

UC-NRLF

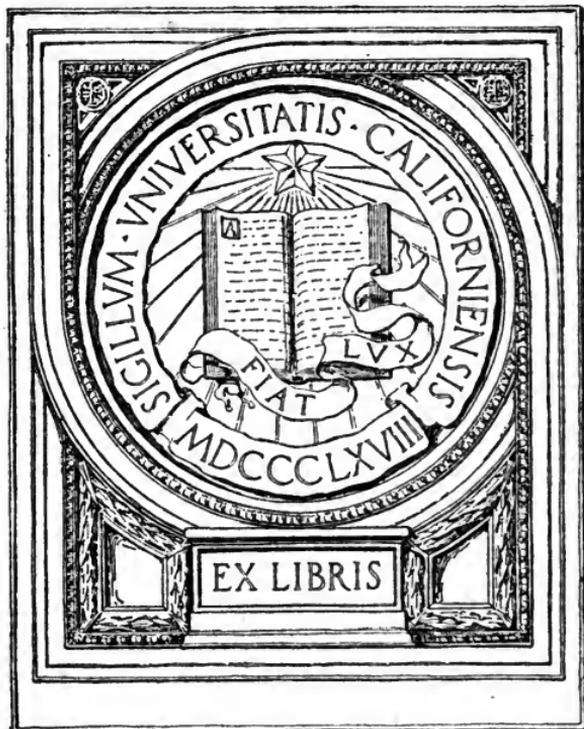


LB 273 897

PRACTICAL AIDS TO THE  
TEACHING OF CIVICS

—  
S. D. WATERMAN

GIFT OF  
Class of 1900



984 h  
W328  
P



Digitized by the Internet Archive  
in 2007 with funding from  
Microsoft Corporation





*Practical Aids*  
*to the Teaching of Civics*

By

*S. D. Waterman*

Ex-Superintendent of Schools  
Berkeley, Calif.



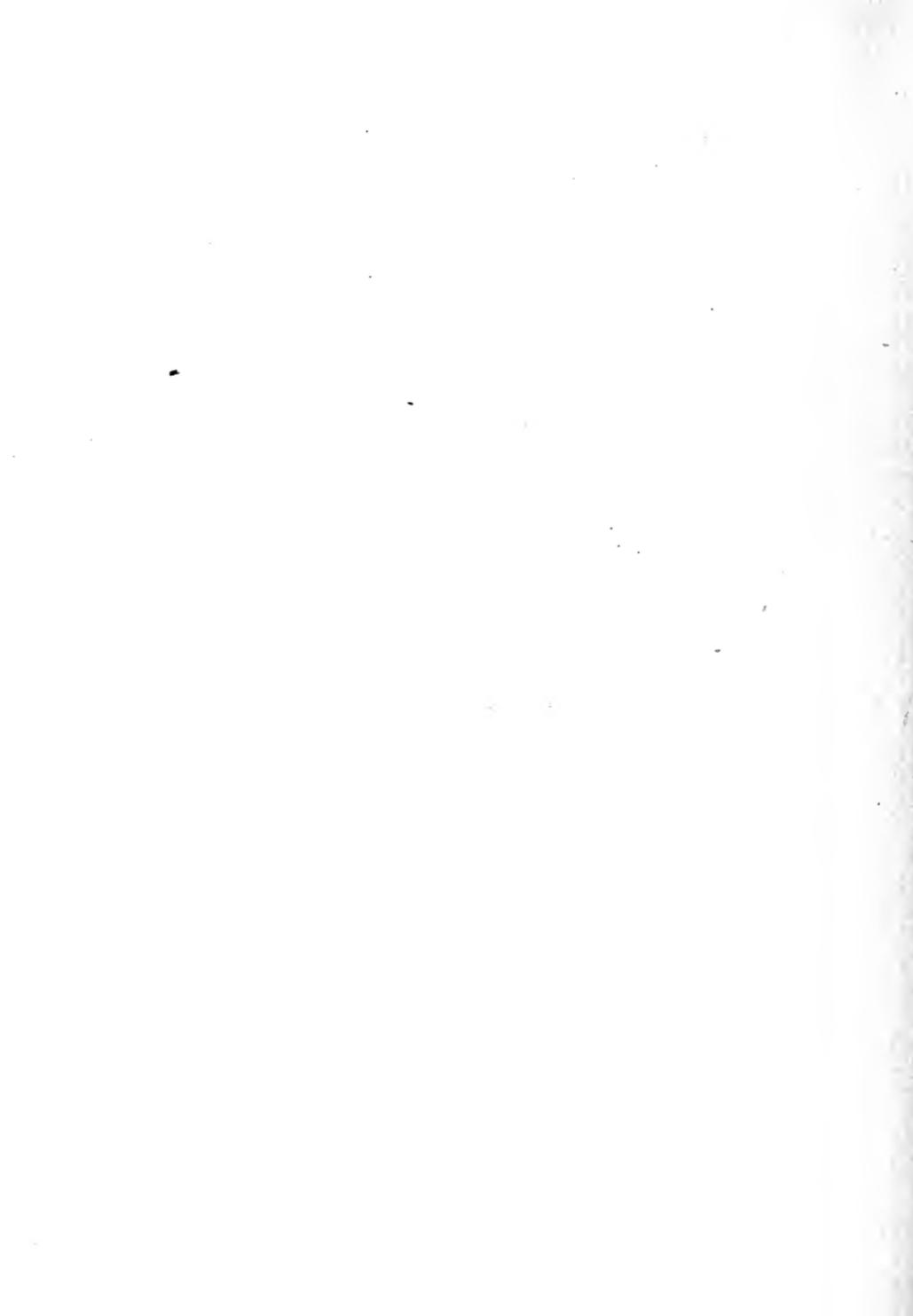
San Francisco  
**Whitaker & Ray-Wiggin Co.**  
1909

COPYRIGHT, 1909  
BY  
WHITAKER & RAY-WIGGIN CO.

Class of 1900

## CONTENTS

Chapter	Page
I. General Introduction .....	5
II. Public Schools .....	9
III. The Town Meeting.....	13
IV. The Direct Primary.....	15
V. Organization and Work of Political Parties—Organ- ization of Conventions.....	20
VI. General Outline — Municipal, County, State, and National Governments .....	25
VII. Events Leading to the Adoption of the Constitution..	27
VIII. The Legislative Department.....	54
IX. Executive Department .....	69
X. Judicial Department .....	78
XI. U. S. Territory .....	83
XII. State Government .....	86
XIII. Origin and Meaning of the Names of the Counties of California .....	95
XIV. Revenue for Educational Purposes.....	100
XV. Revenue and Taxation.....	104
XVI. Qualification for Voting in the United States.....	107
XVII. Statistics of the States.....	116
XVIII. Data with Reference to Our Presidents.....	140



## PREFACE

In preparing texts, the tendency has been toward simplification and this has been carried to such an extent that, often, the purpose of a text-book disappears. There is no *royal road*. Inductive methods in languages and short cuts to prepare for reading have come and gone and teachers now are falling back upon the old plan of *learning* the principles of the language.

In Arithmetic, constant and persistent drill upon the fundamentals is essential. Short methods have been tried and are still being tried, but the *facts* of mathematics are still the same and there is no other way of gaining the accuracy and readiness necessary than that of *learning the tables* and combinations thoroughly and persistently practicing until the desired end is attained. The same is true in Grammar, Literature, History, Geography and the other branches usually taught in our elementary schools. In Civics, supplementary readers have appeared in numbers, having for their purpose the developing of good citizenship, and as *supplementary work* they have an important place to fill; but if it is desired to give instruction in the science of government, there must be a careful study of the Constitution of our country and of the laws under which we live.

The purpose in the preparation of these pages is, to put

the salient facts relating to the government in such a concise form, simple yet *thorough*, as shall secure for those who study them an accurate idea of the principles of our government.

The general principles of government are the same in all of the states. While a general outline is given that will hold good for the entire country, references are made especially to the state and county governments of California. The *general statement* can be easily supplemented for any state by any teacher who knows the subject.

A complete set of questions is given, as suggestive and as furnishing suitable topics for reviews. The organization of parties, the way in which conventions are managed,—the Direct Primary,—the Recall,—the Initiative and the Referendum, have been briefly, but clearly explained.

The author hopes that the book may commend itself and may prove to be suited to the purpose for which it is intended.

## CHAPTER I

### GENERAL INTRODUCTION

The happiness and the success of the family and the school come largely from a cheerful obedience to duly constituted authority. Failure and unhappiness are the result of disobedience. Respect for parental authority in the home and for the authority of the teacher in the school lays the foundation for good citizenship. For the welfare of the individual and the community, laws are made by the nation and the state. For civic betterment, ordinances are passed by the legislative body of municipalities. Some of these ordinances deal with *crime*, but most of them are for securing better police and better fire protection, for street improvements, for the light and water supply, and for regulating all matters pertaining to municipal improvement. A cheerful compliance with these ordinances, and a ready obedience to the laws of the state and of the general government on the part of every citizen are duties as truly as obedience in the home and in the school is a duty on the part of the child.

All members of a well-regulated, happy family must be interested in everything that tends to increase the happiness and minister to the comfort of themselves and others. There must be a pride which prompts to neatness, both in and outside of the home. Smooth-cut lawns, clean

walks, beautiful beds of flowers free from weeds, cleanliness of the street adjoining the home lot, a tasteful arrangement and adornment of the interior,—all of these will be a source of pleasure and will help to make the home “the dearest spot on earth.”

The same love of order and neatness may be developed in the school. A proper school pride will secure neat and attractive yards and streets adjoining the school premises, as well as neat and well-adorned rooms inside the building.

The same spirit extending into the community results in *civic* pride—a desire to help in making the home town or city beautiful. This desire and a spirit of obedience to all ordinances passed for the benefit of the community will not only be of great advantage to the town or district at large, but will also do much in developing a fine type of citizenship which will extend its influence to the larger and more important citizenship of the state and the nation.

The government of a municipality is vested in a council which is the Legislative Department,—a mayor and his appointees, which together with some of the other elective officers form the Executive Department,—a city attorney and police judge, or justice of the peace, which form the Judicial Department. Sometimes the last two are combined in one person.

The council has to legislate upon everything relating to the welfare of the community except, perhaps, educational

matters, which are usually given over to a separate board known as the "Board of Education."

Some of the matters that call for attention on the part of the council are—the fixing of license rates,—the establishing of fire limits,—the creating of a police force and a paid fire department,—the appointment of a health officer and a Board of Health,—the supervision of the streets,—the opening and the improving of new thoroughfares,—the granting of franchises,—the granting of building permits,—the passage of sanitary ordinances and the appointment of sanitary inspectors,—the fixing of city tax rates,—and the apportionment of the money raised by taxation to the different funds. In most cities there are heads of departments who report, either to the Council or to the Mayor. Some of these are:

Marshal or Chief of Police

Chief of Fire Department

Superintendent of Streets

Building Inspector

City Engineer

Health Officer

Sanitary Inspector

The legislative enactments of the Council are called "Ordinances." The legality of these ordinances is passed upon by the city attorney, who is the legal adviser. In fact, the city attorney is usually directed to prepare an ordinance to include certain provisions. Violators of

town ordinances are tried in the justice's or in the police courts. The Mayor is the executive officer. He appoints all committees of the Council, and is in reality at the head of the government of the municipality. The people look to him to see that affairs are conducted fairly and economically and that the town ordinances are enforced.

What the Council does for the city or the town, the Board of Supervisors does for the county. The work is done largely through committees.

## CHAPTER II

### PUBLIC SCHOOLS

All local management of schools in rural districts is vested in a board of three trustees for each district, elected by the voters of the district. These trustees elect teachers and janitors for their respective schools. They also have the power to fix the date of *opening* the schools, but the date of closing will be governed by the provisions of the state law.

In most of the states the general management of all rural schools in the county is placed in the hands of the County Superintendent and a County Board of Education.

The County Board prepares and adopts a course of study. It adopts school library books and supplementary books from a list recommended by the State Board. It has the control of the certification of teachers in each county. In cities, a city Superintendent and a city Board of Education have the management of the schools. The Boards of Education have their rights and duties defined in the state law. In another section some light is given upon the sources of school revenue, and the manner by which the State and County funds are distributed to the different districts.

The general government has always fostered the public school. Early in the colonial times provision was made,

in most of the colonies, for the public education of the children. After the colonies had ceded their surplus territory to the United States Government, and after the acquisition of territory by purchase and treaty, means were at once inaugurated for completing an accurate survey of all government lands. Base and meridian lines were established and the Ranges and Townships were mapped off from these lines—Ranges East and West,—Townships North and South. Each Township according to United States survey is six miles square and contains thirty-six square miles,—each of which is known as a section. These sections are numbered, commencing at the N. E. corner across to the N. W. and then below across in the opposite direction back and forth until the last or thirty-sixth section is at the S. E. corner of the Township—thus—

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

Each of these sections contains 640 acres. By an early act of Congress the 16th section was set apart for the schools, and by a later act the 36th section was also reserved. The proceeds of the sale of this land were set aside as a permanent fund the interest of which, with money

obtained from the rents of unsold lands, forms a part of the annual state school fund in every state in which the government had public lands. The following section taken from the State Constitution gives the legal statement of this, as far as California is concerned:

“The proceeds of all lands that have been or that may be granted by the United States for the support of grammar schools which may be or may have been disposed of—and the 500,000 acres of land granted to the new states under an act of Congress distributing the proceeds of the public lands among the several states of the union, approved in 1841:—and all estates of deceased persons who may have died without leaving a will or heir,—and also such per cent as may be or may have been granted by Congress on the sale of lands in this State,—shall be and remain a perpetual fund, the interest of which together with the rents obtained from unsold lands and such other means as the State Legislature may provide shall be inviolably appropriated to the support of the common schools throughout the State.”

So the general government, the state, the county and the municipality or the entire district unite in providing funds for the maintenance of the common schools.

If we look a little further we shall see that the general government aids, financially, the State Universities. By an act of Congress adopted July 2, 1862, the United States Government declared that “all money derived from the

State public lands donated by this act shall be invested as provided for in the act, and the interest of said money shall be inviolably appropriated to the endowment, support and maintenance of at least one College of Agriculture, etc.”

## CHAPTER III

### THE TOWN MEETING

The Pilgrims were the most *democratic* people in the world. All their Church officers and other rulers were elected by themselves. The choice of these rulers, and the discussion of all questions of taxation and law-making came before all the men of proper age in a *town* meeting where every one had the right to speak and to vote. This custom established at so early a date (1621) has been continued with slight variation throughout the entire New England section. The town meeting is a Direct Primary and an election combined.

“All public matters were discussed and decided in the town meeting. There every man met his neighbor on equal terms. There the laws were made. It was a pure government by the people, such a government as was known nowhere else in either this country or in Europe, except, perhaps, in a few districts of Switzerland. The nearest approach to it in America was the Virginia House of Burgesses, but that was made up of representatives of plantations and later of counties, and was *not* a meeting of the *whole* people. The laws the Pilgrims made, they enforced.”—Montgomery.

“The inhabitants of the town and the members of the congregation were the same persons. Where they met for

church business, as to choose a minister or to admit new members, it was a parish meeting; when they met for civil business, as for instance to appropriate money for making a road or building a school-house, it was a town meeting. In either case it was a meeting of *free* people who governed themselves.”—Fiske.

“The town meeting was a training in public affairs. At one of these meetings the people, in addition to many other powers, could levy taxes and direct the purposes for which the money thus raised could be expended; could elect delegates to the legislature of the Colony; could elect the officers for the town and direct them as to their duties, and could also provide for the support of free schools.”—Doub.

At first the church and the “town house” were the same. Notices of the annual town meetings were given at the proper time, and at the appointed day all the voters of the town met and voted for the men of their preference for “Select-men” and for other officers. The principal management of the affairs of the town was and still is entrusted to a board of three men called “Select-men.” All matters of public interest may be discussed and voted on. The nearest approach to this method of choosing officers is seen in the election of school trustees in the rural districts in our State.

## CHAPTER IV

### THE DIRECT PRIMARY

In early days in the New England colonies, there was established a pure representative democracy. This was exemplified in the town meeting, at which all of the business of the town was transacted. It was a combination of a *primary* and a general election, each voter voting for his own individual choice for every office without the necessity of a nominating convention to determine the persons for whom votes should be cast. In this era of our history purity in government prevailed, but with the growth of the country in population and power, political parties gradually assumed control of the general elections,—though even to the present time in New England the local officers are elected at the annual Town Meeting just as they were two hundred and fifty years ago. Gradually the people have lost control and the political manipulators have gained the ascendancy. To this ascendancy the present corruption in state, county and municipal politics is largely due. An effort has been made during the last twenty years to conduct the Primary elections in such a way as to neutralize the influence of the machine. This, however, has thus far been practically a failure, and it is now proposed to bring about purity in politics, as far as the nomination of candidates is concerned by using what is known as the "Direct

Primary.” This allows voters to express their preference as to candidates before the nominating convention meets. It has already been adopted in some form in many of the States. Governor Hughes of New York speaking of corruption in politics and the Direct Primary says: “Experience shows that under the present system the voters of the party, except there is some mighty upheaval, have very little to say, as one or two in control virtually appoint those who will stand as the representatives of the party. This is not a representative government. . . .

“If we elect a governor by direct vote of the people, how is it a subversion of representative government for the enrolled voters of a party to choose their candidate for Governor by direct vote?” According to Governor Hughes “The direct primary is but a step in the evolution of popular government.”

To illustrate we cite the recent direct primary in the State of Oregon. This resulted in the election of a Democratic United States Senator by a Republican Legislature. The candidates for the legislature pledged themselves before the election to support for United States Senator the person whom the people should select in a direct primary to be held at the time of the general election. Although Oregon is usually a Republican State, it had at the time a Democrat in the Governor’s chair, Governor Chamberlain, and such was his popularity with the people, that he was elected by the *Direct Primary* as the *People’s* choice for Senator.

The members of the Legislature, true to their ante-election promises, promptly elected him to the upper house of Congress for the full term of six years. They did this, to their honor, be it said, in spite of the protests of the Republican bosses in the State *lobby*. Much can be said in favor of the "Direct Primary"—little against it. It gives the people an opportunity to say definitely whom they wish to govern them. It does away with the corrupting influences that always appear in the ordinary nominating convention.

It bids fair to be one of the most effective means that the people are trying in order to purify the political atmosphere. It does not do away with political conventions—not at all. The convention in some forms seems to be a necessity. The convention can formally place a ticket in the field if necessary, ratifying the choice of the people as expressed at the primary. It can adopt a platform, provide funds for the campaign and take the general management, but it must nominate for the different offices those only whose names have received the approval of the voters at the primary. This plan is sure to prevail in some form all over the country. The people everywhere are coming to the front and are taking an interest in public affairs that they have never taken before.

Among other means that are being proposed to bring people into closer touch with the Government in the management of affairs, may be mentioned the *Recall*, the *Initiative* and the *Referendum*. When these plans are

perfected the people will again assume the control. Let us briefly consider each of these.

### THE RECALL

The provisions of the *Recall* as already established vary as to details, but the principal point in the plan is this: If any elective officer fails to "make good" an election must be held to elect his successor, on the petition of twenty-five per cent of the voters who voted at the preceding election.

In preparing the ballot the name of the officer whose recall is demanded shall appear as well as the names of others who have the right to run for the office either by petition or nomination. If a majority vote is cast against the incumbent he must vacate his office and give way to the one who has received a majority of the votes cast. If the incumbent whose Recall has been asked shall receive at this election a majority he shall be considered as vindicated and shall continue in office. The theory of the *Recall* is correct and if conducted squarely it may be of great service in doing away with corruption and fraud.

