of the Senate.

Under certain restrictions, this governing board makes provision for the creation and the filling of lesser local offices ; and the right to vote for some of the local officials may be vested

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in the inhabitants of the District. But for the most part, every branch of the government is directly supervised by Congress.

Citizens of States employed by the Federal Government in the District of Columbia, do not lose their rights of citizenship in the States from which they may have been appointed, unless they choose to surrender them. They may return to their respective States and exercise those rights just as if they had not been absent.

No permanent resident of the District of Columbia has the right to vote for any officer whatever, except for such local officers as may be chosen under the authority of an act of Congress ; and the District is not permitted direct representation in either House of Congress.

The judicial system of the District comprises a Court of Appeals and a Supreme Court, with lesser police justices and committing magistrates.

THE TERRITORY OF ALASKA.

This Territory (purchased from Russia in 1867), is yet unorganized. It is governed by direct authority from Congress, the executive power being lodged in the hands of a governor and a commission, appointed by the President, with the consent of the Senate.

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There is no legislative branch of the government, and the judicial authority is vested in a court created by act of Congress.

An attorney, marshal, and other minor officials are also appointed by the executive branch of the National Government.

The inhabitants of Alaska are not represented in Congress, and they have no opportunity to exercise the right of suffrage.

THE INDIAN TERRITORY.

This Territory was set apart and dedicated exclusively to settlement by civilized tribes of Indians (June 30, 1834), and comprises the lands lying south of Kansas, west of Missouri and Arkansas, north of Texas, and east of the one hundredth meridian.

The inhabitants retain their tribal organizations; but they are under the sovereignty of the United States; and Congress has exercised that sovereignty by the extension of revenue laws over the Territory.

A United States court, with one judge, assisted by other officers, appointed by the President, exercises judicial jurisdiction over offences committed against the laws of the United States within the Territory.

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White persons are not permitted to settle in the Territory, or acquire land titles therein, except by treaty with the tribes, or unless they have been lawfully adopted into some one of the said tribes.

THE ACQUISITIONS OF UNITED STATES TERRITORY.

The territory outside of the boundaries of the original thirteen States, lying east of the Mississippi River, was formerly covered by the claims of several of those States. The western boundaries of many of the States were not defined. Many of the States claimed, with justice, that their colonial charters granted them jurisdiction of all the lands lying westward of them as far as the Pacific Ocean, although none ventured to carry its claims westward of the Mississippi River.

Finally, between the years 1783 and 1802, all that territory lying between the Mississippi River and the western boundaries of the original thirteen States was ceded to the United States by the respective claimants, with the exception of Florida, which was purchased from Spain in 1819.

From the territory thus acquired were subse-

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quently organized several Territories, and these in due time were admitted to the Union as States, as follows: Alabama, Mississippi, Tennessee, Illinois, Indiana, Ohio, Wisconsin, and Michigan.

The next considerable acquisition of territory was the purchase of the Louisiana territory from France by the United States, in 1803. From this territory were subsequently created the States of Louisiana, Missouri, Arkansas, Kansas, Iowa, Nebraska, Minnesota, North Dakota, South Dakota, Wyoming, Montana, the Indian Territory, and portions of Idaho and Colorado. All of these States first passed through the intermediate condition of Territorial existence.

The Oregon territory was claimed by the United States by right of discovery (1792), by right of exploration (1805), by right of settlement (1811), and was finally acquired by formal treaty with Great Britain, in 1846. From this territory were created the States of Oregon and Washington and portions of the States of Idaho and Wyoming; all of which were first organized as Territories.

By conquest from, and treaty with, the Republic of Mexico, the United States acquired, in 1845-48, the territory lying west of the

THE TERRITORIES

boundaries of Texas and the Louisiana purchase, and south of Oregon Territory. From these lands were subsequently organized the States of California, Nevada, and Utah, and the Territories of Arizona and New Mexico; and portions of the States of Colorado and Wyoming lie within the limits of that tract.

Texas was admitted as a State, in 1845, by annexation. California was admitted as a State, without having passed through the preliminary stage of territorial existence, in 1850. Nevada was originally organized as a Territory in 1861, and was admitted as a State in 1864.

