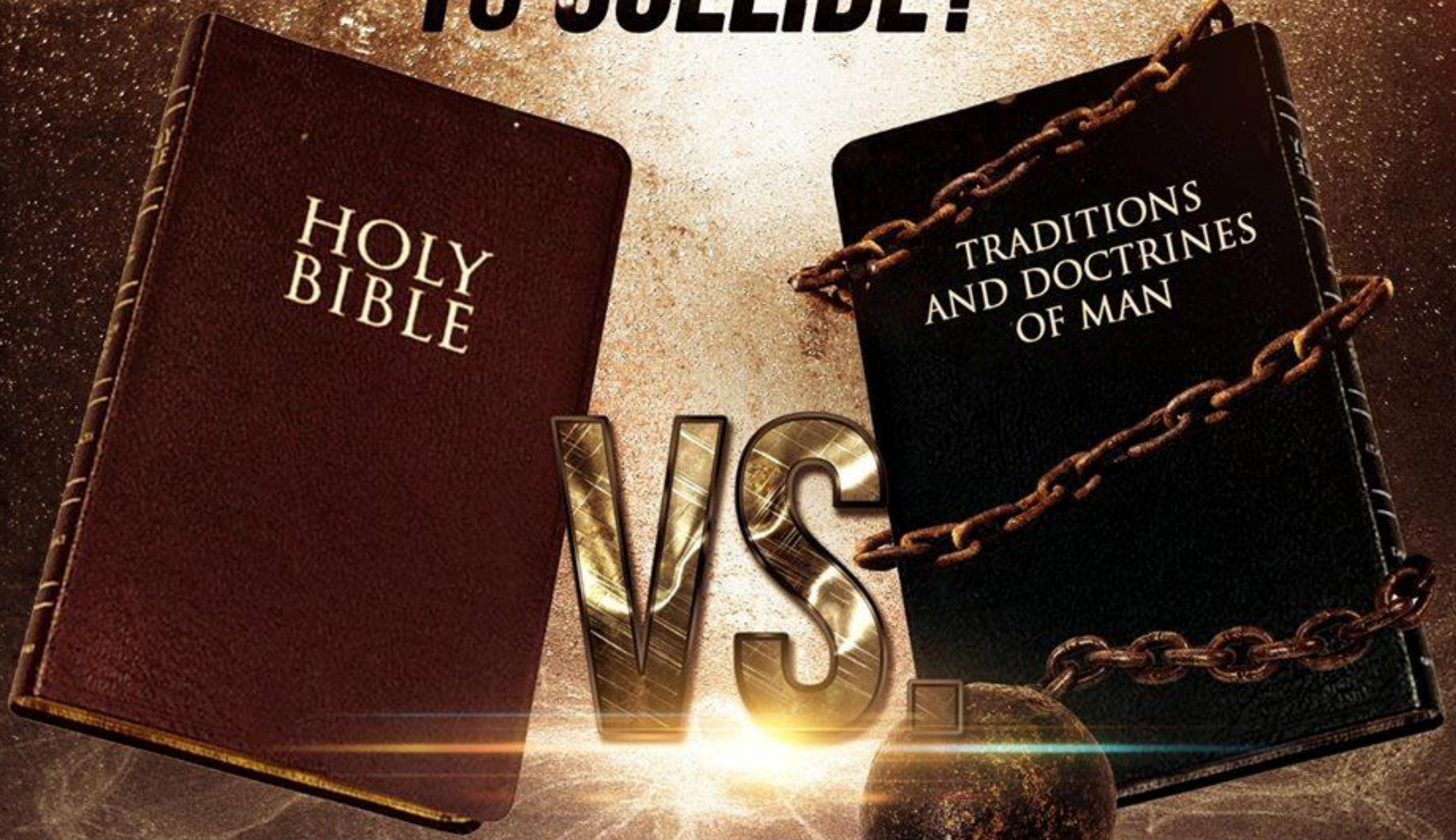
PASTOR, CHURCH & LAW

VOLUME ONE:
LEGAL ISSUES FOR PASTORS

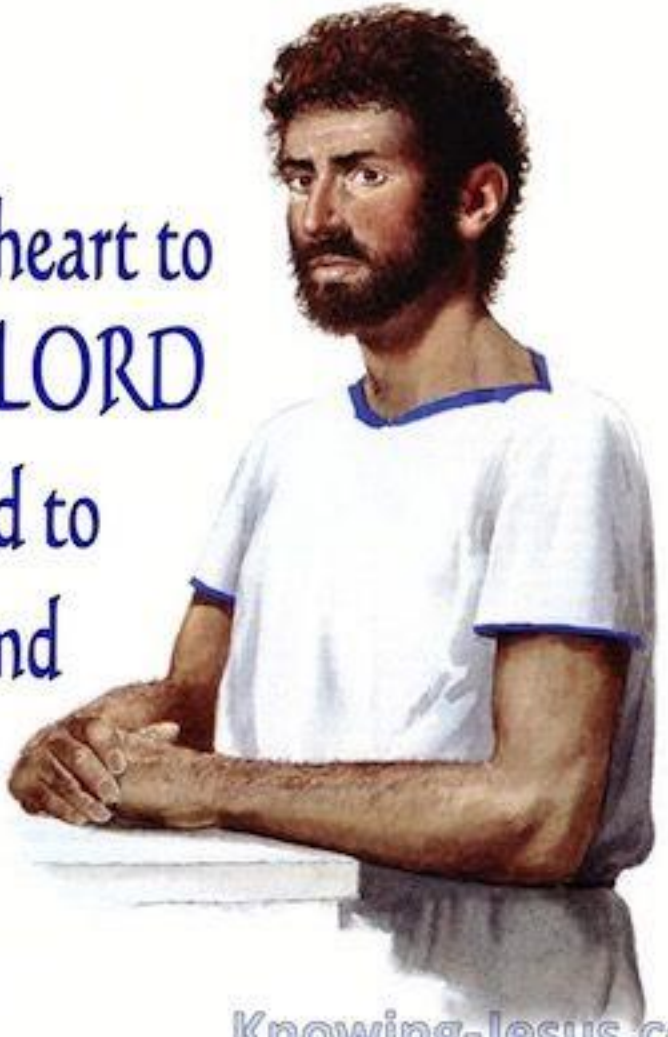
ARE YOU READY FOR SCRIPTURE AND DOCTRINE TO COLLIDE?



TEST EVERYTHING!

For Ezra had set his heart to study the law of the LORD and to practice it, and to teach His statutes and ordinances in Israel.

Ezra 7:10



CITIZENS OF ON HIGH

The Law

[Editor's Note – *This section is not intended to give the reader the tools to fully understand the scope and nature of the laws under which the states and the federal government operate. That goal takes years to achieve and I doubt any single resource could make a significant contribution to that end. This section is intended as a "wake-up call" concerning the idiosyncrasies and complexities of the law so that when you come in contact with "law", you are not immediately overwhelmed, and that you have some understanding of the issues you may be facing.*]

How would you define, "law"? Most people have never really stopped to consider this question. For most Americans "law" is something the police officer uses to make an arrest or issue a traffic ticket. To others it is a bunch of confusing books that lawyers use to bamboozle you out of what is rightfully yours. If you hold these opinions, you are right – but you've barely scratched the surface!

"The Law" is any system (or part of that system) that creates or recognizes rights, duties, or obligations, and provides a forum through which to seek a remedy in the event that any of those rights, duties, or obligations are breached.

Although one would ordinarily think that in the course of history there have been many different forms of law, one would likely be surprised, if not downright shocked, to learn how many different forms of "law" exist in America at this very moment. Here are but a few of the styles of law that you may be called to operate within if you find yourself head-to-head with the legal system:

Common Law	Constitutional Law	Corporate Law
Equity Law	Treaty Law	Contract Law
Admiralty/Maritime	Federal Law	Tax Law
Administrative Law	State Law	Civil Law