### THE INITIATIVE

This simply means that the people may signify to the legislative body the kind of legislation that they desire, and it is then the duty of the legislative body to carry out the wishes of the *petitioners* by suitable legislation. It is in-

tended that the people in this way shall have a direct voice in making the laws and ordinances under which they are to live.

### **THE REFERENDUM**

This is another means of bringing the people in close touch with the law-making power. It is the opposite of the *initiative* in this, that the law-making body proposes the law or ordinance, as the case may be, and submits it to the vote of the people before passing it in final form. If it is rejected by the people the rejection is final. If accepted by the people a bill is introduced containing the provisions voted on by the people, and this bill becomes a law on being accepted in the legal manner.

## CHAPTER V

### ORGANIZATION AND WORK OF POLITICAL PARTIES— ORGANIZATION OF CONVENTIONS

In the complete organization of any political party there is a close connection extending from the precinct, through the county and state to the nation—in other words, there is a wheel within a wheel. Each party has its precinct or ward clubs. Each has a central committee in each county, composed of members from different precincts or districts. The management of the party as far as the politics of the county are concerned is vested in this committee, which is duly organized by having a Chairman, a Secretary, and other officers elected or appointed. The members of this committee are selected from the different precincts of the county and are chosen by the County Convention of the party for a term of two years. The representatives are named by the delegates from the precincts, but their appointment rests with the Convention which usually ratifies the selection of the precinct delegations.

The management of the affairs of a party so far as the politics of the state are concerned is vested in a State Central Committee. This committee is composed of members from each county chosen by the State Convention for a term of four years. These members are selected by the

delegation from the respective counties, and their selection is usually ratified by the convention itself.

When it comes to the management of national politics we must look to the National Committee of the party. This committee is composed of members from each state and territory appointed for a term of four years. The members of the committee are selected by the delegates from the several states and their selection is usually ratified by the National Convention itself.

The number of delegates to which each precinct, county or state is entitled in the county, state or national convention is in proportion to the vote of the party at the last general election.

The initiative in a national, state, county or municipal campaign rests with the Chairman of the regular Executive Central Committee. He calls the Committee together and they select the time and place for holding the convention.

To illustrate the organization outlined above and to explain how complete this organization is and show the part which each voter may have in the politics of the country we will suppose that the present year is the year for the election of President and Vice-President.

Early in the year, the chairman of the National Committee of each party calls a meeting of the Committee. This is made several weeks in advance of the meeting so that as many of the members as possible may be present.

At this meeting the time and place for holding the convention are determined and the call is issued to the Central Committee of each State. This call is in general, like the following:

“A convention of the \_\_\_\_\_party of the United States is hereby called to meet on the \_\_\_\_ day of \_\_\_\_\_, 19—, in the city of \_\_\_\_\_, for the purpose of placing in nomination candidates for President and Vice-President of the United States and for the appointment of a National Committee to serve for the ensuing term of four years, and for the transaction of any other business that may properly come before the convention. The following, based upon the \_\_\_\_\_ vote at the last presidential election shows the number of delegates and alternates to which each State is entitled.” Then follows an alphabetical list of states beginning with Alabama.

On the receipt of this call by the Chairman of the various State Central Committees the same action is taken as outlined above for the National Committee. A meeting of the Committee is called and, at this meeting, the time and place for holding the State Convention is determined, and a call is issued to the Central Committee of each county. This call shows the number of delegates allotted to each county—based upon the party vote in the county at the last general election. The general form of the call is similar to the one issued by the National Committee.

The Chairman of the County Central Committee issues a

call for a County Convention. This call shows the number of delegates that each precinct or district is entitled to,—based upon the party vote at the last election.

When the County Convention meets delegates and alternates are chosen to the State Convention, and a County Committee is appointed to serve for two years.

The State Convention meets and appoints the delegates and alternates to the National Convention, and also a State Central Committee to serve for four years.

Besides the National, the State, and the County Committees, every Congressional District has a special Congressional Committee to look out for the campaign for Congressmen, and every City, unless otherwise determined by its Charter, has a City Central Committee which manages the political affairs of the party as far as the City is concerned.

Delegates to the County and City Convention are usually selected by a primary election.

### **ORGANIZATION OF CONVENTIONS**

The method of procedure in the organization of all conventions is the same.

The chairman of the Central Committee calls the delegates to order, and, after announcing the purpose for which they have been called together, he proceeds to organize the convention by the election of a temporary chairman

and other temporary officers. The temporary chairman appoints the following committees:

1. On Credentials.
2. On Permanent Organization, and Order of Business.
3. On Resolutions.

An adjournment is then taken to give these committees time to report. In a National or State Convention the Committee on Credentials is a very important one sometimes, as this committee, in cases of contest, has to decide which of the contestants are entitled to seats in the convention.

On reassembling after adjournment, the organization of the convention is completed by receiving and adopting the report of the three committees mentioned above.

The report of the Committee on Resolutions in a National Convention forms the "Platform" of the party for the campaign. This report should specify clearly the policy of the party upon every important public question.

The campaign of 1832 is noted for originating national "nominating conventions" and party "platforms." After Washington's time candidates had, until then, been nominated by members of Congress in Caucus.

The "Anti-Masonic" party held the first National Nominating Convention ever held in the United States, in 1821.

## CHAPTER VI

### GENERAL OUTLINE—MUNICIPAL, COUNTY, STATE, AND NATIONAL GOVERNMENTS

If we look for a moment to the organized governments of towns, counties, states and the nation as a whole, we shall see the three departments of the government extending through all of these. Thus in the town or city we have the

Mayor—*executive*

Council—*legislative*

The Justice's Court  
The Police Court  
The City Attorney

} *judicial*

In the County we have

The Board of Supervisors—*legislative*

The Sheriff and His Assistants—*executive*

The Justice Court  
The Supreme Court  
The District Attorney

} *judicial*

In the State we have

The Legislature—*legislative*

The Governor and other  
State Officers

} *executive*

The Superior Courts

The Court of Appeals  
The Supreme Court  
The Attorney-General

} *judicial*

In the nation we have

Congress—*legislative*

The President and  
Cabinet } *executive*

The Courts and  
Attorney-General } *judicial*

The most enlightened countries have a legislative body composed of two houses. They also have courts and all of the machinery necessary to carry on successfully the work of the *judicial* department. The ruler, whether his title be *king*, *emperor* or *president*, together with his cabinet form the *executive* department. The purpose of two houses forming the legislative department is that one may serve as a check upon hasty legislation. In our Congress the senators represent the *State* as a whole, while the Representatives represent the people directly.

## CHAPTER VII

### EVENTS LEADING TO THE ADOPTION OF THE CONSTITUTION

There were three forms of government in the Colonies. The character and nature of each of these may be learned from any history.

Rhode Island and Connecticut were governed under a charter.

Pennsylvania, Delaware and Maryland were proprietary governments.

Massachusetts, New Hampshire, New Jersey, Virginia, North Carolina, South Carolina and Georgia were ruled by a governor appointed by the King—hence they were called Royal Provinces.

On July 30th, 1619, the General Assembly of Virginia was organized in the little wooden church in Jamestown, by Governor Yeardley and his advisers. This was the *first* Representative Assembly in America.

“This picture is worth remembering. The Governor and his council, keeping their hats on, took the front seats, while the burgesses occupied those in the rear. The session was opened by prayer, after which each member took the oath. The burgesses were elected by the people, two from each neighborhood. When the Revolution came 150 years later, the Virginia House of Burgesses furnished a larger list of able men than any other assembly in America.”

No definite plans or even attempts at united action on the part of these colonies were made until 1754. During this year the First Colonial Congress met at Albany, N. Y. This is sometimes known as the *Albany Convention*. Twenty-five delegates from New England, Maryland, Pennsylvania and New York met to determine some course of action to be followed during the struggle between the English and French, for supremacy in America; also, to meet delegates from the six nations (Indian tribes) whom they hoped to win over to the sides of the English. A plan of union was drawn up by Franklin. This was called the Albany plan. It was not approved by either the English government or the Colonies. Each claimed that the other derived too much power from it. However, this was the first step toward the permanent union that came a score of years later.

In 1765 the Second Colonial Congress met in New York, to protest against the passage of the "Stamp Act" and other oppressive measures which had been adopted by Parliament. This Congress is sometimes known as the "Stamp Act Congress." Delegates from nine Colonies were in attendance, New Hampshire, Virginia, North Carolina and Georgia being unrepresented. A "Bill of Rights" was passed and a petition to the King for redress of grievance was prepared.

In 1774 the First Continental Congress, proposed by Virginia, met in Philadelphia, Sept. 1st. Five acts of

Parliament had been passed, aimed directly at the colonies.

These acts were:

The Boston Port Bill.

The Transportation Bill.

The Massachusetts Bill.

The Quartering Act.

The Quebec Act.

There were forty-four delegates from eleven colonies at first, and, later, eleven more delegates came and all of the colonies except Georgia were represented.

In 1775 the Second Continental Congress met in Philadelphia. The management of affairs during the greater part of the Revolutionary War devolved upon this Congress. It was this Congress that passed the Declaration of Independence, July 4th, 1776. In 1777 Articles of Confederation were adopted and ratified by the required number of Colonies before 1781. The Articles went into effect in 1781 and were the guide in matters of government until 1789. The Articles were so unsatisfactory that in 1787 a Constitutional Convention was called in which all the colonies except Rhode Island were represented and after a prolonged session of four months the present Constitution was adopted on Sept. 17th. It was ratified by the requisite number of states by the year 1789, and Washington was elected the first president.

In the year 1787 Congress passed an Ordinance affecting the North-West Territory. This is known in history as

“The Ordinance of 1787.” “This is a famous document because—It laid the foundation for the government of our territories. It forever prohibited negro slavery in the North-West Territory. It bestowed religious liberty upon all settlers in this region, and it provided that schools and the *means* of education shall forever be encouraged. The making of this ordinance was one of the wisest and one of the last acts of the Congress of the Confederation. It gave the whole country a common interest in the new territory.” (Mace.)

Some of the faults in the Articles of Confederation were these: There was no president, no supreme court, and there was but a single house of Congress, elected by the legislatures of the States. Congress had no authority to interpret or enforce its own laws. It had power to levy taxes, but no power to collect them. It had no power to protect commerce and the Government was too weak to preserve order.

“The Articles of Confederation were made by the *States*. We, the people, made the Constitution.”

After Congress met for the first session after the Constitution went into effect, it organized these four executive departments, viz.: Department of State, Department of War, Department of the Treasury and Department of Justice.

President Washington appointed Thomas Jefferson the first Secretary of State, Alexander Hamilton the first Secretary of the Treasury, Genl. Henry Knox the first

Secretary of War, and Edmund Randolph the first Attorney-General. These constituted the first Cabinet. The other Cabinet departments have been created since. They are five, as follows: Post-Master-General, Secretary of the Navy, Secretary of the Interior, Secretary of Agriculture and Secretary of Commerce and Labor.

The salary of each Cabinet officer is \$12,000 per annum. The duties of these Cabinet officers may be outlined briefly as follows:

**Secretary of State.**—He is the keeper of the Great Seal of the United States. He issues passports to American citizens visiting foreign countries. He also issues warrants for the extradition of criminals.

He issues proclamations by direction of the President. He has charge of the diplomatic service and foreign affairs. He is, in reality, the President's Prime Minister.

**Secretary of the Treasury.**—He has the entire control of the collection of revenues, of the mints, of the coinage of money and of the currency,—of National Banks and of the Life Saving Service. He must prepare and suggest plans for raising revenue; he must superintend the collection of revenues coming from customs, duties and internal taxes. He must audit the accounts of all departments.

**Secretary of War.**—He has charge of the United States Military Academy at West Point, and also of all military stations and forts. He organizes the militia and regular armed forces of the Nation.

**Attorney-General.**—He controls the United States District Attorneys and Marshals. He is the President's legal adviser, also the legal adviser of all Cabinet officers. He has charge of all suits in which the United States is a party. All of the United States Marshals and United States District Attorneys are attached to this department.

**The Secretary of the Navy.**—He has control of Navy Yards and Naval Stations, also the Naval Academy at Annapolis. He organizes the Naval Forces of the Nation.

**The Post-Master General.**—He has charge of the domestic and foreign postal service; establishes and discontinues post-offices and postal service; appoints certain post-masters, and, with the consent of the President, arranges postal treaties with foreign nations.

**The Secretary of the Interior.**—His work is the most varied of all the Cabinet Officers, and is done almost entirely by departments, each of which has a *head* working under the direction of the *Secretary*. Some of these departments are: General Land Office, Indian Bureau, Education, Patent Office, Pension Bureau, Geological Surveys, Census, Commissioner of Railroads, etc.

**Secretary of Agriculture.**—He has charge of the Weather Bureau and the Forest Reserves. He gathers information relative to fruit raising, farming in general, the wine industry, grazing, etc.

**Secretary of Commerce and Labor.**—His duties, as well as those of the Secretary of Agriculture, were formerly a

part of the work of Secretary of the Interior. To obtain more efficient service it was found necessary to form at first one, and shortly afterward, a second department. The Secretary of Commerce and Labor has charge of the Lighthouses, Coast Survey, Immigration, National Census.

All Cabinet officers report to the President annually with regard to matters pertaining to their respective departments. These reports are made so that the President may have all information necessary to assist him in preparing his annual message to Congress, which must be ready on the first Monday in December.

# CONSTITUTION OF THE UNITED STATES—1787<sup>1</sup>

We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

## ARTICLE I

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

SECTION 2. 1 The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

2 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.

3 Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three fifths of all other persons.<sup>2</sup> The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of representatives shall not exceed

---

<sup>1</sup> This reprint of the Constitution exactly follows the text of that in the Department of State at Washington, save in the spelling of a few words.

<sup>2</sup> The last half of this sentence was superseded by the 13th and 14th Amendments.

one for every thirty thousand, but each State shall have at least one representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

4 When vacancies happen in the representation from any State, the executive authority thereof shall issue writs of election to fill such vacancies.

5 The House of Representatives shall choose their speaker and other officers, and shall have the sole power of impeachment.

SECTION 3. 1 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.

2 Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one third may be chosen every second year; and if vacancies happen by resignation, or otherwise, during the recess of the legislature of any State, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

3 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.

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

5 The Senate shall choose their other officers, and also a president *pro tempore*, in the absence of the Vice President, or when he shall exercise the office of President of the United States.

6 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.

7 Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under the United States: but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment, according to law.

SECTION 4. 1 The times, places, and manner of holding elections for senators and representatives, shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing senators.

2 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. 1 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.

2 Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two thirds, expel a member.

3 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.

4 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. 1 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.

2 No senator or representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States shall be a member of either House during his continuance in office.

SECTION 7. 1 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.

2 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 approves he shall sign it, but if not he shall return it, with his objections to that House in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration two thirds of that House shall agree to pass the bill, it

shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a law. But in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each House respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.

3 Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

SECTION 8. 1 The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

2 To borrow money on the credit of the United States;

3 To regulate commerce with foreign nations, and among the several States, and with the Indian tribes;

4 To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States;

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

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

- 7 To establish post offices and post roads;
- 8 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;
- 9 To constitute tribunals inferior to the Supreme Court;
- 10 To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations;
- 11 To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;
- 12 To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years;
- 13 To provide and maintain a navy;
- 14 To make rules for the government and regulation of the land and naval forces;
- 15 To provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions;
- 16 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;
- 17 To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by session of particular States and the acceptance of Congress, become the seat of the government of the United States,<sup>1</sup> 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, dockyards, and other needful buildings; and
- 18 To make all laws which shall be necessary and proper for carrying into execution the foregoing powers. and all other powers

---

<sup>1</sup>The District of Columbia, which comes under the regulations, had not then been erected.

vested by this Constitution in the government of the United States, or in any department or officer thereof.

SECTION 9. 1 The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.<sup>2</sup>

2 The privileges of the writ of *habeas corpus* shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

3 No bill of attainder or *ex post facto* law shall be passed.

4 No capitation, or other direct, tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

5 No tax or duty shall be laid on articles exported from any State.

6 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.

7 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.

8 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.<sup>1</sup> 1 No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in

<sup>2</sup> A temporary clause, no longer in force.

<sup>1</sup> See also the 10th, 13th, 14th, and 15th Amendments.

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.

2 No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws: and the net produce of all duties and imposts laid by any State on imports or exports, shall be for the use of the treasury of the United States; and all such laws shall be subject to the revision and control of the Congress.

3 No State shall, without the consent of Congress, lay any duty of tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

## ARTICLE II

SECTION 1. 1 The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice President, chosen for the same term, be elected, as follows

2 Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of senators and representatives to which the State may be entitled in the Congress: but no senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

The electors shall meet in their respective States, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same State with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the president of the Senate. The president of the Senate, shall, in the presence of the

Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose by ballot one of them for President; and if no person have a majority, then from the five highest on the list the said house shall in like manner choose the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two thirds of the States, and a majority of all the States shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the electors shall be the Vice President, and if there should remain two or more who have equal votes, the Senate shall choose from them by ballot the Vice President.<sup>1</sup>

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

4 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.

5 In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President, and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice President, declaring

---

<sup>1</sup> This paragraph superseded by the 12th Amendment.

what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

6 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.

7 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. 1 The President shall be commander in chief of the army and navy of the United States, and of the militia of the several States, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment.

2 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.

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

SECTION 3. He shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both Houses, or either of them, and in case of disagreement between them with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

SECTION 4. The President, Vice President, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

### ARTICLE III

SECTION 1. The judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the Supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services, a compensation which shall not be diminished during their continuance in office.

SECTION 2. 1 The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority;— to all cases affecting ambassadors, other public ministers and consuls;—to all cases of admiralty and maritime jurisdiction;—to controversies to which the United States shall be a party;—to controversies between two or more States;—between a State and

citizens of another State;<sup>1</sup>—between citizens of different States,—between citizens of the same State claiming lands under grants of different States, and between a State, or the citizens thereof, and foreign States, citizens or subjects.

2 In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be the 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.

3 The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

SECTION 3. 1 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.

2 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. 1 The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

<sup>1</sup> See the 11th Amendment,

2 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.

3 No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.<sup>1</sup>

SECTION 3. 1 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.

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

SECTION 4. The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature cannot be convened) against domestic violence.

## ARTICLE V

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Con-

<sup>1</sup> See the 13th Amendment.

stitution, when ratified by the legislatures of three fourths of the several States, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; Provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

#### ARTICLE VI

1 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.

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

3 The senators and representatives before mentioned, and the members of the several State legislatures, and all executive and judicial officers, both of the United States, and of the several States, shall be bound by oath or affirmation to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

#### ARTICLE VII

The ratification of the conventions of nine States shall be sufficient for the establishment of this Constitution between the States so ratifying the same.

Done in Convention by the unanimous consent of the States present  
the seventeenth day of September in the year of our Lord one

thousand seven hundred and eighty-seven, and of the independence of the United States of America the twelfth. In witness whereof we have hereunto subscribed our names,

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

*New Jersey*

Wil: Livingston  
David Brearley

Wm. Paterson

Jona: Dayton

*Pennsylvania*

B. Franklin  
Thomas Mifflin  
Robt. Morris  
Geo. Clymer  
Thos. Fitzsimons

Jared Ingersoll

James Wilson

Gouv Morris

*Delaware*

Geo: Read  
Gunning Bedford Jun

John Dickinson

Richard Bassett

Jaco: Broom

*Maryland*

James McHenry

Dan of St. Thos Jenifer

Danl. Carroll

*Virginia*

John Blair—

James Madison Jr.

*North Carolina*

Wm. Blount

Richd. Dobbs Spaight

Hu Williamson

*South Carolina*

J. Rutledge,

Charles Cotesworth Pinckney

Charles Pinckney

Pierce Butler

*Georgia*

William Few

Abr Baldwin

Attest WILLIAM JACKSON Secretary.