Portions of the States of Colorado and Kansas, and the Territory of New Mexico, were included in the original limits of Texas, but were ceded by that State to the United States.

West Virginia was originally a part of Virginia; it was set off from that State and admitted to the Union as a sovereign State, in 1863.

CHAPTER X.

TREASON

TREASON is the crime of disloyalty to a government ; it can be committed only by a person who owes allegiance to said government. Under the Constitution treason against the United States is defined to consist “ only in levying war against them, or in adhering to their enemies, giving them aid and comfort.”

Under the laws of the United States, passed in conformity with the provisions of the Constitution, treason is punishable with death, or imprisonment for a term of not less than five years, and a fine of not less than \$10,000, and the convicted person is forever debarred from the right to hold office under authority of the United States ; and his slaves, provided he had any, were by the law of 1862 to be declared free.

Misprision of treason is the concealment of the crime by any person who knows that it has been committed, and who by such concealment becomes an accessory thereto.

TREASON

A citizen accused of treason must be tried in one of the Circuit Courts of the United States, having first been indicted by a United States grand jury.

Several of the States have constitutional provisions for the punishment of the crime of treason against the State; but prosecutions of this nature, on behalf of a State, are very rare.

CHAPTER XI.

TARIFFS AND CUSTOM-HOUSES

A TARIFF is a law providing for and regulating the imposition of duties to be paid on goods imported from a foreign country.

A fiscal tariff, or a tariff for revenue only, is one which makes provision only for the raising of money to carry on the government. A protective tariff is one which adjusts the duties to be paid on imports in such a way as to hinder the competition of foreign goods and products with the goods and products of the country into which such articles are to be imported.

Ad valorem duties are those which are laid on imported goods with sole regard to the cost or value of the commodities in the country in which they are produced. Specific duties are those which are laid upon goods without reference to cost, the duty being levied and collected solely with reference to weight, measurement, or quantity.

TARIFFS AND CUSTOM-HOUSES

Custom-houses are United States establishments for the collection of the duties levied upon imported goods. These were formerly situated only at seaports, as the principal import trade with foreign countries is carried on by sea ; but since the growth of the Republic has developed many large cities in the interior, custom-houses are now established in all the great centres of population ; and foreign goods imported by sea are transported to the interior under certain conditions, and the duties are collected thereon at the custom-house of the district to which the goods are consigned.

The entire Republic is divided into collection districts ; the chief officer of each district is a collector of customs ; and he is assisted in his duties by other officers of varying degrees of importance and responsibility ; in the more important districts these officers are numerous and their duties are important.

In addition to the duty of collecting the revenues arising from the customs, the officers of each collection district are charged with many other duties regarding the commercial marine of the United States. All vessels of American build, doing business in the waters of the United States, or engaged in foreign trade, must be enrolled in the custom-house of the

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district in which they are owned. And foreign vessels entering a customs district for any purpose must report to the customs officers of that district.

These reports of entering and departing from a collection district are known as entry and clearance; they are binding on all vessels of whatever nationality.

Revenue cutters are small vessels employed under the authority of the customs service to cruise along the coasts of the district to which each is assigned, for the purpose of enforcing the revenue laws, the prevention of crimes against said laws, and to render assistance to vessels in distress.

The higher officers of the customs service are forbidden to engage in foreign trade while they are in office. All the officers are compensated by the payment of fixed salaries or wages.

The three principal officers of the larger and more important collection districts are a collector, a surveyor, and a naval officer. The first-named of these collects the customs duties, issues manifests and clearances for vessels, receives their entrance papers, supervises bonded warehouses and generally oversees and orders the business of the district. The surveyor weighs and measures goods imported and liable

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to duty, and superintends the discharge of cargoes of imported goods. The naval officer countersigns papers issued from the collector's department and, by a system of ledger accounts, acts as an auditor of the collector's accounts. In the appraisers' department of a custom-house the value of the goods and merchandise on which duties are to be levied and collected is determined.

The customs service of the United States is under the immediate supervision of the Commissioner of Customs; and he is one of the officers of the Department of the Treasury.