Private Law	Municipal Law	Criminal Law
Public Law	Probate Law	Labor Law
International Law	Family Law	Bankruptcy Law

As you can see, things can get challenging rather quickly. Each form of law has its own special doctrines and standards. Many times one form of law "nests" within another. Unless one understands the idiosyncrasies of the type of law being used or applied in a certain case, one will often feel railroaded toward an unpleasant outcome. Although this website cannot possibly educate its visitors in every area of the law, it is our goal to make you aware of the broad concepts that govern the legal trade. After that, it is you who must do the work if you wish to better understand the Byzantine maze that is our legal system.

Fundamental Forms of American Law

In America, our laws are comprised of several fundamental levels. The first is **Constitutional law**. No other law, of any form, is valid unless it comports itself with the applicable Constitution. A law that cannot find its basis in the applicable Constitution is an unconstitutional law, and thus null and void.

At the state level, the next operative form of law is the **common law**. The government has done everything within its power to wipe common-law from the face of America, but the common law was, is, and always will be, the proper form of law for the *de jure* state Citizen. Some modern expositors have stated that the common law is "harsh". We might observe that it is unforgiving and inflexible when a person transgresses the rights of others. We are not convinced that this makes the common-law harsh, so much as it does strict.

Next in significance is **Equity** law. Equity law covers a broad scope of legal issues and is used extensively in today's courts. Equity is distinct from common-law.

> **Equity** – "…a system of jurisprudence collateral to, and in some respects independent of, 'law'".
> *Black's Law Dictionary*, 6th Ed.

> **Equity Jurisdiction** – "That portion of remedial justice which is exclusively administrated by courts of equity as distinguished from courts of common law".
> *Black's Law Dictionary*, 6th Ed.