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<sup>1</sup>

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

#### ARTICLE II

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

#### ARTICLE III

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

#### ARTICLE IV

The right of the people to be secure in their persons, houses, 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 offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a

<sup>1</sup> First ten Amendments were adopted in 1791.

witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

#### ARTICLE VI

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

#### 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 reëxamined in any court of the United States, than according to the rules of the common law.

#### ARTICLE VIII

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

#### ARTICLE IX

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

#### ARTICLE X

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

#### ARTICLE XI<sup>1</sup>

The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against

<sup>1</sup> Adopted in 1798.

one of the United States by citizens of another State, or by citizens or subjects of any foreign State.

#### ARTICLE XII<sup>2</sup>

The electors shall meet in their respective States, and vote by ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice President, and they shall make distinct lists of all persons voted for as President and of all persons voted for as Vice President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of government of the United States, directed to the president of the Senate:—The president of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice President shall be the Vice President, if such number

---

<sup>2</sup> Adopted in 1804.

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<sup>1</sup>

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.

#### ARTICLE XIV<sup>2</sup>

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

<sup>1</sup> Adopted in 1865.

<sup>2</sup> Adopted in 1868.

States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

SECTION 3. No person shall be a senator or representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judiciary officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

SECTION 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

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

#### ARTICLE XV<sup>3</sup>

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.

<sup>3</sup> Adopted in 1870.

## CHAPTER VIII

### THE LEGISLATIVE DEPARTMENT

The Constitution of the United States is a very remarkable document. We have had but fifteen amendments during 120 years, and eleven of these came almost at once, in order to satisfy those who complained that the rights of the people were not sufficiently guarded. The twelfth came in 1803 and grew out of a contest in the House of Representatives at the time of Jefferson's election. He was not elected until the 36th ballot. The 13th, 14th, and 15th amendments come from the changed conditions resulting from the Civil War. That the original Constitution with so few changes has served as the guide for our government for more than a century, testifies to the wisdom and judgment of those who framed it more definitely than any words could do. In the following pages a general explanation of some of the principal provisions of this Constitution will be given in such a manner, it is hoped, as shall serve to awaken a deeper interest in the affairs of our government and to impress upon the minds of the children the general facts underlying our political fabric. These explanations follow the order of the text of the Constitution.

The Legislative or law-making power is vested in Congress, which meets annually on the first Monday in December, and is composed of the Senate and the House

of Representatives. This two-fold legislative department is found in nearly all enlightened countries. There are many advantages, but the principal one is that one may serve as a check upon hasty actions on the part of the other. In the United States the party spirit has always been well defined; one party believing in the doctrine of States' Rights,—the other believing in a strong centralization of power.

This doctrine carried further gave us the conflict which the Southern States entered upon for "States' Rights" and which, later, culminated in the Civil War 1861-1865.

### **UNITED STATES SENATE**

The United States Senate is composed of two Senators from each State, elected for a term of six years, by the Legislature of the State. At the first meeting in 1789 they were divided into three classes,—one class having a term of two years, a second class having a term of four years, and a third having a full term of six years. This was done so that at all times a majority of the Senate should be composed of experienced members.

All bills for raising revenue must originate in the popular branch of Congress—the House of Representatives. These bills may be amended in the Senate, and must pass both houses before becoming laws. To be a Senator a person must be thirty years of age, a citizen of the United States for nine years, and a resident of the State at the time of his election. The vice president of the United States

is the presiding officer. He has no vote except in case of *a tie*. The Senate chooses a *president pro tempore* who shall preside when the vice president is absent. When vacancies occur in the Senate the Governor of the State appoints to fill the vacancy until the next meeting of the State Legislature.

The mode of electing a United States Senator is as follows: Whenever there is a vacancy each house ballots separately at noon of a day specified by law. If no one on this ballot has a majority in both houses, a joint session is held from day to day at noon, and at least one (1) ballot must be had daily until a Senator is elected.

In the Senate, we have the States represented as States, each whether large or small having the same right and influence as any other. The organization of Congress upon the basis of two houses was in the nature of a compromise so far as deferring to the views of the opposing parties was concerned.

## **HOUSE OF REPRESENTATIVES**

Representatives are elected by the people for two years. Originally one representative was allowed for every thirty-three thousand people. The basis of representation has changed with every census. The first census was in 1790 and it has been taken every ten years since that time. The next census will be taken in 1910. Besides the enumeration of the number of inhabitants, all the statistics, as products,

manufactures, climate, education, etc., are included. The basis of representation now is one representative for every 193,291 people. This will be changed again after the next census. In order for a man to be eligible as a representative he must have been a citizen of the United States for seven years, and he must be an inhabitant of the State at the time of his election. He must be at least twenty-five years of age. When vacancies from death or any other cause occur, they are filled by appointment by the Governor of the State.

The Congress which convenes regularly in December, 1909, is the 61st Congress, and the session beginning at the time will be known as the first session of the 61st Congress. This means that it is the 61st Congress under the Constitution which went into effect in 1789.

The House of Representatives choose their own officers including their presiding officer who is called the *speaker*.

The House of Representatives has the sole power of impeaching or preferring charges against any *civil* officer of the United States.

### **FIRST COMPROMISE ON SLAVERY QUESTION**

The first compromise upon the slavery question found in the Constitution is in the 3d clause of section 2, article 1, in which provision was made for counting three-fifths of the slave population in addition to the number of free persons. This was a compromise, because the Southern or slavehold-

ing states asked that *all of* the slaves should be counted and the non-slaveholding states asked that *none* of them be counted. Each side yielded a point and the three-fifth clause was inserted. This has all been changed by the second section of Amendment XIV.

The House of Representatives is the popular branch of Congress, representing the people at large and directly, while the Senate represents the *States* as States. This arrangement was entered upon in good faith by all parties and was satisfactory to *federalists* and anti-federalists alike. The federalist idea stood for a strong central government, while the anti-federalist idea held that the State was the principal *unit* and that the general government was merely a confederacy of States and not a Union.

## IMPEACHMENTS

When any Civil officer of the United States is impeached by the House of Representatives, the trial is conducted by the Senate. The Senate acts as a jury and must be on *oath* or *affirmation*—on *oath* for all persons except Quakers and any others who are conscientiously opposed to the *oath*—on *affirmation* for these. It requires a two-thirds vote to convict. There is this difference in rendering a verdict from the method in an ordinary court by an ordinary jury. A roll call of Senators is made and each Senator is required to stand and to answer, “guilty” or “not guilty.” This puts every Senator upon record, so that the public may

know of his vote. When the President is impeached, the Chief Justice of the Supreme Court presides. The Vice President would not be a proper person to conduct a trial which might result in his own promotion. When a person is found guilty by the Senate, he may be removed from office, and may also be disqualified for holding any office, forever after. If he has been guilty of a *criminal* offense, he is subject to indictment and trial and punishment according to law. The State Legislatures make their own laws regarding the election of Congressmen and Senators, except that no change can be made by the State as to the manner of electing Senators.

### **COURTS-MARTIAL**

Impeachment extends only to *civil* officers. Naval and military officers are tried by Courts-martial. A Court-martial is composed of a prescribed number of officers of higher rank than the accused. The verdict in a trial by Court-martial is reviewed by the President of the United States, as Commander in Chief of the Army and Navy. The verdict stands or falls, according to his approval or disapproval.

Each Congress has two sessions—a long one and a short one. The session beginning on the first Monday in December of the odd years is the long one, and the other beginning on the first Monday of December of the even years is the short one. This must end by the 4th of March.

A majority of each house constitutes a quorum for the transaction of business, but a smaller number may adjourn from day to day—or may compel the attendance of members. A member of either house may be expelled by a two-thirds vote. Senators and representatives are paid \$7,500 a year, and mileage at the rate of twenty cents a mile from their homes to Washington and return. Members of each house are not subject to arrest, except in cases of felony, treason and breach of the peace. *Treason* consists in taking up arms against the government, or in assisting those who are at war with the nation.

*Felony* by the United States' law is any crime punishable by death or long imprisonment.

All bills must pass both houses before becoming laws. They must also be signed by the President. If he objects to a bill, he must veto it. This he does in a message to Congress explaining his reasons for not signing the bill.

If both houses pass it again by two-third vote, it becomes a law without the President's signature. If any bill is not signed within ten days after it has been sent to the President, it becomes a law. This action on part of the President is called a "Pocket Veto."

It will thus be seen that the President shares with Congress the *legislative function*. He is the Executive but he has a wholesome check upon the legislative branch in this—, that he has the *veto* power.

Congress, under the Constitution, has power that was not granted by the "Articles of Confederation."

## DUTIES AND INTERNAL REVENUE TAX

Congress may arrange a *Tariff*, which is a schedule of taxes or duties on imported goods. The collection of these duties has made necessary the establishing of Custom Houses, and the appointment of Custom Officers. These duties must be uniform in all parts of the United States. Congress may also provide for an internal revenue tax or *Excise*, and this also must be uniform all over the country.

There are two opposing ideas regarding the Tariff. One of these advocates a tax on imported goods for the sole purpose of obtaining revenue; the other, a high tax so as to protect our home industries. This is called a Protective Tariff. Owing to the low rate of wages in some foreign countries, goods can be manufactured at a much less cost there than in the United States. A Protective Tariff would put such a tax upon these goods when imported, as would make the cost equal to or a little more than the cost of the home manufactured article.

Free trade means that foreign goods may be admitted without duty or tax.

The Speaker of the House appoints all committees. The most important of these is the Committee on "Ways and Means." This committee determines, largely, the financial policy of the Government.

## DISPOSAL OF PUBLIC LANDS

Congress has power to dispose of territory belonging to the United States. By this power the settlement of frontiers has been encouraged,—the building of railroads has been promoted,—public parks have been established,—forest reserves have been made,—land has been set aside for educational purposes, and actual settlement has been encouraged by allowing prospective settlers the privilege of gaining a complete title by either pre-emption or purchase.

## THE GOVERNMENT OF TERRITORIES

Congress also organizes the government in the territories. Whenever a territory is to be admitted as a State, it adopts a constitution, which must be in harmony with the Constitution of the United States, as this is the “Supreme Law of the Land.”

The Speaker has more influence in directing the policy of Congress than any one excepting the President.

When the United States has to borrow money, bonds are issued as security for the payment of the sum borrowed.

## NATURALIZATION

A foreigner may become a citizen by being naturalized. Naturalization in this country implies loss of citizenship in the foreign country. This is called expatriation. To be naturalized one must declare his intentions of becoming a citizen in court, and in two years after this intention if he has been in this country five years and is vouched for by

two citizens, and if he can read and write, he may be admitted to citizenship. This is, in general, the law, but in some of our large cities that are under corrupt control these legal provisions are set aside and persons are given their naturalization papers before they have been in this country a week. Naturalization makes a person a citizen of the United States, but the right to *vote* comes from the State, although a person must either be a citizen of the United States or must have declared his intention of becoming a citizen. The *State law* is absolute with regard to the right of Suffrage. In a few States, no one may vote unless he can read and write. This is surely reasonable. In some States women may vote at all elections; in others, at elections for school officers, but in most of the States women can not vote at all.

Elsewhere will be found a list of the States and who may vote in each and who can not vote.

### COINAGE OF MONEY. MINTS

The coinage of money, the issuing of paper money, the establishing of National Banks, the punishment of counterfeiting, all belong to Congress.

Coin is made of *gold, silver, copper, and nickel*. Congress *alone* has the power to coin money. Gold and silver coins are 90% pure and 10% alloy. The alloy is used to *harden* the coin and make it more durable. For the purpose of coining money, mints have been established at

Philadelphia, San Francisco, Carson City, and New Orleans. Metallic currency is generally called *specie* in distinction from *currency*—which is used to designate *paper money*. Any *National Bank* may issue paper money provided the Bank purchases United States Bonds to guarantee the notes issued and to give them value.

### **POST-OFFICES AND POSTAL SERVICE**

Congress under the constitution has power to establish Post-offices and Post-roads. This includes the transmission of mail by land or water, rural delivery, free delivery in cities, money order business and, in fact, everything that has been found necessary under the changed conditions under which we are now living.

This department is of such magnitude and so important as a source of revenue for the government that a special cabinet officer, known as Postmaster General, has been appointed to look after all matters pertaining to the postal service.

### **PATENTS AND COPYRIGHTS—TRADEMARKS**

Any person who has invented anything of value may be protected in the profits of the invention by securing a patent. This is issued from the patent office and is good for seventeen years and can not be renewed. A model of the invention must be sent to the patent office with the application. A patent secures to the inventor the benefit of his invention.

Any infringement of the patent by any person is an offense punishable by a heavy fine. Similarly, an author of any book, or musical composition may obtain a "copyright" for 28 years with an extension of 14 years. This gives the benefit of the profits of the book to the author. An international copyright is one that extends to other countries.

A Trade Mark is a mark or device affixed by a manufacturer or merchant to his goods, the exclusive right of using which is recognized by law. The following is the law of Trade Marks:

Any person, firm or corporation can obtain protection for any lawful trade mark by complying with the following:

1. By causing to be recorded in the Patent Office, the name, residence and place of business of the persons desiring the trade mark.

2. The class of merchandise and a description of the same.

3. A description and facsimile of the trade mark.

4. The length of time it has already been used.

5. By payment of required fee—\$6.00 to \$25.00.

6. By complying with such regulations as may be made by the commissioner of Patents.

Piracy is highway robbery on the high-seas. The high-seas are all of the ocean beyond the three mile limit from the shore. A country claims jurisdiction for that distance from the land.

## THE MILITIA

All able male citizens between the ages of 18 and 45 constitute the militia, and are liable to do military duty. When mustered into the service of the United States, the president commissions the officers and the general government pays for their services. Thus during the Civil War the soldiers, even the volunteer militia from every State, were paid by the United States government.

## THE SECOND COMPROMISE ON SLAVERY QUESTION

The second compromise upon the question of slavery that is found in the Constitution is in Art. 1, Section 9, Clause 1, relating to the African slave trade.

The compromise was this,— The Southern States did not want restriction upon the African slave trade. The Northern States wanted to restrict it altogether, so as a *compromise*, it was agreed that it should not be restricted prior to the year 1808.

These are some of the restrictions placed upon Congress. All rights not given, expressly to Congress are reserved to the States, unless forbidden in the Constitution.

Congress can not pass "Ex post facto" laws.

Congress can not suspend the writ of "Habeas Corpus."

Congress can not grant titles of nobility.

## THE WRIT OF HABEAS CORPUS

A writ of "Habeas Corpus" is a written order from the magistrate providing that the accused person shall be brought before him. Its object is to guard against false imprisonment. It enables a person, who has been arrested and imprisoned, to be put face to face with his accusers so that the cause of his arrest and imprisonment may be known. This is a great safeguard to personal liberty. During the Civil War, the privilege of "Habeas Corpus" was suspended indefinitely, but this was done to serve the public interests.

There was then no time to attend to the trial of individuals when the life of the nation was on trial by the court of arms. Persons who were suspected of acts of disloyalty were arrested and held as political prisoners until such a time as the provisions of the act were again put into operation. In some instances innocent persons doubtless were thus deprived temporarily of their liberty, but that was done in the interests of the nation and for the "greatest good of the greatest number."

## EX POST FACTO LAWS

"An ex post facto" law makes an act criminal which was not so when it was committed. The intent is expressed at the end of most bills or laws by a statement like the following:—This act shall take effect upon its passage—upon a

specified date,—or after the lapse of a certain number of days.

For other restrictions upon Congress or upon the States—see the Constitution itself. The legislature of the States is similar to Congress and the general work is conducted in the same way as the work of Congress. All bills introduced are referred to the proper committees and when the committees report upon the bill, action is taken. Most bills never go further than the Committee. After a bill passes both houses of the legislature it must be signed by the Governor before it becomes a law, or if he vetoes it, it must be passed by a two thirds vote over his veto by both houses.

## CHAPTER IX

### EXECUTIVE DEPARTMENT

#### **President**

Elected by people for four years,—  
Election on Tuesday after first Monday  
in November. Salary \$75,000.

#### **Vice President**

Elected at same time. Salary \$12,000.  
He is the presiding officer of the Senate,  
but has no vote.

The President's Cabinet consists of nine heads of department appointed by the President and confirmed by the Senate. The salary of each is \$12,000 per annum.

### **EXECUTIVE DEPARTMENT**

In order for a person to be eligible to the presidency, or vice presidency, he must be native born, thirty-five years of age, and an actual resident of the country for fourteen years. The President is not elected by direct vote of the people but in the manner following:

As many presidential *electors* are chosen in each State as there are United States Senators and Representatives from the State thus:

California has two Senators and eight Representatives—  
hence there will be ten presidential electors in California.

These are elected on the Tuesday after the first Monday in November every four years. On the second Monday in January following their election, the presidential electors must meet at the Capital of their respective States and vote by ballot for President and also for Vice President, one of whom shall not be an inhabitant of the same State with themselves. Three copies of the vote are made and certified to. One of these is sent to the Vice President by mail, another is sent to him by special messenger and the third copy is given into the keeping of the judge of the United States District Court for the district in which the Capital of the State is situated.

On the second Wednesday in February in the presence of both houses of Congress in joint session, the Vice President shall open all these certificates and the votes shall be counted. The one who has received the majority of the electoral votes for President shall be declared elected President, and the one who has secured a majority of the electoral votes for Vice President shall be declared elected Vice President. If no one is elected by the people, then the House of Representatives shall elect the President. In electing, the vote shall be by States, the delegation from each State having one vote. The majority of all the States is required to elect, two-thirds of all the States is a quorum in this case. If the House does not elect by March 4th, the Vice President becomes President.

If there is no election of Vice President by the people,

the Senate elect; two-thirds of all the Senators constitute a quorum and it requires a majority of all to elect. In this case each Senator has a vote. The present salary of the President is \$75,000, which can not be increased during his term of office. The salary of the Vice President is \$12,000. In case of the death of President and Vice President, the office of President will devolve in regular succession upon the members of the Cabinet. This became a law in 1886.

On the 4th of March following, the new President is inaugurated, the Chief Justice of the Supreme Court of the United States administering the oath of office.

The President has command of the army and navy and of the militia when called into the service of the United States. He can grant reprieves and pardons for offenses against the United States laws. A pardon exempts the person from punishment, while a reprieve merely stays the execution of the sentence. The President and Vice President, with the Cabinet, constitute the Executive Department. The President with the advice and consent of the Senate, makes treaties, appoints all of the important officers, judges, ambassadors, and during the recess of the Senate he has the power to fill all vacancies that may occur, granting commissions which expire at the end of the next session of the Senate.

The President must receive officially all ambassadors and ministers from other countries. He may, on extraordinary

occasions, convene both houses of Congress. He must see that the laws are faithfully executed.

The following is his oath of office:

“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.”

### **THE PRESIDENT'S MESSAGE**

At the opening of each session of Congress, the President sends to each house a copy of his annual message which he has prepared with the assistance of his Cabinet, giving in detail the condition of the country from different points of view, the condition of the army, navy, treasury and our relations with other nations. Washington and Adams read their message to Congress. The present plan of sending the message by private secretary was commenced by Jefferson.

### **TREASON**

This is the Constitutional definition of Treason:—Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort.

There must be two witnesses to the same act or else the accused must confess in open Court, in order to convict a person of treason. The penalty of treason is death.

## **REQUISITION FOR RETURN OF CRIMINALS**

When a person charged with crime in one State shall flee into another State, the Governor of the State in which the crime is said to have been committed shall make a requisition upon the Governor of the State into which the accused has fled and he may be arrested and delivered over to the authorities of the State, having jurisdiction of his crime.

This same principle extends, by treaty, to foreign nations. A separate treaty must be made with each nation. This is called an Extradition Treaty. In the Treaty the offenses must be named that come under the provision.