CHAPTER XII.

THE INDIANS

THE North American Indians still living within the boundaries of the United States are, with a very few exceptions, the wards of the National Government. Nearly all of them have sold their lands to the Government, and they are now supported by the revenues arising from the money derived from sales of these lands.

Indians are not taxed, except in a very few instances of individuals, and they do not have the right of suffrage, nor are they included in an enumeration of the population as a basis of representation in any National or State legislative body.

Large bodies of Indians are established upon tracts of lands reserved for this purpose by the National Government. While they remain upon these reservations the Indians are entitled to receive supplies for their sustenance and support.

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In all such cases, the work of supervision, distribution, etc., is intrusted to agents of the National Government, usually civilians, although Congress, or the President, may order army officers to discharge these duties.

No white person is permitted to enter upon any of the Indian reservations, or to trade with the Indians, except under such strict regulations as may be prescribed for such intercourse.

Annuities and subsidies are paid to the Indians out of funds which have been accumulated by the sale of lands originally belonging to the Indians and which have been sold by them to the United States, and may have since been sold by the Government to citizens.

The general management of Indian affairs is under the direction of the Commissioner of Indian Affairs, who is an officer of the Department of the Interior.

CHAPTER XIII.

THE PUBLIC LANDS

ALL lands lying within the boundaries of the United States, and not owned by private individuals, or States, or public or private corporations, or by tribes of Indians, are designated as public lands, and are the property of the United States.

These lands have been acquired by the National Government by treaty with foreign nations and Indian tribes, by cession from the States, or by conquest, or purchase.

The public lands, when it is desirable to bring them into the market, are surveyed into sections of one mile square, thirty-six of which sections in one block are denominated a township. The sections are subdivided into halves, quarters, and eighths; and as each section comprises six hundred and forty acres, the fractional parts thereof each comprise three hundred and twenty, one hundred and sixty, and eighty acres, respectively.

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The prices of the public lands have varied from time to time, and the methods of acquiring them are fixed according to circumstances. But the commonest method has been to allow actual settlers to enter upon and improve lands, allowing one hundred and sixty acres to each person so entering, the price to be paid being \$1.25 per acre.

But by the homestead law, enacted in 1862, heads of families can enter upon and secure possession of one hundred and sixty acres of public land at the nominal price of \$10 for the quarter-section, under certain regulations designed to restrict the conveyance of the public lands to actual settlers for homestead purposes.

Lands containing valuable mines of minerals are divided into small lots and sold at public auction.

Persons who have served the Nation in the army or navy are entitled, under certain conditions, to a portion of the public lands, the amount varying, according to the length of service, from twenty to one hundred and sixty acres. Written authority to enter upon and prove title to a given area of public lands is issued by the Government, and these documents are called land warrants; they entitle the

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holder of the warrant, whoever he may be, to enter upon and occupy any public land that he may find unoccupied, his claim thereto being limited by the number of acres for which the warrant is issued.

To encourage the building of railroads and other means of public transportation, Congress has granted large tracts of public lands to corporations, on condition that said transportation lines shall be completed and equipped within a given limit of time, and that the building and management of said lines shall be to a certain extent under the supervision of the National Government.

To facilitate the survey and sale, or other disposal, of the public lands, the total area is divided into land districts, in each one of which is established a central office managed by a register and a receiver, assisted by subordinate officials. All business relating to the survey and purchase of public lands in each district must be transacted at the office for such district.

Papers are issued by government officers from time to time to certify to the claim of each purchaser, or settler, as his claim is matured. When title is finally acquired, a deed, or land-patent, signed by the President of the United

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States, is issued to the lawful owner of the land so acquired.

The general management of the public lands, under the authority of Congress, is in the hands of the Commissioner of Public Lands, who is an officer of the Department of the Interior.

CHAPTER XIV.

SUB-TREASURIES, MINTS, AND ASSAY OFFICES

THE Government of the United States conducts its own system of banking, keeps its coin, bullion, and bank-notes in its own vaults, and in the form of checks, drafts, and warrants, issues its own notes against said cash.