The United States Authorities may make a requisition upon any Government with which we have a treaty of this kind, for the arrest of the criminal and his detention, subject to the United States authorities.

## **ADMISSION OF NEW STATES**

Congress shall have power to admit new states, but no new State shall be formed or erected within another State, nor can a State be formed by the junction of two or more parts of States, without the consent of the Legislature of the States concerned, as well as the consent of Congress.

## **THE UNITED STATES MUST GUARANTEE EVERY STATE A REPUBLICAN FORM OF GOVERNMENT**

The United States Government guarantees to every State a republican form of government. It must protect from

a foreign enemy and from domestic violence when asked to do so by the legislature of the State, or by the governor of the State when the legislature can not be convened.

### **OFFICIAL OATH OF OFFICE**

All officers of the several States as well as the United States shall be bound by oath or affirmation to support the Constitution of the United States, but no religious test whatever shall ever be required as a qualification for any office or public trust in the United States.

### **GUARANTEE OF CIVIL RIGHTS**

As has been stated, the first eleven amendments were made to set forth more clearly and definitely the rights of the people. At the time the acts of England were still fresh in the memory. Nearly all of these amendments came directly as the result of some oppressive act on the part of the mother country during Colonial days.

Freedom of speech and of the press, and the right of petition are set forth, also the right of the people to keep and bear arms, and the right of persons to be secure in their persons, houses, papers and effects against unreasonable searches and seizures. Search warrants can only be issued on probable cause supported by oath or affirmation particularly describing the place to be searched and the persons or things to be seized.

The 5th, 6th, 7th, and 8th amendments have to do with

criminal and civil suits and the provisions are so important that they are explained in detail.

These or similar provisions are found in the Constitution of the States, placed there to emphasize the justice of the provisions.

A person must be indicted by a Grand Jury before he can be brought to trial for a capital or infamous crime. The Grand Jury differs from a trial jury in this— A Grand Jury makes a general investigation and if satisfied that the person is guilty of violation of law an indictment is prepared and the accused is brought to trial.

In all criminal cases there shall be a trial by jury. (A criminal case is one in which the party is accused of a crime, or violation of law.) In all civil cases in which the amount in controversy exceeds \$20.00 the right of trial by jury shall be preserved. (A civil suit is a suit for money or damages.)

The trial shall be in the State and district where the offense was supposed to have been committed.

The political rights and duties of citizens depend more on State law than on the United States law. It is the State that prescribes the qualification of voters and creates most of the offices to be filled by popular election. The qualifications and choice of jurors in the United States Courts are governed by the laws of Congress, but those of jurors in the far more numerous State Courts are governed by State

law. But the State laws must be in harmony with the Constitution and laws of the United States.

The local government in a State, or the government of counties, cities and towns is under the control of the State legislatures. Although the following provisions as to trial of accused persons are in the Constitution of the United States, they apply in full force to the trial of persons in the State Courts and under state law.

### **PROVISIONS FOR PROTECTION OF ACCUSED PERSONS**

The accused shall not be placed on trial twice for the same offense; he is not compelled to answer any question which would tend to incriminate himself; he shall not be deprived of life, liberty or property without due process of law; he shall be confronted with witnesses against him, and can compel the attendance of witnesses in his favor, and if he is unable to have an attorney, the judge appoints some attorney as counsel for the defense. When a person is indicted by grand jury, he may be allowed to give bail for his appearance for trial when the case is called, except for certain crimes, but excessive bail shall not be required. If a person gives bail for, say \$10,000 for his appearance for trial, the parties who go *his bail* must qualify to the fact that they are worth more than twice the amount over and above all incumbrance.

## AMENDMENTS

Congress by a two-thirds vote in both houses may propose amendments to the Constitution which shall be operative when ratified by the legislature of three-fourths of the States or by conventions in three-fourths of the States, as the one or the other mode of ratification be proposed by congress. Whenever the legislature of two-thirds of the several States shall petition, Congress shall call a convention for proposing amendments, and these proposed amendments shall be valid when ratified as above, but no amendment shall be passed which shall deprive any state of its equal suffrage in the Senate.

Every State constitution contains a "bill of rights." These rights are also stated in the United States Constitution.

The general plan for amending a State constitution is for the legislature to propose amendments to be ratified later by the people, but in some States a constitutional convention may be called for the purpose of proposing amendments to be adopted by the Legislature. This is a practical application of the principles of the initiative.

CHAPTER X  
**JUDICIAL DEPARTMENT**  
UNITED STATES COURTS

The Supreme Court:

This was established by the Constitution;—the others have been established by Congress from time to time as needed.

The Supreme Court is composed of a Chief Justice at an annual salary of \$13,000.00, and eight associates at an annual salary of \$12,500.00, each. These Justices are appointed by the President and confirmed by the Senate. Any one of them may be retired on full pay at the age of seventy years provided he has served ten years. The Supreme Court has both original and appellate jurisdiction. Cases over which it has original jurisdiction are mentioned in the Constitution. It holds annual sessions in Washington, D. C., commencing on the first Monday in October. Besides his duties as Justice of the Supreme Court, each one of these has charge of a Circuit, of which there are nine.

The following list gives the names of the members of this Court, July, 1909, and the State from which the appointee was chosen and the date of the appointment:

Melville W. Fuller. Chief Justice....	Illinois .....	1888
J. M. Harlan.....	Associate .....	Kentucky .....
		1877
D. J. Brewer.....	“ .....	Kansas .....
		1889
E. D. White.....	“ .....	Louisiana .....
		1894
Joseph McKenna .	“ .....	California .....
		1898
O. W. Holmes....	“ .....	Massachusetts ..
		1902
W. R. Day.....	“ .....	Ohio .....
		1903
R. W. Peckham...	“ .....	New York.....
		1894
W. H. Moody.....	“ .....	Massachusetts ..
		1906

### The Circuit Courts:

There are nine Circuit Courts. Each of these has two or more Circuit Judges. Each Circuit Court has a justice from the Supreme Court as its presiding officer. California is in the Ninth Circuit. Justice McKenna is the supreme justice in charge and there are three Circuit judges, viz:

W. B. Gilbert,  
E. M. Ross,  
W. W. Morrow.

These judges are appointed for life by the President with the sanction of the Senate. The annual salary of each is \$7,000.00.

### The District Courts:

These vary in number as additional states are formed and as judicial business increases. At present (1909) there are seventy-five or seventy-six District Courts

and over eighty District Judges who are appointed as other United States judges are, at an annual salary of \$6,000.00. The districts do not cross State lines. There are two districts in California. The judges for Northern California are John J. DeHaven and Wm. C. Van Fleet. For Southern California, Olin Wellborn is District Judge. A United States Grand Jury, a United States Marshal or Deputy Marshal, and a United States District Attorney or Deputy are the officers connected with the transaction of business coming before the United States Courts. The jurisdiction of all the courts except the Supreme Court is fixed by Congress. They have appellate as well as original jurisdiction.

#### The Court of Claims:

This Court is composed of five judges appointed for life by the President at an annual salary of \$6,000.00. To it, all claims against the government are referred by Congress before their payment is ordered.

#### Circuit Court of Appeals:

“The Chief Justice and the Associate Justices of the Supreme Court assigned to each Circuit and the Circuit Judges within each Circuit, and the several District Judges within each Circuit, shall be competent to sit as judges of the Circuit Court of Appeals within their respective Circuits.” *Act of Mar. 3, 1891.*

California is in the Ninth Circuit.

Joseph McKenna.....Presiding Judge

W. B. Gilbert...	}	.....Circuit Judges
E. M. Ross.....		
W. W. Morrow..		

John J. DeHaven..	}	.....District Judges
Wm. C. Van Fleet.		

These judges constitute the U. S. Circuit Court of Appeals for California. Their salaries, etc., appear in another place.

Circuit Court for Northern District of California :

is held in San Francisco. Terms commence first Monday in March, second Monday in July and first Monday in November.

District Court for Northern District of California :

is held in San Francisco. Terms commence on first Monday in February, second Monday in July and fourth Monday in November.

United States Circuit Court of Appeals,

Ninth Circuit :

At San Francisco, annual session begins first Monday in October; adjourned sessions on first Monday of each month; calendar sessions for hearing of cases commence on first Monday in October, February, and May. Sessions are

held in Seattle and in Portland. The jurisdiction includes the entire Ninth Circuit, comprising the following districts:

Northern and Southern Districts of California and the Districts of Nevada, Oregon, Washington, Idaho, Montana, Arizona, Hawaii, and Alaska.

Besides the Courts above described there are also Judges of the District of Columbia and Territorial Judges who look after judicial matters in the Territories.

## CHAPTER XI

### U. S. TERRITORY

#### ORIGINAL

This was acquired by Treaty of Paris in 1783, at the close of the Revolutionary War. It extended from the Atlantic Ocean to the Mississippi River, and from the great Lakes to Florida—not to the Gulf of Mexico. Florida came by purchase from Spain in 1819.

#### ACQUIRED

The *Louisiana Purchase* in 1803 gave us the territory included in the following States:

Louisiana, Missouri, Arkansas, Oklahoma, Iowa, Nebraska, Montana, North Dakota, South Dakota,—the greater part of Minnesota and “The region of Oregon.”

This territory was claimed by both the United States and Great Britain. The claim of the United States had for its basis:

Discovery in 1792 by fur traders from New England.

Exploration in 1856 by Lewis and Clark.

Settlement in 1846 by Americans at Astoria. Treaty with Spain in 1821.

In 1846 Great Britain gave up all claim to territory south of the 49th parallel. This is the territory included in Washington, Oregon and Idaho.

*Texas* was acquired by annexation in 1845. The Mexican War followed and at the close of the war the United States gained everything west of the Louisiana Purchase to the Pacific Ocean except a small tract known as the Gadsden Purchase which came by purchase in 1852.

California, Nevada, Utah, and the parts of Kansas, Colorado and Wyoming not included in the Louisiana Purchase, also the territory of Arizona and New Mexico—all were included in this acquisition.

*Alaska* was purchased from Russia in 1867.

At the close of the Spanish-American War in 1898, Porto Rico, the Philippines and the Island of *Guam* became a part of the territory of the United States. The United States Government paid Spain \$20,000,000 for the Philippines.

Hawaii was annexed in 1898.

Tetuila—one of the Samoan Islands—was obtained as a coaling station from Great Britain and Germany in 1900.

Total area of the United States territory 1909—3,754,700 square miles.

### SUMMARY

	Year	Administration	Area
Louisiana Purchase	.....1803	Jefferson's	.....1,032,790 sq. mi.
Florida Cession	.....1819	Monroe's	..... 58,680 sq. mi.
Texas Annexation	.....1845	Polk's	..... 371,063 sq. mi.
Mexican Cession	.....1848	Polk's	..... 522,568 sq. mi.
Gadsden Purchase	.....1853	Pierce's	..... 45,535 sq. mi.

Alaska Purchase .....	1867	Johnson's .....	591,884 sq. mi.
Hawaii .....	1898	McKinley's .....	6,740 sq. mi.
Spanish Treaty .....	1899	McKinley's .....	146,750 sq. mi.
Tetuila .....	1899	McKinley's .....	500 sq. mi.

## ORGANIZATION OF PRESENT TERRITORIES

Name	Date of Organization	Area	Population
District of Columbia....	March 5, 1791.....	70 sq. mi.	278,718
New Mexico .....	Sept. 9, 1850.....	122,580 sq. mi.	192,310
Arizona .....	Feb. 24, 1868.....	113,020 sq. mi.	122,931
Indian Territory .....	June 30, 1854.....	31,400 sq. mi.	391,960
(No government)			
Alaska .....	July 27, 1868.....	590,884 sq. mi.	66,441
(Not organized regularly)			
Hawaii .....	June 14, 1900 ...	6,740 sq. mi.	66,441
Porto Rico .....	April 12, 1900.....	3,600 sq. mi.	953,243
Philippines—Treaty ....	Feb. 6, 1899.....	143,000 sq. mi.	8,000,000
Guam—Treaty .....	Feb. 6, 1899.....	150 sq. mi.	9,000
Tetuila* .....	Nov. 8, 1899.....	500 sq. mi.	6,000

\* (By agreement with Germany and Great Britain.)

## CHAPTER XII

### STATE GOVERNMENT

#### EXECUTIVE DEPARTMENT

All officers are elected for four years.

Governor .....	Salary	\$10,000
Lieutenant Governor .....	"	4,000
Secretary of State.....	"	5,000
State Controller .....	"	5,000
State Treasurer .....	"	5,000
Attorney General. ....	"	6,000
Surveyor General .....	"	5,000
Clerk of Supreme Court.....	"	5,000
Superintendent of Public Instruction.....	"	5,000
Adjutant General (appointed).....	"	3,000
State Printer .....	"	5,000
State Librarian .....	"	3,600
Members of Board of Equalization.....	"	4,000

The Governor has essentially the same power in the State that the President has in the Nation. He has the pardoning power, also the veto power. He is Commander-in-Chief of the State militia until called into the United States service. He has the power of appointing a large number of salaried and honorary officers. He is, in general, to see that the laws are duly enforced.

The Lieutenant Governor is the presiding officer of the State Senate. He has no vote unless in case of a tie.

### **THE SECRETARY OF STATE**

The Secretary of State has the custody of the enrolled copy of the State Constitution,—of all acts passed by the Legislature,—of the journals of the Legislature,—of the great seal of the State and all books, records, deeds, maps and papers deposited in his office according to law.

Among his many duties may be mentioned that of affixing the great seal of the State with his signature to all commissions, pardons and other public instruments which the Governor has signed.

He must preserve all articles of incorporation filed in his office and all official bonds.

He must publish the acts of the Legislature and distribute them in accordance with law.

He must make a biennial report to the Governor of all of his official acts.

The Secretary of State has charge of the State Capitol. He furnishes fuel, lights and stationery for the Senate and Assembly and for all officers having their offices in the State Capitol.

### **THE STATE CONTROLLER**

It is the duty of the Controller

- (1) To superintend the fiscal concerns of the State.

(2) To audit all claims against the State.

(3) To report to the Governor just before the biennial session of the Legislature a statement of the funds on hand and the estimated revenue,—a statement of the expenditures during the preceding two years, with an estimate of expenditures for the ensuing two years.

To keep an account of all warrants drawn upon the treasurer.

To authenticate with his official seal, all drafts and warrants drawn by him and all copies of papers issued from his office.

The Controller is also a member of the State Board of Equalization.

The duties of the Controller in the State, and the Auditor in the county are similar.

### **STATE TREASURER**

Among the duties of this officer are the following:

(1) To receive and keep in the vaults of the State Treasury all moneys belonging to the State, not required to be received and kept by some other person.

(2) To keep an account of all moneys received and disbursed—keeping the funds separate.

(3) To authenticate all papers and writings issued from his office with his official seal.

(4) To report to the Legislature when requested and

to the Governor at the time prescribed by law—the exact balance in the Treasury with a summary of receipts and disbursements.

(5) To make a biennial report to the Governor.

The reports of the Controller and the Treasurer must tally.

The Treasurer in a county performs similar duties.

### **THE ATTORNEY-GENERAL**

The Attorney-General must give his opinion, in writing without fee, upon any question of law—to the different executive officers of the State, the members of the Legislature and the trustees of State institutions.

(2) He must assist any County District Attorney in the discharge of his duties when required by the public service, or directed by the Governor.

He must make a biennial report to the Governor on the affairs of his department.

In general—he is the legal adviser of the Governor and other State officers.

### **THE SURVEYOR GENERAL**

He must keep a record of all matters pertaining to the public lands of the State.

He must report biennially to the Governor. He has an official seal.

## **STATE SUPERINTENDENT OF PUBLIC INSTRUCTION**

This officer has general supervision of the schools of the State. He must apportion semi-annually the state school moneys among the counties.

He must furnish all necessary registers and blanks.

He must visit all orphan asylums to which State appropriations are made.

He must authenticate with his official seal all drafts and orders issued by him.

He must report to the Controller before July 10 of each year the number of census children between the ages of 5 and 17.

He must visit the schools of the different counties and make a biennial report to the Governor before the regular meeting of the Legislature. This report must include the normal schools and the other educational institutions supported by the State.

## **STATE BOARD OF EQUALIZATION**

This Board has general oversight of the assessing of property and the collecting of taxes.

It must, between the first and second Mondays in September of each year, determine the rate of the State tax.

It must assess the franchise, roadway, roadbed and all property of railroads operated in more than one county—

and apportion such assessments to the different cities and counties in which the railroads are operated.

It must meet at the State Capital on the first Monday in August for the purpose of equalizing the valuation of the taxable property of the several counties so that each section may pay its just proportion of tax.

The Supervisors in the County, regulate the County rate of taxation.

### **LEGISLATIVE DEPARTMENT**

The Legislature of California meets in the State Capitol in Sacramento on the Monday after January 1st in the odd numbered years,—hence sessions are biennial.

State Senators are elected for four years, salary is \$1,000 for each regular session, and mileage of ten cents a mile from their homes to Sacramento and return. The Lieutenant Governor is the presiding officer of the State Senate and his salary is \$4,000 per annum. There are forty Senators and eighty Assemblymen.

The Assemblymen are elected for two years at a salary of \$1,000 for each regular session, and mileage at ten cents a mile from their homes to Sacramento and return. They elect their own presiding officer who is called the "Speaker." There are eighty Assemblymen. Members of both houses of the Legislature receive pay at the rate of \$10 a day while in attendance at a special or extra-

ordinary session for a number of days not exceeding thirty.

One of the most important duties of the Legislature is to elect United States Senators whenever vacancies occur. For the method of electing United States Senators see section under legislative department of the United States.

The State is divided into forty Senatorial and eighty Assembly districts beginning at the northwestern corner of the State.

## JUDICIAL DEPARTMENT

### *Supreme Court.*

One Chief Justice and six Associates elected by people for twelve years at an annual salary of \$8,000 each constitute the Supreme Court.

The Supreme Court meets at the following places:—

In San Francisco, on the second Monday in January and on the third Monday in July.

In Los Angeles, on the first Monday in April, and on the second Monday in October.

In Sacramento, on the first Monday in May, and on the second Monday in November.

The following compose the Supreme Court of California, July, 1909:

W. H. Beatty, Chief Justice..	Sacramento ...	1915
F. M. Angellotti, Associate..	San Rafael...	1915
Lucian Shaw,	“ ..Los Angeles ..	1915

F. H. Henshaw,	“	..Oakland . . . . .	1919
Wm. G. Lorigan,	“	..San Jose . . . . .	1919
Henry W. Melvin,	“	..Oakland . . . . .	1911
M. C. Sloss,	“	..San Francisco.	1911

### *District Court of Appeals.*

There are three districts and three judges in each district elected for twelve years at an annual salary of \$7,000. The Court of First Appeals districts meet in San Francisco; of the second, in Los Angeles; of the third at Sacramento. The judges of the first district are:—

J. K. Cooper.....	San Francisco.
Frank H. Kerrigan.....	San Francisco.
S. P. Hall.....	Oakland.

The judges of the second District are:—

Matthew T. Allen.....	Los Angeles.
James W. Taggart.....	Santa Barbara.
Victor E. Shaw.....	San Diego.

The judges of the third District are:—

Norton P. Chipman.....	Red Bluff.
Elijah C. Hart.....	Sacramento.
Albert Y. Bennett.....	Santa Rosa.

### *Superior Court.*

This is really a County Court, but as the salary is paid partly by the State it is placed here.

The office of District Attorney is partly judicial and partly executive. The number of departments in a County

Superior Court depend upon the amount of business. In San Francisco, twelve—in Alameda, five, etc. The Sheriff is the executive officer. Probate Court is the Department of the Superior Court that attends to the settling of the estates of deceased persons, proving wills, etc.

The lowest Court in the State is the Justice's Court. The presiding officer is a "Justice of the Peace." The executive officer is the Constable. This in California is a city or a township officer.

## CHAPTER XIII

### ORIGIN AND MEANING OF THE NAMES OF THE COUNTIES OF CALIFORNIA

(There are so many stories and legends connected with our California names that a study of these would be very interesting. Those connected with the Spanish missions and settlements are especially attractive. Only a hint is given in connection with the names of the Counties of California. The following has been condensed from the California Blue Book of 1907, published by the State under the supervision of Hon. C. F. Curry, Secretary of State, to whom thanks are extended for permission to make use of this table.)

*Alameda*—from Spanish word *Alameda*—meaning a public walk.

*Alpine*—from topographical position—resembling the *Alps*.

*Amador*—from Sergeant *Pedro Amador*—a Spanish military adventurer.

*Butte*—from Marysville Buttes—*Butte* a French word.

*Calaveras*—from Calaveras Creek—*Calaveras*—meaning skulls—from the immense numbers of skulls found on the banks.

*Colusa*—from an Indian tribe on the west side of Sacramento River.

*Contra Costa*—the Opposite Coast—originally included Alameda County opposite San Francisco.

*Del Norte*—the North.

*El Dorado*—A gold bearing belt has been named El Dorado, and after the discovery of gold at Sutter's Fort, this name was given to the county.

*Fresno*—Fresno in Spanish means the Ash Tree—found in abundance in the mountains.

*Glenn*—from Dr. Hugh J. Glenn—one of the largest farmers of this section.

*Humboldt*—from Humboldt Bay—named for Baron Humboldt.

*Imperial*—from *Imperial* Valley.

*Inyo*—from an Indian Tribe.

*Kern*—from the River of that name.

*Kings*—from the Kings River.

*Lake*—because of the charming lakes within its limits.

*Lassen*—from *Peter Lassen*, one of General Fremont's scouts, who was killed by the Piutes at the foot of Lassen Peak in 1859.

*Los Angeles*—the City of the Angels—named really in honor of the Virgin Mary—"Our Lady of the Angels."

*Madera*—from Spanish word meaning *timber*.

*Marin*—from Chief *Marin* of an Indian tribe who lived in this section.

*Mariposa*—Spanish meaning *butterfly*—name given to a stream by a party of hunters who were delighted with the vast numbers of butterflies of gorgeous colors that hovered around.

*Mendocino*—from Cape Mendocino—This cape was named by *Cabrillo* in honor of Don Antonio de Mendoza, appointed Viceroy of Mexico in 1535, by the King of Spain.

*Merced*—from Merced River—called originally in Spanish “Rio de la Senora Merced”—meaning—“The River of Our Lady of Mercy.”

*Modoc*—from a fierce tribe of Indians of that name. Name means the head of the river, meaning the Pitt River.

*Mono*—from a tribe of Indians.

*Monterey*—Spanish—King of the Forest.

*Napa*—Indian word meaning *fish*—from the immense numbers of fish that were found here.

*Nevada*—Spanish—snowy—from perpetually snow-capped mountains within its borders.

*Orange*—from the orange groves that have made it famous.

*Placer*—probably a contraction of *plaza de oro*, the place of gold.

*Plumas*—Spanish for *feathers*. The Spanish originally named one of the tributaries of the Sacramento “Rio de las Plumas.” The Americans changed it to the Feather River.

*Riverside*—from a town of that name within its boundaries.

*Sacramento*—from the river of the same name. This river was first named by a Spanish officer—*Jesus Maria* and afterward *Sacramento*.

*San Benito*—A small river named in honor of San Benedict, the patron saint of the married, gives the name to this county.

*San Bernardino*—from a mountain of this name. The mountain was named in honor of *St. Bernard*, the patron saint of mountain passes.

*San Diego*—from town and bay of same name.

*San Francisco*—from the *Mission San Francisco*—founded 1776.

*San Joaquin*—In 1813 Lieut. Moraga gave to the river the name San Joaquin. This, in turn, gives the name to the County.

*San Luis Obispo*—Saint Louis the Bishop—named from St. Louis the Bishop of Toulouse. The Mission established here in 1772 received this name and from this the county and town.

*San Mateo*—from St. Matthew—Spanish, San Mateo.

*Santa Barbara*—The mission established here in 1786 received this name from Father Serra who founded it. Hence the name of the town and county.

*Santa Clara*—from the Mission of Santa Clara, founded in 1777.

*Santa Cruz*—Holy Cross, from a cross erected to mark the site of a mission in 1791.

*Shasta*—from the mountain of same name.

*Siskiyou*—from Indian tribe, origin of word not known.

*Solano*—from missionary Francisco Solano.

*Sonoma*—Indian word meaning “Valley of the Moon.”

*Stanislaus*—from Chief of a powerful tribe of Indians who lived on what is now known as the *Stanislaus River*.

*Sutter*—From Gen'l John Sutter.

*Tehama*—from Indian tribe, meaning of word not known.

*Trinity*—Because Trinity Bay was discovered on Trinity Sunday, the name was given to the bay and to the county later.

*Tulare*—Lieut. Moraga passed through this part of the valley in 1813 and named it “The Valley of the Tules.” The lake in this section received the name Tulare Lake and the County was named in the same way.

*Tuolumne*—from a large tribe of Indians who formerly lived on both sides of the river. The word is of Indian origin.

*Ventura*—Buena Ventura—good luck—from a mission founded 1782 by Father Serra, and dedicated to St. Bona Ventura, hence name of town and county.

*Yolo*—Indian word meaning a place thick with rushes.

*Yuba*—from Spanish word meaning “Wild Grape.”

## CHAPTER XIV

### REVENUE FOR EDUCATIONAL PURPOSES

We have shown elsewhere that the general government has made very liberal land grants to assist the States in establishing and maintaining a complete system of public education. The management of the schools and all of the detail work in connection with them devolves entirely upon the State. The State law in these matters is supreme.

Let us see what other sources of school revenue exists for State, County, municipal or district funds. After this is made clear the method of distributing this money to the several districts will be briefly explained.

#### STATE FUND

A poll tax or capitation tax must be collected from every male inhabitant of the State over 21 and under 60 years of age, except paupers, insane persons and Indians not taxed. This money must be paid to the County treasurer as provided by law, for the exclusive use of the State School Fund.

All taxes levied and collected under the act approved March 23, 1893, entitled:—

“An act to establish a tax on gifts, legacies, etc. This is known as the “Inheritance tax.”

“All taxes levied and collected under this act up to the amount of \$250,000, annually, shall be paid into the treasury of the State for the use of the State School Fund, etc.”

In addition to these items, an “ad valorem” tax sufficient to obtain as a minimum with other funds, the sum of \$7 for each census child between the ages of 5 and 17, must be levied and collected at the time that other taxes are paid.

*The State Superintendent* apportioning these funds to the different counties shall allow \$250 for every teacher determined by the school census for the next preceding school year. In determining the number of teachers to which each county is entitled one teacher is allowed for every 70 census children or fraction of 70. The remainder of the available funds is distributed according to the “Average Daily Attendance.” All money from the *State* fund shall be used, exclusively, for the payment of teachers’ salaries.

To find the amount to be apportioned at any given time we must add to the unapportioned funds the following amounts:—

The amount received from poll tax.

“ “ “ “ property tax.

“ “ “ “ “ “ on railroads.

“ “ “ “ inheritance tax.

“ “ “ “ interest on bonds.

“ “ “ “ “ on school lands.

More than four million dollars is apportioned annually to the primary and grammar schools from the State Fund.

### COUNTY FUND

The County Superintendent must calculate the amount to be raised at \$500 per teacher using the same basis as given above, viz: one teacher for every 70 census children. From this amount he must deduct the amount received from State Apportionment in the next preceding school year, the remainder shall be the minimum amount to be raised,—provided if this amount is not sufficient to raise \$7 for each census child the minimum shall be raised to give an amount equal to \$7 to each child.

The Board of Supervisors of the County fixes the tax rate which *includes all state taxes* as fixed by the State Board of Equalization.

The taxes are paid in two installments, one-half becoming delinquent on the last Monday in November and the second half on the last Monday in April. The first County Apportionment is made in December and the second in May.

The County Treasurers pay the State taxes to the State Treasurer in December and May and the State Apportionments for the schools come in January and July of each year.

The County Superintendent apportions the State and County funds as follows:—

Five hundred and fifty dollars shall be apportioned to every school district for every teacher allowed to it. The balance of the money is distributed according to the "Average Daily Attendance" in each district during the preceding school year. In Municipalities, the Council may levy a school tax annually. The Board of Education of such Municipality must notify the Council of the amount needed over and above the money expected from the State and County. The Council must levy a sufficient tax to provide this amount. In Municipalities the tax rate is limited either by law or by the Municipal Charter.

The law also provides that any district may vote to raise money for permanent improvements either by direct tax or by bonding the district.

To raise money by tax a majority vote is all that is required. To raise money by bonding a two-thirds vote is necessary.

## CHAPTER XV

### REVENUE AND TAXATION

Revenue for the general government is derived from *indirect* rather than from *direct* taxation. Duties on imported goods, the Internal Revenue tax and the revenue from the Post Office Department are the three principal sources from which the current expenses of the Government are met.

To provide means for defraying the general expenses of State and local governments, and for improvements of various kinds, the direct tax is the *one* method in vogue. Whenever such a call is made, an estimate is made of the amount of taxable property in the county or town. This is done by an officer either elected or appointed for the purpose. This officer is known as the Assessor.

(In California, people must give to the Assessor a sworn statement of all property that they own and that stands in their names at 12 o'clock noon of the first Monday in March. Any one who fails to do this may have an arbitrary valuation of his property fixed by the Assessor, subject, however, to the approval of the Board of Equalization of the County or Town.)

After the assessment rolls have been completed,—in the County they are placed in the hands of the Board of Supervisors,—in the town or city they are placed in the

hands of the Town Trustees or of the City Council, as the case may be. These serve as Boards of Equalization, that is, they may raise assessments if they think that any property is rated at too low a figure by the Assessor. Any person who thinks that he has been treated unfairly by the Assessor in his assessment, may appear before the Board of Equalization and ask for a reduction.

After the Board of Equalization has finished its labors, the tax rolls are given into the hands of the tax-collector, who proceeds to collect the money in the manner prescribed by law.

As the town or County Board of Equalization makes every effort to render an equitable and just assessment all through their jurisdiction, so the State Board of Equalization, who are elected for this purpose *by the people*, sees to it that there is a just and equitable assessment of all properties in the different counties, so that each County may pay its just portion of public expense. The assessment of all Corporations doing business in the State in more than one County is made by the State Board of Equalization.

The general method of assessing property and of collecting the taxes is essentially the same in all the States.

While State laws vary somewhat—it must be remembered that United States laws are of uniform application all over the country and are interpreted by the United States Courts. State laws are interpreted by the State Courts

but they must never be in conflict with the constitution and laws of the country.

By state law, Boards of Health, Insurance Commissions, Bank Inspectors, etc., may be appointed and their duties may be defined. Quarantine of towns on the sea-board, pure food laws and the like are established by Congressional acts as well as by State acts. In general, the State can do all things regarding its own government and to promote its own welfare that are not expressly prohibited in the United States Constitution, for the tenth amendment to the Constitution reads as follows:—

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

## CHAPTER XVI

### QUALIFICATIONS FOR VOTING IN THE UNITED STATES

In all of the States except Indiana, Texas, and New Hampshire registration either total or partial is required. In a few of the States the registration is required only in cities. This is the partial registration referred to here.

In all of the States, voters must be twenty-one years of age, and citizens of the United States; though in Arkansas, Florida, Indiana, and North Dakota, a person who has *declared his intention* of becoming a citizen, may vote. This is a general statement. The laws in the separate States provide as follows:—

**Alabama**—Voters must be able to read and write or must have property qualifications.

They must have a residence in the state for two years; in the county one year and in the precinct for three months.

Idiots, insane persons, and unpardoned criminals can not vote.

**Arkansas**—Voters must have a residence in the State for one year, in the County, six months, and in the precinct, thirty days.

Idiots, insane persons, and persons convicted of felony can not vote.

**California**—Male citizens of the United States or those who became such by treaty at close of *Mexican War*. This provision applies to very few now. A voter must be able to read the Constitution and write his own name.

He must have a residence of one year in the State, ninety days in the County, and thirty days in the precinct.

Chinese, idiots, insane persons, and persons convicted of embezzlement or infamous crimes, can not vote.

**Colorado**—Woman suffrage is allowed.

A residence of one year in the State, six months in the county, ten days in the precinct is required.

Insane persons and criminals can not vote.

**Connecticut**—Voters must be able to read English.

They must have had a residence in the state for one year, six months in the county; also residence in cities or towns for six months.

Persons convicted of infamous crimes can not vote.

**Delaware**—Voters must be able to write their own name and to read the Constitution of the United States.

They must have had a residence of one year in the State, three months in the county, and thirty days in the precinct.

Insane persons, idiots, paupers and persons convicted of felony can not vote.

**Florida**—Voters must be citizens of the United States or must have declared their intention to become such. They must pay *poll tax*.

They must have had a residence of one year in the State, and six months in the county.

Idiots, insane persons, and persons convicted of felony can not vote.

**Georgia**—Voters must have had a residence of one year in the State, and six months in the county.

Idiots, insane persons, persons convicted of treason, embezzlement or felony, not pardoned, can not vote.

**Idaho**—Woman suffrage is allowed.

Six months residence in State, and thirty days in the county is required.

Idiots, insane persons, or persons under guardianship, or convicted of a criminal offense can not vote.

**Indiana**—Voters must be citizens of United States or must have declared their intentions to become so. A residence of six months is required in the State and sixty days in the township. No registration is required. Soldiers and marines and persons convicted of felony can not vote.

**Illinois**—Voters must have had a residence in the State for one year, in the county for ninety days and in the precinct for thirty days. Persons convicted of felony can not vote.

**Iowa**—Six months residence in the State and sixty days in the county is required. Registration in cities of 3,500 or over.

Insane persons, idiots, and persons convicted of felony can not vote.

**Kansas**—Six months residence in the State and thirty days in the precinct required. Registration is required in cities of first and second class.

Criminals and insane persons can not vote.

**Maryland**—Voters must have resided in the State one year and in the county six months.

Idiots, insane persons and persons convicted of infamous crimes and not pardoned can not vote.

**Massachusetts**—Voters must be able to read English and to write their own names. Residence for one year in the State, and six months in the city or town is required.

**Michigan**—Voters must have residence in the State six months and in the county and precinct twenty days.

Idiots, insane persons and persons convicted of felony not pardoned can not vote.

**Minnesota**—Voters must have resided in the State six months and in the precinct and county thirty days.

Duelists and abettors of dueling can not vote.

**Mississippi**—Voters must be tax-payers and able to read the Constitution of the United States.

They must have resided two years in the State, one year in the county and precinct.

Persons convicted of felony, bigamy, burglary, perjury,

forgery, embezzlement, or theft can not vote. Neither can idiots or insane persons vote.

**Ohio**—Residence required, one year in the State; thirty days in the county and twenty days in the precinct. In cities of 10,000 or more registration is required.

Convicts and insane persons can not vote.

**Oklahoma**—Citizens of the United States, also male persons of Indian descendants who were natives of the United States are voters. Woman suffrage at school district elections is allowed.

Residence of one year in the State, six months in the county and thirty days in the precinct is required.

Persons convicted of felony, paupers (except ex-soldiers), idiots, insane persons and officers and members of the United States Army or Navy can not vote.

**Oregon**—Residence of six months in the State, thirty days in the county and precinct is required.

Insane persons and persons convicted of felony can not vote.

**Pennsylvania**—Must have residence in the State of one year and in the precinct of sixty days. Registration is required in cities only.

Persons convicted of felony can not vote.

**Missouri**—Voters must have resided in the State one year and in the county sixty days. Registration is required in cities of over 2,500.

Soldiers, marines, paupers, idiots, insane persons and persons convicted of felony can not vote.

**Montana**—One year residence in the State, thirty days in the county, and ten days in the precinct is required.

Insane persons and convicts not pardoned can not vote.

**Nebraska**—Citizens of United States for one year, six months residence in the State, forty days in the county and ten days in the precinct required. Registration is required in cities of more than 5,000.

Idiots, insane persons and persons convicted of felony, not restored to citizenship, can not vote.

**Nevada**—Six months residence in the State, thirty days in the county, ten days in the precinct is required.

Insane persons, idiots, and persons convicted of felony or treason can not vote.

**New Hampshire**—Voters must be able to read and write. Residence of six months in State and precinct is required.

Paupers and insane persons can not vote, nor can persons who are excused from paying taxes at their own request.

**New Jersey**—Residence of one year in State, five months in the county, one day in the precinct is required.

Convicts, insane persons and idiots can not vote.

**New York**—Residence for one year in the State, four months in the county and thirty days in the precinct is

required. Registration in towns and cities of 5,000 or more.

Persons convicted of felony, bribery, or any infamous crime, can not vote.

**North Carolina**—Voters must have resided in the State for one year, and in the county for three hundred days.

Persons convicted of treason, perjury, or any infamous crimes, and who have not been restored to citizenship, can not vote.

**North Dakota**—Either a citizen of the United States or one who has declared his intention to become such, one year before election may vote. Voters must have resided in the State one year, in the county six months, and in the precinct for ninety days.

Idiots, insane persons, persons under guardianship, persons convicted of treason or felony, who have not been restored to their civil rights, can not vote.

**Rhode Island**—Must have resided in State two years and in the county six months.

If a tax payer, residence of one year in the state and of six months in county is required. Registration is required of non tax payers.

Paupers, insane persons, idiots, persons under guardianship, Indians, persons convicted of infamous crimes, who have not been pardoned, can not vote.

**South Carolina**—Citizens of the United States and tax

payers can vote. A residence of two years in the state, one year in county and four months in the precinct is required. Same classes as in Rhode Island are not allowed to vote.

**South Dakota**—Voters must have resided in the State one year, in the county six months and in the precinct thirty days. All persons under guardianship and unpardoned villains can not vote.

**Tennessee**—Must be citizen of United States and must pay poll tax. Registration is required in towns and cities. No persons are specified as not being allowed to vote.

**West Virginia**—A residence of one year in the State, six months in the county and ten days in precinct is required.

Persons convicted of treason, felony or bribery in elections, idiots and insane persons and paupers can not vote.

**Wisconsin**—Citizens of the United States or those who have declared intention of becoming citizens may vote.

Residence of one year in the State; thirty days in the county and ten days in the precinct is required. Registration in cities.

Insane persons and persons convicted of treason and felony can not vote.

**Wyoming**—Voters must be able to read English. Woman suffrage is allowed.

Residence of one year in the state and sixty days in county is required. Insane persons cannot vote.

**Kentucky**—Residence of one year in the State, six months in the county and sixty days in the precinct is required. Registration is required in all incorporated towns.

Idiots, insane persons and persons convicted of felony and who have not been pardoned or restored to citizenship can not vote.

**Louisiana**—Voters must pay poll tax, and be able to read and write. They must have residence in State for three years, in the county one year and in the precinct for six months.

Insane persons, idiots, and those who have committed crimes punishable by imprisonment, embezzlers of public funds, and persons not owning property assessed at \$300 or more, can not vote.

**Maine**—One must be able to read and write and must have a residence of three months in the State and precinct.

Paupers, insane persons, under guardianship, and Indians, not taxed, can not vote.

## CHAPTER XVII

### STATISTICS OF THE STATES

**Delaware**, Motto—"Liberty and Independence."

Admitted as one of the original thirteen—1787.

Area—2,050 square miles.

First Settlement at Wilmington—by Swedes—1638.

Origin of name—Lord Delaware.

Capital—Dover.

State Flower—Peach Blossom.