In the Treasury building at Washington are the treasury vaults and the office where coin, bullion, etc., are kept, and where notes, checks, etc., are issued. But, for the convenience of the people who live in various parts of the Republic, sub-treasuries are established in several of the larger cities of the United States.

These sub-treasuries are, to all intents and purposes, branches of the main treasury at Washington, and are under the management and supervision of the Secretary of the Treasury.

The principal officer of a sub-treasury is called an Assistant Treasurer of the United

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States. In the more important sub-treasuries, the Assistant Treasurer is aided in the discharge of his duties by subordinates.

It is the duty of an Assistant Treasurer to receive and pay out moneys of the United States Government, on the order of the Secretary of the Treasury; and it is his duty to keep safely in the vaults of the sub-treasury all deposits of coin, notes, etc., that the law may require or allow to be deposited with him to the credit of the Government of the United States.

The parent, or principal mint of the United States Government was established at Philadelphia while that city was the seat of government of the Republic. It has remained there ever since.

In order to bring the facilities of the United States system of mintage within the reach of all the people, and to save the expense of transporting coin and the precious metals over long distances, other mints have been established from time to time in several cities of the United States nearest to mines in which gold and silver are found. These mints were at first known as branches of the parent establishment at Philadelphia, but by the act of Congress of February 12, 1873, this distinction of branch

SUB-TREASURIES, MINTS, AND ASSAY OFFICES

mints was abolished, and all the mints and assay offices of the United States were placed under the supervision of an officer denominated Director of the Mint, whose office is in the Treasury Department at Washington.

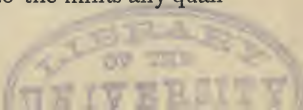
This functionary is under the direction of the Secretary of the Treasury. The chief officer of each mint is a superintendent, and he is assisted by several subordinate officers; all of these receive annual salaries.

Coinage is the exercise of one of the highest functions of a sovereign power. It cannot be exercised by any one of the States, nor by any private individual or corporation; and any semblance of imitating the coinage of precious metals used for money, or of printed notes or bonds of the United States, is strictly prohibited under the most severe penalties.

At all mints of the United States, the precious metals used as a circulating medium are coined into money, stamped with the devices and insignia of the Nation's sovereignty, as the Secretary of the Treasury, under the authority of Congress, may direct.

At these mints are established assay offices, in which the true value and fineness of metals used in coinage are determined.

Any person may bring to the mints any quan-



SUB-TREASURIES, MINTS, AND ASSAY OFFICES

tity of gold or silver, and, on the payment of a small sum for the expense of coinage, receive it back in the form of coins ready for circulation.

When the assayer of a mint has determined the true value of the precious metals so deposited, he issues to the depositor a certificate of the value of the deposit, and on that certificate the chief officer of the mint will pay to the holder thereof the sum of money for which it calls. These certificates may be used in the transaction of commercial business, and they answer the purpose of checks, notes, or treasury warrants.

Another function of the mints and assay offices is to melt gold and silver and run the metal into bars, or ingots, and to stamp on each bar or ingot the true value thereof, according to the United States standard.

For the convenience of the people, assay offices are established in several cities where there are no mints. At these offices gold and silver bullion and foreign coins are received, melted, refined, and cast into bars or ingots, and the true value thereof is stamped thereon, the depositor paying a fee for the work so done.

Or, the depositor may have foreign coins, or gold and silver bullion, cast into coins of the United States, as before provided, after

SUB-TREASURIES, MINTS, AND ASSAY OFFICES

the assay office has ascertained the true value thereof.

Seigniorage is a percentage upon bullion brought to the mint to be coined or to be exchanged for coin. It is the amount claimed by the Government for the exercise of its exclusive right to coin the metal, and it represents the difference between the intrinsic value of a mass of gold or silver bullion and the face value of the coins that the Government may make from the mass.

CHAPTER XV.

PATENTS AND COPYRIGHTS

LETTERS-PATENT are granted under the authority of the United States Government to the inventor, or discoverer, of any new and useful art, machine, manufacture, or composition of matter, or any new and useful improvement thereof, not known or used by any others in this country, or not patented or described in any foreign country.

The person receiving letters-patent for such useful invention, discovery, or improvement, has exclusive right to manufacture, sell, and use said invention. Or he may assign, sell, or otherwise transfer to others the rights which he has derived under the letters-patent.

The exclusive rights conveyed to a patentee are his for the term of seventeen years. But Congress may, by a special act, extend that term in any individual case at its discretion.

An inventor, before he can obtain letters-patent for his invention, must prepare a clear

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and intelligent description of it, and, if required, must also send to the Patent Office with said description a model of the article sought to be patented.

When the chief officer of the Bureau of Patents has been satisfied that the invention is useful and original (or patentable), he issues to the applicant the letters-patent entitling him to the rights and privileges above mentioned. The patentee pays a fee to the bureau in each case of a patent applied for.

The expenses of the Bureau of Patents are paid out of these fees, and a considerable surplus therefrom, amounting to more than two hundred thousand dollars annually, is paid into the National treasury.

In the granting of patent rights, no discrimination is made between citizens and aliens. Persons of foreign birth are allowed the same privileges in the granting of patents that are extended to American citizens.

All legal proceedings in cases arising under the patent laws, except those for a breach of contract (which belong in the State courts) must be begun in the circuit courts; but an appeal from those tribunals may be carried, under certain conditions, to the Supreme Court of the United States.

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The chief officer of the Bureau of Patents is the Commissioner of Patents. He is aided in the discharge of his duties by a large staff of assistants and examiners; all of these officers are paid annual salaries.

The Bureau of Patents is under the control and supervision of the Department of the Interior.

Copyright is the exclusive right to publish and sell any work of literature or art. This includes all original written or printed matter, paintings, engravings, photographs, drawings, etchings, sculptures, and other works of art; also maps, charts, diagrams, and musical compositions and plays.

A copyright is a species of property, and may be sold or transferred like any other property.

Copyrights are granted by the Government of the United States to the authors or composers of the works sought to be so protected; and such copyright runs for twenty-eight years from the date of its issue; but the person to whom a copyright is issued may have its term extended fourteen years; or such extension may be secured by his widow or his children after his death.

Copyright letters are granted by the Librarian of Congress under certain conditions; and the

PATENTS AND COPYRIGHTS

holder of a copyright has all the rights in the courts of the United States, in case of infringement, etc., that are granted to holders of letters-patent for useful inventions and discoveries.

Manufacturers' trade-marks and labels are registered in the Bureau of Patents, and are protected in the same manner as patents.

CHAPTER XVI.

PENSIONS

A PENSION is the annual allowance of a sum of money to a person by a government in consideration of past services.

The Congress of the United States alone has the power to authorize the granting and payment of pensions from the National treasury.

Under existing laws, pensions are paid to persons who have served the Republic in the army or navy of the United States in any of the wars in which the Nation has been involved ; but in a few cases pensions have been granted to the widows of Presidents who have died in office. Congress has also granted pensions to women for special services to the Republic, or in compensation for services rendered by those upon whom the pensioner was dependent when he was living.

The total sum of money appropriated by Congress for the payment of pensions for the fiscal year ending June 30, 1894, was \$165,000,000.

PENSIONS

Pensions are granted to persons who have served in the naval and military service, as aforesaid, under certain conditions, and to their widows or minor children.

Applications for pensions are made through the local pension agencies, the application being accompanied in each case by such documentary evidence as to the rightfulness of the claim, etc., as may be prescribed by law.

Pension agencies are established in all the States and Territories of the United States for the distribution, four times a year, of the moneys granted to pensioners. Money so granted is exempt from attachment, garnishee, or other legal process by which a creditor may obtain the satisfaction of a claim against a debtor.

CHAPTER XVII.

THE RIGHT OF SUFFRAGE

THE right of suffrage is the right to vote or otherwise participate in government. In a representative government, the exercise of this privilege carries with it the right of participating in the election of public officers and the adoption, or rejection, of laws.

The right of suffrage in the United States is conferred only by the States; and the Constitution of the United States does not in any case confer upon any person the right to vote.