Number of soldiers furnished for Civil War—  
10,322.

Delaware is sometimes called the "Diamond State,"  
and again the "Blue Hen State."

Number of representatives—1.

Number of presidential electors—3.

**Pennsylvania**, Motto—"Virtue, Liberty, Independence."

Admitted as one of the original thirteen—1787.

Area—45,215 square miles.

First Settlement, at Philadelphia—by English—  
1683.

Origin and meaning of name—Penn's Woods.

Pennsylvania is sometimes known as the "Keystone  
State."

Number of soldiers furnished for the civil war—  
265,517.

Capital—Harrisburg.

Number of representatives—32.

Number of presidential electors—34.

**New Jersey**, Motto—"Liberty and Independence."

Admitted as one of the original thirteen—1787.

Area—7,815 square miles.

Number of soldiers furnished for civil war—57,908.

First Settlement—at Bergen by Dutch—1617.

Origin of name—Name given in honor, by Charles II, of Sir George Carteret, Governor of Island of Jersey.

Capital—Trenton.

Number of representatives—10.

Number of presidential electors—12.

**Georgia**, Motto—"Wisdom, Justice, Moderation."

Admitted as one of the original thirteen—1788.

Area—59,475 square miles.

First Settlement—

Origin of name—In honor of George II.

Called "Empire State of the South."

Capital—Atlanta.

Number of representatives—11.

Number of presidential electors—13.

**Connecticut**, Motto—"Qui transtulit, sustinet." "He who has transferred, sustains."

Admitted as one of the original thirteen—1788.

Area—4,990 square miles.

First Settlement by English at Windsor—1633.

Wethersfield—1634.

Origin of name—Indian name for “Long River.”

“The Wooden Nutmeg State.”

Number of soldiers furnished for the civil war—

50,623.

Capital—Hartford.

Number of representatives—5.

Number of presidential electors—7.

**Massachusetts**, Motto—“Ense petit placidam sub libertate quietam.” “By her sword she seeks a calm repose under liberty.”

Admitted as one of the original thirteen—1788.

Area—8,315 square miles.

First Settlement by English at Plymouth—1620.

Origin of name—Indian for “Great Hills.”

Sometimes known as “The Bay State.”

State Flower—Columbine.

Number of soldiers furnished for the civil war—

124,104.

Capital—Boston.

Number of representatives—14.

Number of presidential electors—16.

**Maryland**, Motto—“Crescite et multiplicamini.” “Increase and multiply.”

Admitted as one of the original thirteen—1788.

Area—12,210 square miles.

First Settlement by English at St. Mary's—1634.

Origin of name—In honor of Queen Henrietta Maria, wife of Charles I.

Capital—Annapolis.

Number of Union soldiers in civil war—41,275.

Number of representatives—6.

Number of presidential electors—8.

**South Carolina**, Motto—"Animis opibusque parati."

"Ready with our lives and our property."

Admitted as one of the original thirteen—1788.

Area—30,570 square miles.

First Settlement—by English at Ashley River—1670.

Origin of the name—Latin Carolus, honor of Charles II.

Called often "The Palmetto State."

Capital—Columbia.

Number of representatives—7.

Number of presidential electors—9.

Seceded Dec. 20, 1860. Readmitted June 11, 1868.

**New Hampshire**,

Admitted as one of original thirteen—1788.

Area—9,305 square miles.

First settlement Dover, by English in 1627.

Original of name—Hampshire, England.

"The Granite State."

Capital—Concord.

Number of Union soldiers in Civil War—30,849.

Number of representatives—2.

Number of presidential electors—4.

**Virginia.** Motto—"Sic semper tyrannis." "Thus ever to Tyrants."

Admitted as one of original thirteen—1788.

Area—42,450 square miles.

First settlement by English at Jamestown—1607.

Origin of name—In honor of Queen Elizabeth, the "Virgin Queen."

"The Old Dominion" because Charles II allowed it to be called the fourth dominion, i. e. "England, Scotland, Ireland, and Virginia"—*Fiske.*

Capital—Richmond.

Seceded April 16, 1861. Readmitted Jan. 15, 1870.

Number of representatives—10.

Number of presidential electors—12.

**New York,** Motto—"Excelsior."

Admitted as one of the original thirteen—1778.

Area—49,170 square miles.

Settled by Dutch at New York in 1614.

Origin of name—Duke of York.

"The Empire State."

Also the "Excelsior State."

Number of soldiers furnished for Civil War—392,270.

State Flower—The Rose.

State Tree—The Maple.

Capital—Albany.

Number of representatives—37.

Number of presidential electors—39.

**North Carolina**, Motto—"Esse, quam videri." "To be rather than to seem."

Admitted as one of the original thirteen—1788.

Area—52,250 square miles.

First settlement by English, Albemarle—1663.

Origin of name—Carolus—in honor of Charles II.

Also called "The Old North State."

Capital—Raleigh.

Number of Union soldiers, Civil War—3,156.

Also called the "Turpentine State."

Seceded May 21, 1861. Readmitted June 11, 1868.

Number of representatives—10.

Number of presidential electors—12.

**Rhode Island**, Motto—"Hope."

Admitted as one of the original thirteen—1790.

Area—1,250 square miles.

First Settlement—by English near Providence—1636.

Origin of Name—name seems to have been taken from Isle of Rhodes.

State Flower—The Violet.

Number of Union soldiers in Civil War—17,866.

Capital—Providence.

Number of representatives—1.

Number of presidential electors—3.

**Vermont**, Motto—"Freedom and Unity."

Admitted in Washington's Administration—14th  
State—1791.

Area—9,565 square miles.

First Settlement by English at Brattleboro—1724.

Origin of Name—from French—Green Mountain.

This State was formed from territory claimed by  
New York and New Hampshire.

Number of Union soldiers in Civil War—29,068.

Sometimes called the "Green Mountain State."

State Flower—Red Clover.

Capital—Montpelier.

Number of representatives—2.

Number of presidential electors—4.

**Kentucky**, Motto—"United we stand, divided we fall."

Admitted as the 15th State during Washington's  
Administration in 1792, taken from Virginia.

Area—40,400 square miles.

First Settlement by English near Boonesboro—  
1775.

Meaning of Name—from Iroquois meaning "Hunt-  
ing Ground."

Fiske says the usual interpretation "Dark and  
Bloody Ground" is incorrect.

Called sometimes "The Blue Grass State." "Corn Cracker State."

Capital—Frankfort.

Number of Union soldiers for Civil War—70,832.

Number of representatives—11.

Number of presidential electors—13.

**Tennessee**, Motto—"Agriculture and Commerce."

Admitted as 16th State during Washington's Administration in 1769.

Origin of Name—Indian, "Bend of the Water."

Area—42,050 square miles.

First Settlement by English in Watanga—1769.

State Flower—Golden Rod.

Number of Union soldiers for the Civil War—26,394.

Capital—Nashville.

Sometimes called the "Volunteer State" from the large number of soldiers furnished for the Seminole War.

Number of representatives—10.

Number of presidential electors—12.

**Ohio**, Motto—"Imperium in imperio."

Admitted during Jefferson's administration as 17th State in 1803.

Area—41,060 square miles.

First settlement—Americans near Marietta—1788.

Origin of name—Indian—"Beautiful River."

The first State from the North West Territory.  
It is sometimes known as the "Buckeye State."

Capital—Columbus.

State Flower—Golden Rod.

Number of Union soldiers of the civil war—240,514.

Number of representatives—21.

Number of presidential electors—23.

**Louisiana**, Motto—"Union and Confidence."

Admitted in 1812 during Madison's administration  
as the 18th State.

Area—48,720 square miles.

First Settlement by French below New Orleans—  
1700.

Origin of Name—in honor of Louis XIV of France.

The first State from the Louisiana Purchase.

It is sometimes called "The Pelican State," also  
"The Creole State."

Number of Union soldiers of the civil war—4,654.

Capital—Baton Rouge.

Number of representatives—7.

Number of presidential electors—9.

Seceded Jan. 26, 1861. Readmitted June 11, 1868.

**Indiana**. Admitted in 1816 during Madison's administration  
as the 19th State.

It was the second State from the North West Territory.

Area—36,350 square miles.

First Settlement, by French at Vincennes—1702.

Origin of Name—from the Indian.

It is sometimes called “The Hoosier State.”

Number of Union soldiers of civil war—153,576.

State Flower—Corn.

Capital—Indianapolis.

Number of representatives—12.

Number of presidential electors—14.

**Mississippi.** Admitted as the 20th State in 1817 during  
Monroe’s administration.

Area—46,810 square miles.

First Settlement—by French at Natchez—1716.

Origin of Name—Indian—“Great River.”

Mississippi is sometimes called the “Bayou State.”

The territory comprised within the boundaries of  
the state as well as of Alabama was ceded by  
South Carolina and Georgia.

Capital—Jackson.

Number of Union soldiers for Civil war—545.

Number of representatives—8.

Number of presidential electors—10.

Seceded Jan. 9, 1861. Readmitted Feb. 3, 1870.

**Illinois.** Motto—“State Sovereignty and National  
Union.”

Admitted as the 21st State in 1818 during Monroe’s  
administration.

Third State from North West Territory.

Area—56,650 square miles.

First Settlement—by French at Kaskaskia—1682.

Origin of Name is uncertain.

It is sometimes called the "Prairie State."

State Flower—Rose.

Number of Union soldiers for Civil War—214,133.

Capital—Springfield.

Number of representatives—25.

Number of presidential electors—27.

**Alabama.** Admitted in 1819 as 22nd State during  
Monroe's administration.

Area—52,250 square miles.

First Settlement—by French, Mobile Bay—1702.

Origin and Meaning of Name—from the Indian—  
meaning "Here we rest."

Number of Union soldiers for Civil War—1,611.

The territory comprised within the boundaries was  
ceded by South Carolina and Georgia.

Capital—Montgomery.

Number of representatives—9.

Number of presidential electors—11.

Seceded Jan. 11, 1861. Readmitted June 11, 1868.

**Maine.** Motto—"Dirigo." "I direct."

Admitted as 23rd state in 1820 during Monroe's  
administration.

Area—3,340 square miles.

First settlement by English at Pemiquid—1625.

Meaning of the name—"The Main Land."

It is often called "The Pine Tree State."

Formerly belonged to Massachusetts.

Number of soldiers for Union Army—56,776.

State Flower—Pine Cone and Tassel.

Capital—Augusta.

Number of representatives—4.

Number of presidential electors—6.

**Missouri.** Motto—"Salus populi suprema lex esto."  
"Let the safety of the People be the highest law."

Admitted as 24th State during Monroe's administration in 1821.

Area—69,145 square miles.

Territory came from the Louisiana Purchase.

Number of Union soldiers for the Civil War—  
86,530.

First settlement by French, Jefferson City—1719.

Meaning of the name—Indian—"Muddy River."

Capital—Jefferson City.

Number of representatives—16.

Number of presidential electors—18.

**Arkansas.** Motto—"Regnant populi." "The people rule."

Admitted in 1836 in Jackson's administration as  
25th State.

Territory obtained by Louisiana Purchase.

Area—53,850 square miles.

First Settlement—Little Rock by French—1690.

Name of Indian origin.

Number of Union soldiers for Civil War—7,836.

Arkansas is known as “The Bear State.”

Capital—Little Rock.

Seceded May 6, 1861. Readmitted June 20, 1868.

Number of representatives—7.

Number of presidential electors—9.

**Michigan.** Motto—“Si quaeris peninsulam amoenam, circumspice.” “If you are seeking a beautiful peninsula look around.”

Admitted in 1837 during Jackson’s administration as 26th State.

State taken from North West Territory.

First Settlement—by French at Mackinaw, 1690.

Called “The Wolverine State.”

Origin of name—Indian.

State flower—Apple Blossom.

Number of Union soldiers for Civil War—80,111.

Capital—Lansing.

Number of representatives—12.

Number of presidential electors—14.

**Florida.** Motto—“In God we trust.”

Admitted as 27th State in 1845 during Tyler’s administration.

Area—58,680 square miles.

First Settlement—by Spanish at St. Augustine in 1569.

Territory was ceded to United States by Spain in 1819.

Called "The Peninsula State."

Number of soldiers (Union) for Civil War—1,290.

Name—Spanish adjective for *flowery*.

*Pascua Florida*—Flōwery Easter.

Discovery of Florida by Ponce De Leon on Easter Day.

Capital—Tallahasse.

Seceded January 11, 1861. Readmitted June 11, 1868.

Number of representatives—3.

Number of presidential electors—5.

**Texas.** Admitted as 28th State in 1845 during Polk's administration.

Area—265,780 square miles.

First Settlement—San Antonio—by Spaniards—in 1692.

On coast by the French in 1692.

Number of Union soldiers in Civil War—1,632.

Sometimes called "The Lone Star State."

The territory was acquired by annexation.

Origin of name is uncertain.

State Flower—Blue Bonnet.

Capital—Austin.

Number of representatives—16.

Number of presidential electors—18.

Seceded February 1, 1861. Readmitted March 15, 1870.

**Iowa.** Motto—"Our liberties we prize and our rights we will maintain."

Admitted in 1864 as 29th State during Polk's administration.

Territory acquired by Louisiana Purchase.

Area—56,025 square miles.

First Settlement—Americans, at Dubuque in 1830.

Known as the "Hawkeye State."

Origin of the name is uncertain.

State flower—Wild Rose.

Number of Union soldiers for the civil war—68,630.

Capital—Des Moines is of Indian origin.

Number of representatives—11.

Number of presidential electors—13.

**Wisconsin.** Motto—"Forward."

Admitted in 1848 as the 30th State during Polk's administration.

Territory including all that remained of North West Territory,—Ohio, Indiana, Illinois and Michigan having already been formed from it.

It is sometimes called "The Badger State."

Origin of name Indian—meaning, “gathering waters.”

First Settlement—by French at Green Bay in 1669.

Number of Union soldiers for the Civil War—79,260.

Capital—Madison.

Area—54,450 square miles.

Number of representatives—11.

Number of presidential electors—13.

**California.** Motto—“Eureka.” “I have found it.”

Admitted in 1850 as 31st State under Taylor and Fillmore.

Territory obtained by treaty with Mexico.

Area—158,360 square miles.

First Settlement—Spanish—San Diego in 1769.

Number of soldiers for the Civil War—15,725.

Origin of name—Spanish.

Known as, “The Golden State.”

State Flower —“California Poppy”—“Copa de Oro.”

Number of representatives—8.

Number of presidential electors—10.

**Minnesota.** Motto—“L’Etoile du Nord.” “The Star of the North.”

Admitted as the 32d state in 1858, under Buchanan’s administration.

Territory in part from N. W. Territory and in part from Louisiana purchase.

Area—83,365 square miles.

First Settlement—Indian—meaning “sky-colored water.”

Number of Union soldiers in the Civil War—19,693.

Known sometimes as “The North Star State.”

State Flower—Moccasin-flower.

Capital—St. Paul.

Number of representatives—9.

Number of presidential electors—11.

**Oregon.** Motto—“*Alis volat propriis.*” “She flies with her own wings.”

Admitted during Buchanan’s administration in 1859, as the 33d State. By treaty with Great Britain this territory came into the possession of the United States.

Area—96,030 square miles.

Settled by Americans at Astoria in 1811.

Sometimes called “The Sunset State.”

Origin of name—Indian, meaning “River of the West.”

State Flower—Golden Rod.

Capital—Salem.

Number of Union soldiers in Civil War—1,773.

Number of representatives—2.

Number of presidential electors—4.

**Kansas.** Motto—"Ad astra per aspera." "To the stars by rugged ways."

Admitted during Buchanan's Administration as the 34th State.

Territory acquired by the Louisiana Purchase.

Area—32,080 square miles.

First settled by Americans at Atchison in 1854.

Name is of Indian origin, meaning "Smoky Waters."

Sometimes called "The Jay Hawker State."

Capital—Topeka.

Number of representatives—8.

Number of presidential electors—10.

Number of Union soldiers in Civil War—18,706.

**West Virginia.** Motto—"Montani semper liberi."  
"Mountaineers are always free."

35th State, admitted under Lincoln's Administration.

Territory taken from Virginia.

Sometimes called "The Panhandle State."

Number of Union Soldiers in Civil War—27,714.

Area—24,780 square miles.

Settled by English.

Capital—Wheeling.

Number of representatives—5.

Number of presidential electors—7.

**Nevada.** Motto—"Volens et potens." "Willing and able."

36th State, admitted in 1864 during Lincoln's administration.

Settled by Americans—1850.

Area—110,700 square miles.

Origin and meaning of name—"Snowy Mountains."

Called the "Silver State." Also "The Sage Hen State."

Territory acquired by treaty with Mexico at end of Mexican War.

Number of Union Soldiers in Civil War—1,080.

State Flower—Sun Flower.

Capital—Carson City.

Number of representatives—1.

Number of presidential electors—3.

**Nebraska.** 37 State, admitted during Johnson's Administration in 1837.

Motto—"Popular Sovereignty."

Area—77,500 square miles.

Settled at Omaha by Americans in 1847.

Territory was acquired by the Louisiana Purchase.

Meaning of Name—"Shallow Water" (referring to the Platte River).

Number of Union Soldiers in Civil War—2,175.

State Flower—Golden Rod.

Capital—Lincoln.

Number of representatives—6.

Number of presidential electors—8.

**Colorado.** 38th State—admitted during Grant's Administration in 1876.

Motto—"Nil sine numine." "Nothing without the Divinity."

Is known as the "Centennial State."

Area—103,925 square miles.

First settled in 1858 in Denver.

Meaning of Name—"Red."

Territory came in part from the Louisiana Purchase and in part by treaty with Mexico.

Number of Union Soldiers in Civil War—3,697.

State Flower—Columbine.

Capital—Denver.

Number of representatives—3.

Number of presidential electors—5.

**North Dakota.** 39th State—admitted 1889 during Harrison's administration.

Area—70,795 square miles.

Territory from Louisiana Purchase.

Meaning of Name—"The Allies," sometimes called "The Sioux State."

State Flower—Golden Rod.

Capital—Bismarck.

Number of Union Soldiers in civil war—206.

This is from territory of Dakota before divided into North and South.

Number of representatives—2.

Number of presidential electors—4.

State Flower—The Wild Rose.

Motto—"Liberty and Union, Now and Forever."

**South Dakota.** 40th State.

Admitted 1889—Harrison's administration.

First settled by Americans at Yankton in 1849.

Area—77,650 miles square.

State Flower—Anemone (Pasque flower).

Capital—Pierre.

Territory from Louisiana Purchase.

Sometimes called the "Coyote State," also "Sunshine State."

Number of representatives—2.

Number of presidential electors—4.

Motto—"Under God, the people rule."

**Montana.** 41st State.

Admitted 1889, Harrison's administration.

Territory from Louisiana Purchase.

Area—146,080 square miles.

Settled by Americans at Helena in 1861.

Meaning of name—Mountainous.

State flower—Bitter Root.

Motto—"Oro y Plata."

Capital—Helena.

Number of representatives—1.

Number of presidential electors—3.

**Washington.** 42nd State.

Admitted 1889, Harrison's administration.

Territory gained by treaty with Great Britain.

First settled at Twin Water, in 1845, by Americans.

Area—69,180 square miles.

Capital—Olympia.

Number of Union soldiers in civil war—964.

State Flower—Rhododendron.

Number of representatives—3.

Number of presidential electors—5.

**Wyoming.** 43rd State.

Admitted during Harrison's administration in 1890.

Territory came in part from Louisiana purchase  
and in part from Mexico.

Area—97,890 square miles.

Settled at Cheyenne by Americans in 1867.

Capital—Cheyenne.

Meaning of name—Broad Valley (Indian).

Number of representatives—1.

Number of presidential electors—3.

**Idaho.** 44th State.

Admitted 1890, Harrison's administration.