The conditions upon which the right to vote is granted vary in the several States. In some States are exacted certain conditions of birth; in others, the ownership of a certain amount of property; in others, the payment of a head-tax; or ability to read and write, or other qualifications are required.

In most States infamous crimes are punished by deprivation of the right of suffrage. In all States it is required that the voter shall have

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arrived at the age of twenty-one years and shall be a native of the United States, or shall have been duly naturalized therein, if of foreign birth.

Generally, the right to vote is enjoyed in the United States only by male persons of full age who are by birth, or naturalization, citizens of the Republic.

The Federal Constitution provides that when the right to vote is denied to any of the male inhabitants of the United States by any State, or is in any way abridged, except as punishment for crime, the representation in Congress of such State shall be reduced in due proportion thereto.

The inhabitants of the Territories, the District of Columbia, and Alaska, are not permitted to exercise the right of suffrage except in local elections, as provided by acts of Congress.

THE DECLARATION OF INDEPENDENCE.

IN CONGRESS, July 4, 1776.

By the Representatives of the United States in Congress assembled.

A DECLARATION

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 for 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

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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 a 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. Such has been the patient sufferance of these colonies ; and such is now the necessity which constrains them to alter their former system 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.

THE DECLARATION OF INDEPENDENCE

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 meantime, exposed to all the danger of invasion from without and convulsions within.

He has endeavored to prevent the population

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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 lands.

He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

He has made judges dependent on his will alone for the tenure of their offices and the amount and payment of their salaries.

He has erected a multitude of new offices, and sent hither swarms of officers, to harass our people and eat out their substance.

He has kept among us, in times of peace, standing armies, without the consent of our legislatures.

He has affected to render the military independent of and superior to the civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution and unacknowledged by our laws; giving his assent to their acts of pretended legislation,—

For quartering large bodies of armed troops among us:

For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these states:

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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 law in a neighboring 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 government :

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, burned our towns, and destroyed the lives of our people.

He is at this time transporting large armies of foreign mercenaries, to complete the works

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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.

In every stage of these oppressions we have petitioned for redress in the most humble terms; our petitions have been answered only by repeated injury. A prince whose character is thus marked by every act which may define a tyrant is unfit to be the ruler of a free people.

Nor have we been wanting in attention to our British brethren. We have warned them, from time to time, of attempts made by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement

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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 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 the authority of the good people of these colonies, solemnly publish and declare that these United Colonies are, and of right ought to be, free and independent states; that they are absolved from all allegiance to the British crown, and that all political connection between them and the state of Great Britain is, and ought to be, totally dissolved; and that, as free and independent states, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent states may of right do. And for the support of this declaration,

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with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor.

Signed by order and in behalf of the Congress.

JOHN HANCOCK, President.

Attested, CHARLES THOMPSON, Secretary.

NEW HAMPSHIRE.

JOSIAH BARTLETT,
WILLIAM WHIPPLE,
MATTHEW THORNTON.

NEW JERSEY.

RICHARD STOCKTON,
JOHN WITHERSPOON,
FRANCIS HOPKINSON,
JOHN HART,
ABRAHAM CLARK.

MASSACHUSETTS BAY.

SAMUEL ADAMS,
JOHN ADAMS,
ROBERT TREAT PAINE,
ELBRIDGE GERRY.

RHODE ISLAND, &c.

STEPHEN HOPKINS,
WILLIAM ELLERY.

PENNSYLVANIA.

ROBERT MORRIS,
BENJAMIN RUSH,
BENJAMIN FRANKLIN,
JOHN MORTON,
GEORGE CLYMER,
JAMES SMITH,
GEORGE TAYLOR,
JAMES WILSON,
GEORGE ROSS.

CONNECTICUT.

ROGER SHERMAN,
SAMUEL HUNTINGTON,
WILLIAM WILLIAMS,
OLIVER WOLCOTT.

DELAWARE.

CÆSAR RODNEY,
GEORGE READ,
THOMAS M'KEAN.

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NEW YORK.

WILLIAM FLOYD,
PHILIP LIVINGSTON,
FRANCIS LEWIS,
LEWIS MORRIS.

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.

SOUTH CAROLINA.