Territory acquired by treaty with Great Britain.

Area—84800 square miles.

First settled by Americans in or about 1862.

State Flower—Syringa.

Motto—"Esto perpetua."

Capital—Boise City.

Origin of name—Indian.

Meaning of name—Diadem of the mountains.

Number of representatives—1. Number of presidential electors—3.

**Utah.** 45th State.

Admitted in 1896 during Cleveland's Administration.

Territory came by treaty with Mexico.

Area 84970 square miles.

First settled near Salt Lake City.

Indian meaning—"Mountain House."

State Flower—The Sego Lily.

Number of representatives—1.

Number of presidential electors—3.

**Oklahoma.** 46th State.

Signifies in Cherokee—"Home of the Red Man."

Admitted in 1907 during Roosevelt's administration.

Area 39030 square miles.

First settled by *Americans* at Guthrie, settled by Spanish earlier.

Territory part of Louisiana Purchase.

State flower—the Mistletoe.

Capital—Guthrie.

Number of representatives—5.

Number of presidential electors—7.

Total Representatives .....391

Total Senators ..... 92

Total Electors .....483

This is for 1908. After 1910 a new basis of representation will be taken and the numbers of representatives and electors will be changed. There are two additional senators for each new State admitted.

## CHAPTER XVIII

### DATA WITH REFERENCE TO OUR PRESIDENTS

#### 1. **George Washington.**

Born in Virginia in 1732, died 1799, aged 67.

Term of office 8 years, from 1789, 1797.

Elected by the whole people.

*Vice President*—John Adams of Massachusetts.

*Secretary of State*—Thomas Jefferson of Virginia.

Edmund Randolph of “

Timothy Pickering of Pennsylvania.

#### 2. **John Adams.**

Born in Massachusetts in 1735, died in 1826—aged 91.

Term of office 4 years, from 1797 to 1801.

Elected by the Federalists.

*Vice President*—Thomas Jefferson of Virginia.

Timothy Pickering of Pennsylvania.

*Secretary of State*—John Marshall of Virginia.

#### 3. **Thomas Jefferson.**

Born in Virginia in 1751, died 1826, aged 75.

Term of office 8 years, from 1801 to 1809.

Elected by the Anti-federalists or Democrats.

*Vice President*—Aaron Burr of New York.

George Clinton of New York.

*Secretary of State*—James Madison of Virginia.

**4. James Madison.**

Born in Virginia in 1751—died in 1836—aged 85.

Term of office—8 years—from 1809 to 1817.

Elected by Anti-federalists or Democrats.

*Vice President*—George Clinton of New York.

Elbridge Gerry of Massachusetts.

*Secretary of State*—Robert Smith of Maryland.

James Monroe of Virginia.

**5. James Monroe.**

Born in Virginia in 1758—died in 1831—aged 73.

Term of office eight years—1817 to 1825.

Elected by Anti-federalists or Democrats.

*Vice President*—Daniel D. Tompkins of New York.

*Secretary of State*—John Quincy Adams of Massachusetts.

**6. John Quincy Adams.**

Born in Massachusetts in 1767—died in 1848—aged 81.

Term of office—4 years—1825 to 1829.

Elected by House of Representatives.

*Vice President*—John C. Calhoun of South Carolina.

*Secretary of State*—Henry Clay of Kentucky.

**7. Andrew Jackson.**

State—Tennessee.

Born 1767—died 1845—aged 78.

Term of office—8 years, from 1829 to 1837.

Elected by Democrats.

*Vice Presidents*—John C. Calhoun of South Carolina.

—Martin Van Buren of New York.

*Secretary of State*—Martin Van Buren, 1829 to 1831.

Edw. Livingston of Delaware,  
1831 to 1833.

John Forsythe of Georgia.

**8. Martin Van Buren.**

State—New York.

Born—1782—died 1862—aged 80.

Term of office 4 years—from 1837 to 1841.

Elected by Democrats.

*Vice President*—Richard M. Johnson of Kentucky.

*Secretary of State*—John Forsythe of Georgia.

**9. Wm. Henry Harrison.**

State—Ohio.

Born 1773—died 1841—aged 68.

Term of office—1 month—March 4, 1841, to April 4,  
1841.

Elected by Whigs.

*Vice President*—John Tyler of Virginia.

*Secretary of State*—Daniel Webster.

**10. John Tyler.**

State—Virginia.

Born 1790—died 1862—aged 72.

Term of office—3 years 11 months—April 4, 1841, to  
March 4, 1845.

Elected Vice President—succeeded to Presidency on death of Harrison.

*Vice President*—

*Secretary of State*—Daniel Webster, Mass., 1841 to 1843.

Hugh Legare, South Carolina.

Abel P. Upshur, Virginia, 1843-1844.

J. C. Calhoun, 1844-1845.

**11. James K. Polk.**

State—Tennessee.

Born 1795—died 1849—aged 54.

Term of office—4 years from 1845 to 1849.

Elected by Democrats.

*Vice President*—Geo. M. Dallas of Pennsylvania.

*Secretary of State*—James Buchanan of Pennsylvania.

**12. Zachary Taylor.**

State—Louisiana.

Born 1784—died 1850.

Term of office—1 year 4 months 5 days—from March 4, 1849, to July 9, 1850.

Elected by Whigs.

*Vice President*—Millard Fillmore of New York.

*Secretary of State* Danl. Webster of Mass.

John M. Clayton of Delaware.

**13. Millard Fillmore.**—became President upon the death of Taylor. State—New York.

Born 1800—died 1874—aged 74.

Term of office—2 years, 7 months, 25 days from July 9, 1850, to March 4, 1853.

Elected by Whigs.

*Vice President*—

*Secretary of State* { Daniel Webster.  
Edward Everett.

**14. Franklin Pierce.**

State—New Hampshire.

Born 1804—died 1869, age 65.

Term of office—4 years, from 1853 to 1857.

Elected by Democrats.

*Vice President*—Wm. R. King of Alabama.

*Secretary of State*—Wm. L. Marcy of New York.

**15. James Buchanan.**

State—Pennsylvania.

Born—1791, died 1868, aged 77.

Term of office—4 years, 1857 to 1861.

Elected by Democrats.

*Vice President*—John C. Breckenbridge of Kentucky.

*Secretary of State*—Lewis Cass of Michigan.

Jeremiah S. Black of Pennsylvania.

**16. Abraham Lincoln.**

State—Illinois.

Born Kentucky 1809, died 1865, aged 56.

Term of office—4 years, 1 month, 10 days.

Elected by Republicans.

*Vice President*—Hannibal Hamlin of Maine.

Andrew Johnson of Tennessee.

*Secretary of State*—Wm. H. Seward of New York.

**17. Andrew Johnson.**

State—Tennessee.

Born 1808, died 1875, aged 67.

Term of office—3 years, 10 months, 20 days—1865-1869.

Elected Vice President by Republicans—succeeded to the Presidency on the death of Lincoln.

*Vice President*—

*Secretary of State*—Wm. H. Seward of New York.

**18. Ulysses S. Grant.**

State—Illinois.

Born 1822, died 1885, aged 63.

Term of office—8 years, from 1869-1877.

Elected by Republicans.

*Vice President*—Schuyler Colfax of Indiana.

Henry Wilson of Massachusetts.

*Secretary of State*—Hamilton Fish of New York.

Elihu B. Washburn.

**19. Rutherford B. Hayes.**

Born 1822, died 1893, aged 71.

Term of office—4 years, 1877 to 1881.

Elected by Republicans.

*Vice President*—William A. Wheeler of New York.  
*Secretary of State*—William M. Evarts of New York.

**20. James A. Garfield.**

State—Ohio.

Born 1831, died 1881, aged 50.

Term of office—6 months 15 days—March 4, 1881, to  
September 19, 1881.

Elected by the Republicans.

*Vice President*—Chester A. Arthur of New York.

*Secretary of State*—James G. Blaine, Maine.

**21. Chester A. Arthur.**

State—New York.

Born 1830, died 1886, aged 56.

Term—3 years 5 months 15 days—September 19, 1881-  
March 4, 1885.

Elected Vice President and succeeded to Presidency  
on the death of Garfield.

*Vice President*—

*Secretary of State*—F. T. Frelinghuysen, New Jersey.

**22. Grover Cleveland.**

State—New York.

Born—1837—died 1908—aged 71.

Term of office—4 years, from 1885 to 1889.

Elected by the Democrats.

*Vice President*—Thomas A. Hendricks of Indiana.

*Secretary of State*—Thos. F. Bayard—Delaware.

**23. Benjamin Harrison.**

State—Indiana.

Born—1833—died 1891 aged 68.

Term of office—4 years—1889-1893.

Elected by Republicans.

*Vice President*—Levi P. Morton of New York.

*Secretary of State*—James G. Blaine.

John W. Foster.

**24. Grover Cleveland.**

State—New York.

Born—1837—died—1908—aged 71.

Term of office—4 years—1893 to 1897.

Elected by the Democrats.

*Vice President*—Adlai Stevenson of Illinois.

*Secretary of State*—Walter Q. Gresham.

Richard Olney.

**25. Wm. McKinley.**

State—Ohio.

Born—1843—died 1901—aged 58.

Term of office—4 years 6 months 10 days—from  
March 4, 1897 to September 14, 1901.

Elected by Republicans.

*Vice President*—Garret A. Hobart of New Jersey.

Theodore Roosevelt of New York.

*Secretary of State*—John Sherman.

Wm. R. Day

John Hay.

**26. Theodore Roosevelt.**

State of New York.

Born—1858—died ———

Term—7 years 5 months 20 days—from September 14,  
1901 to March 4, 1909.

Elected Vice President and succeeded to presidency  
on death of McKinley.—Elected president direct  
and inaugurated March 4, 1909.

*Vice President*—Charles W. Fairbanks of Indiana.

*Secretary of State*—John Hay.

Elihu Root.

**27. Wm. H. Taft.**

State—Ohio.

Born 1859.

Term—Inaugurated March 4, 1909—Still Serving.

Elected by Republicans.

*Vice President*—James Schoolcraft Sherman—New  
York.

*Secretary of State*—Philander Knox—Pennsylvania.

## SUMMARY

The following is the number of Representatives and Presidential Electors from each State, 1909. After the census of 1910 the number of each will be changed.

	Representatives	Pres. Electors
Alabama .....	9	11
Arkansas .....	7	9
California .....	8	10
Colorado .....	3	5
Connecticut .....	5	7
Delaware .....	1	3
Florida .....	3	5
Georgia .....	11	13
Idaho .....	1	3
Illinois .....	25	27
Indiana .....	13	15
Iowa .....	11	13
Kansas .....	8	10
Kentucky .....	11	13
Louisiana .....	7	9
Maine .....	4	6
Maryland .....	6	8
Massachusetts .....	14	16
Michigan .....	12	14
Minnesota .....	9	11

	Representatives	Pres. Electors
Mississippi .....	8	10
Missouri .....	16	18
Montana .....	1	3
Nebraska .....	6	8
Nevada .....	1	3
New Hampshire .....	2	4
New Jersey .....	10	12
New York .....	37	39
North Carolina .....	10	12
North Dakota .....	2	4
Ohio .....	21	23
Oklahoma .....	5	7
Oregon .....	2	4
Pennsylvania .....	32	34
Rhode Island .....	1	3
South Carolina .....	7	9
South Dakota .....	2	4
Tennessee .....	10	12
Texas .....	16	18
Utah .....	1	3
Vermont .....	2	4
Virginia .....	10	12
Washington .....	3	5
West Virginia .....	5	7
Wisconsin .....	11	13
Wyoming .....	1	3
	<hr/>	<hr/>
	391	483

## GENERAL QUESTIONS FOR REVIEW

1. When does Congress meet?
2. When does the short session close?
3. The congress which meets on the first Monday in December, 1909, is 61st Congress. How is this reckoned?
4. How are representatives chosen? For what term? Salary? Mileage?
5. How are United States Senators chosen? For what term? Salary? Mileage?
6. Qualifications for a United States Senator.
7. Qualifications for a Representative.
8. How are vacancies in each filled?
9. What provision for taking the census?
10. Under what department is the census bureau?
11. When was the first census taken?
12. How often since then?
13. When was the last census taken?
14. What does the "*census*" include?
15. What is meant by "basis of representation"? What was it at first?
16. What is the basis of representation now?
17. How many representatives are there now (1909)?
18. Who presides over the House of Representatives?
19. Who presides over the Senate?
20. Which body may impeach a civil officer?
21. What is meant by "Civil Service"?
22. What other than civil officers are there?
23. How are these other officers tried?
24. What body tries a civil officer of the United States when he is impeached?

25. Explain process of preparing charges in case of impeachment.
26. Explain about the trial of a person who has been impeached.
27. Into what classes are United States Senators divided by the Constitution?
28. Why?
29. Why was the legislative department organized by having two houses?
30. Difference between *oath* and *affirmation*?
31. Who presides when the President of the United States is impeached?
32. How many are required to *convict*?
33. What is the limit of penalty that may follow conviction?
34. To what further punishment may an impeached party be liable?
35. What is meant by a *quorum*?
36. How many constitute a *quorum* for the transaction of business?
37. What may a smaller number do?
38. How may a member be expelled?
39. When must "Yeas and nays" be called?
40. Define Treason.
41. Define Felony—United States law—California law.
42. Where do bills for raising revenue originate?
43. Why?
44. Explain how a bill may become a law?
45. What is a *veto*?
46. What is a *pocket veto*?
47. For what six purposes was the Constitution established? (See preamble.)
48. When did the Constitutional Convention meet? Where? How many delegates?
49. How long were they in session?
50. When was the Constitution adopted by Convention?

51. When did it go into effect?
52. What are Duties? Imposts? Excises?
53. How may the United States borrow money?
54. What is naturalization?
55. Explain how a foreigner may be naturalized?
56. Is there a United States bankrupt law in force now?
57. What is counterfeiting?
58. What is a Clearing House?
59. Difference between *currency* and *coin*.
60. What is the complete power of congress under *modern* conditions with regard to *post-offices* and *post-roads*?
61. What is a patent?
62. What is a copy right?
63. How may either be obtained? For how long a time?
64. What is a trade-mark?
65. What is a caucus?
66. How was the United States *Supreme Court* established?
67. How may inferior Courts be established?
68. What is piracy?
69. What are the "High Seas"?
70. What are "letters of marque and reprisal"?
71. Are these issued now by civilized nations?
72. Who constitute the militia?
73. When does the militia become subject to United States authority?
74. National Guard of California?
75. How are officers of the Militia appointed?
76. What are some of the places in *any* State over which Congress has exclusive control?
77. Mention three places in California.
78. What is an "ex post facto" law?

79. What is a "bill of attainder?"
80. What is a "Writ of Habeas Corpus?"
81. What is a capitation or poll tax?
82. What is a direct tax?—an income tax?
83. What is a property tax?
84. What compromises on the question of Slavery are found in the Constitution?
85. What is meant by "Clearance" of a vessel?
86. What is meant by the "Entrance" of a vessel?
87. What about titles of nobility?
88. Mention some other restrictions placed upon the power of Congress.
89. Mention the restrictions placed upon the States.
90. What is meant by *State Rights*?
91. Qualifications for President or Vice President.
92. How many presidential electors from each state?—from California?
93. When and where do these electors vote for President or Vice President?
94. Where are these votes counted?—When?—by whom?
95. How many copies of the returns are made?
96. What is done with these copies?
97. In case of removal of Vice-President what provision for succession to office of President?
98. Salary of President.
99. Give Presidential Oath of office.
100. When is the President Commander-in-chief of the Militia?
101. How many executive departments now?
102. Name them.
103. How many were there at first?
104. Which were they?

105. What is the difference between a reprieve and a pardon?
106. How are treaties made?
107. What officers are appointed by the President and confirmed by the Senate?
108. What provision for the appointment of the officers?
109. What about extra sessions of Congress?
110. In what respects were "Articles of Confederation" unsatisfactory?
111. Mention the names of four celebrated men who helped to frame the Constitution.
112. What was the Treaty of Paris 1763? What war did it end?
113. What was the Treaty of Paris 1783? What war did it end?
114. Louisiana Purchase?
115. Gadsden Purchase?
116. How was Florida gained?
117. Purchase of Alaska?
118. What States were formed from North West Territory?
119. Annexation of Texas?
120. Annexation of Hawaii?
121. What is an executive session?
122. What is a joint session?
123. Does the House of Representatives ever meet in executive session?
124. Difference between an *Ambassador* and a *Minister*?
125. What United States Courts have been established by Congress?
126. What about Supreme Court? How many Judges? Salaries—term of office.
127. How many *Circuit* Courts?
128. How many Circuit Judges?
129. Who presides over the *Circuit* Court?
130. What is term of office of Circuit Judge? Salary, etc.

131. How many District Courts?
132. How many Districts Judges?
133. Term of office of District Judge? Salary?
134. Court of Appeals.
135. Courts of Claims.
136. How are all these Judges appointed?
137. What is meant by the *original jurisdiction*?
138. What is meant by the *appellate jurisdiction*?
139. In what cases does Supreme Court have original jurisdiction?
140. To what cases does the judicial power of the United States extend?
141. What provision for "trial by jury"?
142. Where must the trial be held?
143. Where and when must trial be held, when *not* committed in any State?
144. What is treason? What is the penalty?
145. How may a person be convicted of treason?
146. What is corruption of blood?
147. How are the acts and records of a court made authentic?
148. What is an Extradition Treaty?
149. When a criminal escapes to another state how may he be brought to trial?
150. Give section about the formation and admission of new states.
151. How are individual states protected from invasion?
152. When does the General Government protect the state from domestic violence?
153. What is meant by "Eminent Domain"?
154. What was "Squatter Sovereignty"?
155. Explain how the Constitution may be amended.
156. What is the supreme law of the land?
157. What officers are bound by oath or affirmation to support the Constitution of the United States?

158. What about religious tests?
159. What was date of signing of the Constitution by the delegates?
160. Who was president of the Convention?
161. What is a search-warrant?
162. Explain how a search-warrant is obtained?
163. What is the difference between a civil and a criminal suit?
164. In what civil suits may the accused *demand* a jury trial?
165. What is *bail*?
166. Explain about the Missouri Compromise.
167. What is an indictment?
168. What is provision with regard to indictments by Grand Jury?
169. What is a Grand Jury?
170. What is a trial Jury?
171. What way of settling disputes other than by trial?
172. What is meant by Arbitration?
173. What were the "Alabama Claims?"
174. How were they settled?
175. How many United States Senators are there now?
176. How many representatives are there now?
177. How many Presidential Electors?
178. What is the difference between a plurality and a majority?
179. What was the "Ordinance of 1787?"
180. What states were organized from the Northwest Territory?
181. What was the "Wilmot Proviso?"
182. What was the Compromise of 1850? Omnibus Bill?
183. What is a Compromise?
184. Outline briefly the territorial expansion of the United States.
185. How are the committees appointed in the House of Representatives?
186. How in the Senate?
187. What can you say of the power of the Speaker?

188. Why is the presiding officer called the Speaker?
189. What was the "Electoral Commission?"
190. Who were the "Carpet-baggers?"
191. What do you mean by "Reconstruction" as applied to Southern States?
192. How is the right to a seat in either house of Congress determined in case of a contest?
193. When must the first vote for United States Senator be taken?
194. How? (In joint session or separately?)
195. What follows?
196. If there is no election in 1st ballot in joint session, what is done?
197. When and where does the United States Supreme Court meet regularly?
198. Can a citizen of Washington, D. C., vote for President?
199. How is District of Columbia governed?
200. What are duties of United States Marshals?
201. What are duties of United States District Attorneys?
202. What authority regulates Suffrage in a state?
203. How is choice of jurors for United States Courts governed?
204. How is choice of jurors for State Courts governed?
205. What is Smuggling?
206. What is a Custom House?
207. What is a Port of Entry?
208. What is a protective Tariff?
209. What is a Tariff for Revenue only?
210. What can you say about Light-Houses?
211. What was the "Critical Period?"
212. Tell about the "Freedmen's Bureau."
213. What is the Smithsonian Institute?
214. Locate the United States Mints.