EDWARD RUTLEDGE,
THOMAS HEYWARD, Jr.,
THOMAS LYNCH, Jr.,
ARTHUR MIDDLETON.

NORTH CAROLINA.

WILLIAM HOOPER,
JOSEPH HEWES,
JOHN PENN.

GEORGIA.

BUTTON GWINNETT,
LYMAN HALL,
GEORGE WALTON.

CONSTITUTION OF THE UNITED STATES

CONSTITUTION OF THE UNITED STATES.*

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. I. All legislative Powers herein granted shall be vested in a Congress of the

* In May, 1785, a committee of Congress made a report recommending an alteration in the Articles of Confederation, but no action was taken on it, and it was left to the State Legislatures to proceed in the matter. In January, 1786, the Legislature of Virginia passed a resolution providing for the appointment of five commissioners, who, or any three of them, should meet such commissioners as might be appointed in the other States of the Union, at a time and place to be agreed upon, to take into consideration the trade of the United States; to consider how far a uniform system in their commercial regulations may be necessary to their common interest and their permanent harmony; and to report to the several States such an act, relative to this great object, as, when ratified by them, will enable the

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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

United States in Congress effectually to provide for the same. The Virginia commissioners, after some correspondence, fixed the first Monday in September as the time, and the city of Annapolis as the place for the meeting, but only four other States were represented, viz. : Delaware, New York, New Jersey, and Pennsylvania ; the commissioners appointed by Massachusetts, New Hampshire, North Carolina, and Rhode Island failed to attend. Under the circumstances of so partial a representation, the commissioners present agreed upon a report, (drawn by Mr. Hamilton, of New York,) expressing their unanimous conviction that it might essentially tend to advance the interests of the Union if the States by which they were respectively delegated would concur, and use their endeavors to procure the concurrence of the other States, in the appointment of commissioners to meet at Philadelphia on the second Monday of May following, to take into consideration the situation of the United States ; to devise such further provisions as should appear to them necessary to render the Constitution of the Federal Government adequate to the exigencies of the Union ; and to report such an act for that purpose to the United States in Congress assembled as, when agreed to by them and afterwards confirmed by the Legislatures of every State, would effectually provide for the same.

Congress, on the 21st of February, 1787, adopted a resolution in favor of a convention, and the Legislatures of those States which had not already done so (with the exception of Rhode Island) promptly appointed delegates. On the 25th of May, seven States having convened, George Washington, of Virginia, was unanimously elected Presi-

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second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the

dent, and the consideration of the proposed constitution was commenced. On the 17th of September, 1787, the Constitution as engrossed and agreed upon was signed by all the members present, except Mr. Gerry, of Massachusetts, and Messrs. Mason and Randolph, of Virginia. The president of the convention transmitted it to Congress, with a resolution stating how the proposed Federal Government should be put in operation, and an explanatory letter. Congress, on the 28th of September, 1787, directed the Constitution so framed, with the resolutions and letter concerning the same, to "be transmitted to the several Legislatures in order to be submitted to a convention of delegates chosen in each State by the people thereof, in conformity to the resolves of the convention."

On the 4th of March, 1789, the day which had been fixed for commencing the operations of Government under the new Constitution, it had been ratified by the conventions chosen in each State to consider it, as follows: Delaware, December 7, 1787; Pennsylvania, December 12, 1787; New Jersey, December 18, 1787; Georgia, January 2, 1788; Connecticut, January 9, 1788; Massachusetts, February 6, 1788; Maryland, April 28, 1788; South Carolina, May 23, 1788; New Hampshire, June 21, 1788; Virginia, June 26, 1788; and New York, July 26, 1788.

The President informed Congress, on the 28th of January, 1790, that North Carolina had ratified the Constitution November 21, 1789; and he informed Congress on the 1st of June, 1790, that Rhode Island had ratified the Constitution May 29, 1789. Vermont, in convention, ratified the Constitution January 10, 1791, and was, by an act of Congress approved February 18, 1791, "received and admitted into this Union as a new and entire member of the United States."

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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

* The clause included in brackets is amended by the 14th amendment, 2d section, p. 153.