215. What is meant by "delinquent taxes"?
216. What is a "Standing Committee"?
217. What is the Interstate Commerce Act?
218. What special privileges do members of Congress enjoy?
219. What is the "long" session of Congress? The "short" session?
220. In what way does the organization of the United States Senate differ from the lower house?
221. What are the two most important standing committees of the House?
222. Which confers the right of suffrage—the State or the nation?
223. How is the *State tax* determined?
224. Describe, in full, how the public lands of the U. S. are divided by ranges, townships, section of a township, etc.
225. In what way does a bankrupt law benefit a creditor?
226. In what way does a bankrupt law benefit a debtor?
227. What is the highest privilege of citizenship?
228. What are some of the rights of the accused in criminal cases?
229. What is the difference between a case in *law* and a case in *equity*?
230. In what case may a witness refuse to answer a question?
231. What was "Mason and Dixon's" Line? When established?
232. Give an account of the Salem Witchcraft.
233. Give an account of persecution of Quakers.
234. Fanueil Hall.
235. Independence Hall.
236. Origin of the American Flag? What was it at first?
237. What is it now? What does each part stand for?
238. What is meant by the "Right of Search"?
239. Who negotiated treaty of 1783, in the part of the United States?

240. Why was the House of Representatives created?
241. Did Congress, under the Articles of Confederation, represent "The People" or "The States"?
242. What had Washington, Madison, Hamilton, Jefferson and Marshall to do with establishing the present government?
243. When and where was Washington inaugurated?
244. Who administered the oath of office?
245. Compare Articles of Confederation with our present Constitution in *legislative*, *executive* and *judicial* authority.
246. Is there any other power higher than the Constitution?
247. Mention some things that are controlled by United States laws—and others that are controlled by State laws.
248. What is "Free Trade"?
249. What officers and buildings must we have on account of the tariff?
250. What is nullification?
251. What is bribery?
252. What was the "Hartford Convention"?
253. What were the Kentucky Resolutions'?
254. Tell about the results of the invention of the "Cotton Gin"?
255. Tell about the results of the invention of the steamboat.
256. What is meant by the "Spoils System"?
257. "To the victors belong the spoils"—explain.
258. What is meant by Ashburton Treaty?
259. The Mormons,—Origin and settlement in Utah.
260. When are compromises desirable?
261. What is a Compromise?
262. What was "The Fugitive Slave Law"?
263. What were "Personal Liberty Bills"?
264. What was "Squatter Sovereignty"?
265. What is "Local Option"?

266. What is "Dred Scott decision"?
267. What was "Lecompton Constitution"?
268. What about the "Underground R. R."?
269. What was the "Credit Mobilier"?
270. Who were the "Mugwumps"?
271. What is "boycotting"?
272. What is meant by "Suspending Specie Payments"?
273. What is "Specie"?
274. What gives value to paper money?
275. Are Confederate Bills of any money value now?
276. Is a check upon a bank, money?
277. When may it be used as money?
278. What is a certified check?
279. What is a Clearing House?
280. Explain how it does business.
281. What is money?
282. What presidents have died in office?
283. What Vice-Presidents have become presidents?
284. Mention some of the effects that have come from modern inventions such as the telephone, the telegraph, railroads, etc.
285. What was the "Charter Oak"?
286. Who were the Sons of Liberty?
287. Who were the "Minute Men"?
288. Tell about the Treaty of Ghent."
289. What lands were included in "Gadsden Purchase"?
290. What were the steps by which the United States gained perfect title to the Oregon-region?
291. What is a "Gerrymander"? Origin of term?
292. What are the High Seas?"
293. When does the house of Representatives choose a president?
294. How?

295. Has this ever been done? If so, when?
296. What was the Electoral Commission?"
297. What is Admiralty jurisdiction?
298. What is a "Search-Warrant"?
299. What is meant by the "Initiative and Referendum"?
300. Who are "Gold Democrats? Origin of title?
301. What is meant by the term "Free Silver"?
302. Who and what were Contrabands?
303. What is known as the "Era of Good Feeling"?
304. What was Shay's Rebellion?
305. When are presidential Electors chosen?
306. When and where do they vote for President and Vice President?
307. When, where and by whom are these votes counted?
308. How many territories are now sending a delegate each to Congress?
309. What about "Red Cross Society"?
310. What has become of the "Great American Desert"?
311. Who were the "Rough Riders"?
312. What is a "Trust"?
313. What were the "Blockade Runners"?
314. What is a blockade?
315. What is a quota?
316. What is a "Draft" as applied to soldiers?
317. Where are the United States Sub-treasuries located?
318. What was the "Natural Road"?
319. Who was citizen Genet?
320. Who is known as "The Pathfinder"?
321. Bacon's Rebellion.
322. What purpose had Oglethorpe in founding a colony in Georgia?
323. Tell about Lord Baltimore.
324. John Paul Jones.

325. Give history of the United States Bank.
326. Who was "Old Hickory"? Why so called?
327. Aaron Burr.
328. What is known as the "Trent Affair"?
329. What was "privateering"?
330. What is meant by "popular government"?
331. What is meant by an "Enacting Clause"?
332. Give the Enacting Clause of California.
333. Give the Enacting Clause of United States Congress.
334. What is the difference between a *bill* and an *act*?
335. Give the original of the term "Bro. Jonathan".
336. Describe the Great Seal of California.
337. What is the use of the United States Seal or of the State Seal?
338. In general what is the use of a *Seal*?
339. Describe the Great Seal of United States.
340. What is a notary public?
341. Explain how District of Columbia became site of National Capital.
342. Area at first? Area now?
343. Explain how District of Columbia is governed.
344. Outline Government of a United States territory.
345. What were the Alien and Sedition Laws?
346. What is Bi-metallism?
347. Which of the States seceded first?
348. Who were known as "Border Ruffians"?
349. Boston Massacre.
350. Boston Port Bill.
351. Boston Tea Party.
352. What was the "Mayflower Compact"?
353. What was "Civil Rights Bill"?
354. "Old Ironsides."

355. "Continental."
356. What was the "Geneva Tribunal?"
357. What is meant by "The Law of Nations?"
358. Who were the Tories?
359. What was the doctrine of "Popular Sovereignty?"
360. What was the "Tenure of office" act?
361. Who are the "Suffragists?"
362. What was the "Western Reserve?"
363. Who were the "Whigs?"
364. What was the first *Representative* Assembly in America?
365. Give an account of the introduction of African slavery?
366. In the war in England between the King and Cromwell,—the southern Colonies were Loyalists, and Northern Colonies were with Cromwell,—Why?
367. Give the origin of the "Town Meeting."
368. What was the first Public School in America?
369. The first College?
370. The first Printing Press?
371. What were the "Blue Laws?"
372. What was the first book printed in United States? When?
373. The first newspaper? Date?
374. What was the "Mecklenburg Declaration"?
375. The "Liberty Bell"?
376. When a bill is introduced in either house or Congress, what is done with it?
377. Mention some of the most important Committees of the House of Representatives.
378. What land was granted to the Plymouth Company?
379. What land was granted to the London Company?
380. What about the territory between these two?
381. Tell about the "Black-Hawk War."

382. The Maryland "Toleration Act".
383. What is meant by "Rotation in office"?
384. Lewis and Clark expedition.
385. Fugitive Slave Law.
386. Personal Liberty Bills.
387. Who were the "Sons of Liberty"?
388. Ku Klux Klan.
389. The Franking privilege.
390. How abused? How modified?
391. What is meant by "Standard Time"?
392. The Berlin Decree.
393. "Orders in Council".
394. "The Embargo".
395. The "Trent Affair".
396. When was the "Starving Time"?
397. Who was "Poor Richard"?
398. Astoria.
399. What is known as the "Civil Rights Bill"?
400. What is meant by "Free Coinage"?
401. When did "Free coinage of silver cease"?
402. Who are Filibusters?
403. What was the "Iron-clad Oath"?
404. What is the Homestead law with reference to public lands?
405. What sections are reserved for schools?
406. What provision for the maintenance of "Agricultural Colleges"?
407. "Quaker Guns".
408. What was the "Yankee Cheese box"?
409. Explain the slogan "54' 40' or fight."
410. What is a passport?
411. To whom may passports be granted?

412. What is meant by International Copyright?
413. How far from land does the jurisdiction of a Country extend?
414. What are "American Waters?"
415. What must an office holders do to enable him to accept a present offered by a foreign power?
416. What oath must all officers, state and municipal as well as National, take?

### ORGANIZATION OF PARTIES AND CONVENTIONS

1. How are political parties organized?
2. How is a national campaign managed?
3. What is the first step in a Presidential campaign?
4. Who compose the National committee of a party?
5. When and by whom are they appointed?
6. Who compose a State Central Committee?
7. When and how are they chosen?
8. Who compose a City Central Committee?
9. When and how are they selected?
10. What is a *primary*?
11. What is meant by a "direct primary?"
12. Explain, in full, how the delegates to a National Convention are chosen?
13. Who compose a County Central Committee?
14. When and how are they selected?
15. When delegates to a committee meet, who calls them to order?
16. How does the convention organize?
17. What three committees are appointed?
18. What is duty of Committee on Credentials?
19. What is duty of Committee on Permanent Organization, etc.?
20. What is duty of Committee on Resolutions?

21. After these committees are appointed,—short adjournment.  
Why?
22. What is meant by registration? ,
23. Why is registration necessary?
24. What is the Australian Ballot?
25. Why is the Australian Ballot preferable to the voting machine?
26. Issue a call for a National Convention for nominating President  
and Vice President.
27. Issue a call for a State Convention for choosing delegates to the  
National Convention.
28. Issue a call for a County Convention.
29. Issue a call for a City Convention.
30. What are duties of a "Sergeant at Arms"?
31. How are funds raised for political campaigns?
32. What authority determines who may vote?
33. Who are Citizens in California?
34. Who may vote in California?
35. Law about residence for voting purposes.

### STATE GOVERNMENT

1. When does the Legislature meet?
2. How many compose each house?
3. For what term are these chosen?
4. Explain how the State is districted?
5. What Assembly district are we in?
6. What Senatorial district are we in?
7. What is the difference between semi-annual and biennial?
8. For what purpose do both houses meet in joint session?
9. For what term are State Officers elected?
10. What is the salary of Governor? Duties?
11. What is the salary of Lieut. Governor?

12. What are his duties?
13. What is salary of Secretary of State? His duties?
14. What is the salary of State Controller? His duties?
15. What is the salary of State Treasurer? His duties?
16. What is the salary of Attorney General? His duties?
17. What is the salary of Surveyor General? His duties?
18. What is the salary of Supt. of Public Instruction? His duties?
19. What is the salary of Clerk of Supreme Court? His duties?
20. What is the salary of State Printer? His duties?
21. How many Justices of Supreme Court?
22. What is their term of office?
23. Are they elected or appointed?
24. What are their salaries?
25. How many district Courts of Appeal?
26. How many judges for each district? -
27. What are their salaries?
28. What other judges are paid wholly or in part by the State?
29. Are these judges elected or appointed?
30. Who is the *executive* officer of a county?
31. What is the *legislative* body in a county?
32. What are the principal county officers? Explain duties of District Attorney.
33. To what officer does a person apply for a marriage license?
34. Give outline of duties of Supervisors.
35. Explain duties of Supervisors when sitting as Board of Equalization.
36. What State Board corresponds to this?
37. State Board of R. R. Commissioners?
38. State Board of Harbor Commissioners?
39. Insurance Commissioners?
40. Bank Commissioner?

41. What disposition is made of the poll tax?
42. What are sources of school revenue in Cal.?
43. What are Justice's Courts?
44. Who are subordinate officers?
45. Superior Court?
46. Probate Court?
47. Term of office of Superior Judges? Salaries?
48. When may a judge in one county preside over a court in another county?
49. When must he do so?
50. Who are *citizens* according to Constitution of Cal.?
51. What is legislative body in a city?
52. Who is the executive officer in a city?
53. What is duty of city attorney?
54. Mention some of the other officers in a city government.
55. What body in *city* acts as Board of Equalization?
56. What are their duties?

# EDUCATIONAL PUBLICATIONS

— OF THE —

**WHITAKER & RAY-WIGGIN CO.**

**SAN FRANCISCO, CAL.**

---

## **PRACTICAL AIDS TO THE TEACHING OF CIVICS.**

**By S. D. Waterman.**

Former Superintendent of Schools of Berkeley.

The author of this book has succeeded where so many others have failed, in giving a clear and accurate treatment of government of both City and Nation. Also, he has skilfully handled a number of subjects that are now demanding public attention, such as the Direct Primary, the Recall, the Initiative and the Referendum.

The book is adapted to use in all other States as well as California. Price, in strong cloth binding, 60c net.

## **CIVIL GOVERNMENT SIMPLIFIED.**

**By J. J. Duvall.**

It is the purpose of this little book to supplement any text on Civil Government, and particularly the "California State Series."

The arrangement of the subject matter is so simple yet comprehensive that the pupil may learn at a glance the relation of the different parts of government.

Bound in leatherette. Price, 25c net.

## **AIDS TO LITERATURE.**

Number One.

### **THE LEGEND OF SLEEPY HOLLOW AND RIP VAN WINKLE.**

**By J. W. Graham.**

Superintendent of Schools of Kings County, California.

In this little book the author has embodied the best plans of the most successful teachers of English, just as they were used in the schoolroom. The technical part of grammar is entirely omitted and the study of real English kept constantly before the pupil.

Number Two.

### **LADY OF THE LAKE, EVANGELINE, MERCHANT OF VENICE, SNOWBOUND AND VISION OF SIR LAUNFAL.**

**By J. W. Graham.**

Assisted by a Committee of Seven Practical Teachers of English.

A complete plan of work is given for each poem treated, together with a list of questions carefully selected and calculated to lead the pupil step by step to a clear understanding of each subject. Bound in leatherette. Price, 25c net.

Number Three.

**EVANGELINE.**

With Notes and Suggestions for Study.

By Arthur L. Hamilton.

This edition of "Evangeline" is issued specially for teachers whose time is limited and who cannot, for that reason, prepare suggestions for pupil's study in English work. It is a reproduction of Mr. Hamilton's class work on the poem, and is given out because it represents a successful handling of the subject of English. Bound in leatherette. Price, 25c net.

Number Four.

**SIR WALTER SCOTT IN THE SCHOOLS.**

By Frank J. Browne.

A Study of "Ivanhoe" and "The Lady of the Lake."

This book is the actual material used by the author in teaching the above named English masterpieces to High School classes.

Emphasis is given to all sides of English study. Primary attention is directed to the masterpiece as a work of literary art. This is made a basis for history, analysis, style, paragraphing, diction, grammar, derivation, definition, and original composition.

Bound in leatherette. Price, 25c net.

**POEMS FOR MEMORIZING.**

(Graded.)

By Alice Rose Power.

These selections have been tried in the different grades and approved by practical teachers. The literary and ethical value of the poems makes it the most valuable list published for school use. As a desk book for teachers, a library book for pupils and parents, and as a reader for all classes, it furnishes the best material obtainable.

Paper, Parts I and II, each, 10c.

Boards, 60c net.

Paper, 35c net.

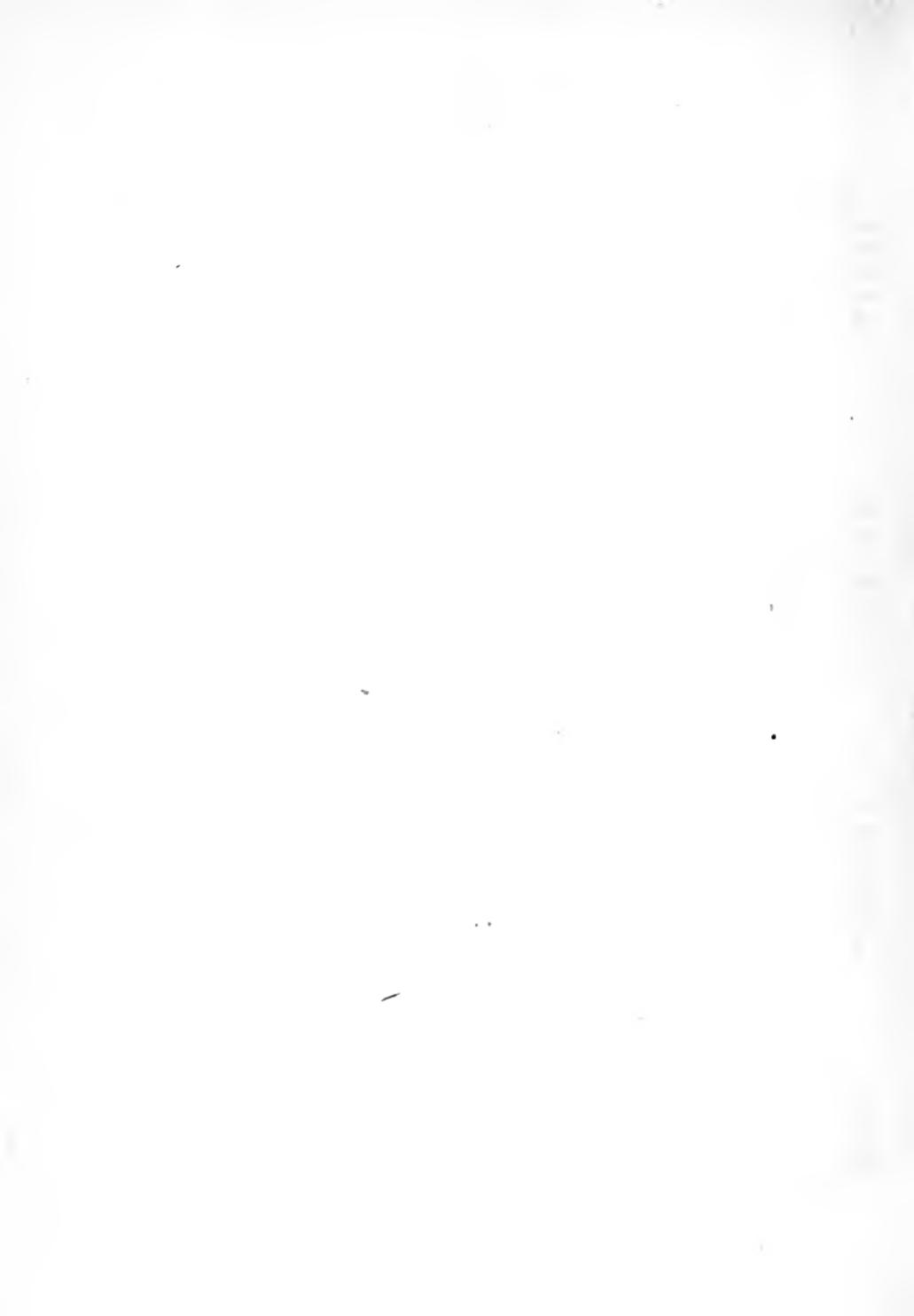
Price: Cloth, \$1.00 net.

**THE GOVERNMENT OF WYOMING.**

By Grace Raymond Hebard.

A very pithy summary of the History, Constitution and Administration of affairs in the State of Wyoming. The text is most carefully prepared and systematized. This, together with the various questions and outlines, renders it a most valuable book for either the class room or the general reader.

Price, \$1.00 net.







YB 12749

377854

*Waterman*

UNIVERSITY OF CALIFORNIA LIBRARY

THE  
WHITE HOUSE  
S. N. FRANCISCO



BOOKS