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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,



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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

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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.

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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 en-

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creased 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

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(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 re-passed 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 Naturaliza-

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tion, 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

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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

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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.

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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

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into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

ARTICLE. II.

SECTION. I. 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

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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 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."]

This clause has been superseded by the twelfth amendment, p. 150.

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

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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

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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

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

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

ARTICLE III.

SECTION. I. 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

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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

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

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

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

ARTICLE. IV.

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

SECTION. 2. The Citizens of each State shall

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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

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this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

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

ARTICLE. V.

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress ; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth

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Clauses in the Ninth Section of the first Article ; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

ARTICLE. VI.

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

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

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

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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.

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,

GO WASHINGTON—
Presidt. and Deputy from Virginia

NEW HAMPSHIRE.

JOHN LANGDON, NICHOLAS GILMAN.

MASSACHUSETTS.

NATHANIEL GORHAM, RUFUS KING.

CONNECTICUT.

WM. SAML. JOHNSON, ROGER SHERMAN.

NEW YORK.

ALEXANDER HAMILTON.

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NEW JERSEY.

WIL: LIVINGSTON, WM. PATERSON,
DAVID BREARLEY, JONA. DAYTON.

PENNSYLVANIA.

B. FRANKLIN, THOMAS MIFFLIN,
ROBT. MORRIS, GEO: CLYMER,
THO: FITZSIMONS, JARED INGERSOLL,
JAMES WILSON, GOUV: MORRIS.

DELAWARE.

GEO: READ, GUNNING BEDFORD, Jun'r,
JOHN DICKINSON, RICHARD BASSETT.
JACO: BROOM,

MARYLAND.

JAMES M'HENRY, DAN: OF ST. THOS. JENI-
DANL CARROLL FER,

VIRGINIA.

JOHN BLAIR, JAMES MADISON, Jr,

NORTH CAROLINA.

WM. BLOUNT, RICH'D DOBBS SPAIGHT,
HU. WILLIAMSON.

SOUTH CAROLINA.

J. RUTLEDGE, CHARLES COTESWORTH
CHARLES PINCKNEY, PINCKNEY,
PIERCE BUTLER.

GEORGIA.

WILLIAM FEW, ABR. BALDWIN.

Attest: WILLIAM JACKSON, *Secretary.*

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ARTICLES IN ADDITION TO, AND AMENDMENT OF,
THE CONSTITUTION OF THE UNITED STATES
OF AMERICA, PROPOSED BY CONGRESS, AND
RATIFIED BY THE LEGISLATURES OF THE
SEVERAL STATES PURSUANT TO THE FIFTH
ARTICLE OF THE ORIGINAL CONSTITUTION.

ARTICLE 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.

ARTICLE II.

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

ARTICLE III.

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



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ARTICLE 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.

ARTICLE V.

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

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ARTICLE VI.

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

ARTICLE VII.

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

ARTICLE VIII.

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

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ARTICLE IX.

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

ARTICLE X.

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

ARTICLE XI.

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

ARTICLE XII.

The Electors shall meet in their respective states, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the per-

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son 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 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 when-

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ever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

ARTICLE XIII.

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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ARTICLE XIV.

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

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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

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debts, obligations and claims shall be held illegal and void.

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

ARTICLE XV.

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

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

RATIFICATIONS OF THE CONSTITUTION.

The Constitution was adopted by a convention of the States, September 17, 1787, and was subsequently ratified by the several States, in the following order, viz. :

Delaware, December 7, 1787.

Pennsylvania, December 12, 1787.

New Jersey, December 18, 1787.

Georgia, January 2, 1788.

Connecticut, January 9, 1788.

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Massachusetts, February 6, 1788.

Maryland, April 28, 1788.

South Carolina, May 23, 1788.

New Hampshire, June 21, 1788.

Virginia, June 26, 1788.

New York, July 26, 1788.

North Carolina, November 21, 1789.

Rhode Island, May 29, 1790.

The State of Vermont, by convention, ratified the Constitution on January 10, 1791, and was, by act of Congress, February 18, 1791, "received and admitted into this Union as a new and entire member of the United States of America."

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