And here is a fascinating definition, from Bouvier's Law Dictionary [1856]:

> **Equity, Court of** - A court of equity is one which administers justice, where there are no legal rights…

The most succinct (although not exhaustive) definition of "Equity" would be this:

> "The term 'equity' denotes the spirit and habit of fairness, justness, and right dealing which would regulate the intercourse of men with men"
> *Gilles v. Dept. of Human Resources Development*, 11 Cal.3d 313

It is important to note that whenever the word "fair" is involved, it means that a third party will decide what is fair for you. Despite the lofty ideals of "equity", what is thought to be "fair" in the mind of one person, may often times be thought completely unfair in the mind of another. If the common-law is competent to provide a remedy, one need not acquiesce to the jurisdiction of a court of equity.

Next would come **statutory law**. This is the form of law that most Americans know as "the law", although it is in reality a form of law with ***very limited power***. Statutory law is comprised solely of the acts of the legislature that have become law and are currently in force. Most of these legislative acts (statutes) have been codified to one "title" or another within a set of "codes". There are a couple of significant points to remember. First, most codes are not law, but are merely indicative of the law; the law is the actual statute that was passed by the legislature. It is conceivable that a statute could have been repealed, yet the code section still exist. If you are in a legal fight, always check the statute behind the code section. Second, keep in mind that not every statute passed into law is codified; some statutes simply stand-alone and remain non-codified, hence the name "statute-at-large".

And here's the real kicker concerning statutory law:

> ***A statute is an enactment by a legislative body bringing into existence its creatures (e.g. corporations) and setting forth the privileges, immunities and responsibilities of each creation. A statute applies only to the "rightful subject of legislation" (i.e. the creatures created by statutory fiat). The "rightful subjects of legislation" does not mean The People, unless the statute specifically states its intent to apply to private Citizens***.

Of course one should remember that one can create an obligation to a law that would not otherwise bind him by involving himself in various regulated activities or by entering into an agreement with the government (such as acquiring a business license, resale permit, etc.)

Other Important Distinctions

Classifications

Every law that defines an offense falls into one of two categories. The first category is *mala in se*, and the second is *mala prohibita.*

A *mala in se* offense is a crime that is, by the laws of nature and God, a true crime. Examples of this would be, murder, rape, robbery, fraud, etc.

A *mala prohibita* offense is one that would not be an offense were it not for the legislature passing a law that makes a particular act a punishable offense. Examples of this would be, possessing or smoking marijuana, buying and selling more than 7 cars a year without a dealer's license (in California), not obeying road signs and speed limits, etc.

Application

Various laws also only apply to certain "groups" of persons and not persons outside that group or groups. An example if this would be laws concerning "licensed contractors". The state has no blanket authority to require every person who, for profit, plumbs, or installs a lighting fixture, or builds a patio deck, to apply for and acquire a license.

Here is a list of the persons who must have a contractor's license:

1) Any person conducting certain defined types of construction on State property.
2) Any person who has entered into a contract with the State to perform certain defined types of construction.
3) Any person who has acquired a contractor's license and has not properly cancelled it.
4) Any foreign corporation doing business in your State.

Nature

All legal actions fall only within one of two broad categories; **civil** or **criminal**.

> California Code of Civil Procedure, Section 24:
>
> Actions are of two kinds: 1. Civil; and, 2. Criminal.

The Penal Code of each state is the code from which crimes are prosecuted. In California, the Code of Civil Procedures states:

> Section 31 - The Penal Code defines and provides for the prosecution of a criminal action.

Please note that there is no criminal action that is prosecuted from any other code.

Civil actions arise out from either an **obligation**, or an **injury**. Here is how the California Code of Civil Procedures defined those two terms:

> Section 26 - An obligation is a legal duty, by which one person is bound to do or not to do a certain thing, and arises from:
> One--Contract; or,
> Two--Operation of law.

An "injury" is defined thusly:

Section 27 - An injury is of two kinds:
1. To the person; and,
2. To property.

An injury is fairly self-evident, as is an obligation connected with a contract. However, the obligation that arises from an "operation of law" may seem less clear.

> **Operation of law** – This term expresses the manner in which rights, and sometimes liabilities, devolve upon a person by the application to the particular transaction of the established rule of law, without the act or co-operation of the party himself.
> *Black's Law Dictionary, 6th Ed.*

In other words, an operation of law is simply some event or circumstance that lays a right or liability upon a person through no action of his own, and that right or liability may justify a civil court action.

[Editor's Note: *We frequently use California law because we are most familiar with it. However the concepts discussed are general in nature, and apply in your state as well as California.*]

How Federal Law Differs from State Law

Federal law only defines *mala in se* crimes that occur within the "federal places". [See the federal territorial jurisdiction section of this site for more details on geographic jurisdiction of the US.] In other words, federal law cannot define "murder", as such term may be used within, say...Arizona. That's because the federal government has no general police powers within the states of the Union. The federal government may only define a *mala in se* crime for use within places that are under the exclusive legislative jurisdiction of Congress. Compared to a state penal code, there are relatively few *mala in se* crimes defined with the United State's equivalent of a penal code [Title 18 of the United States Code]. Most "crimes" that are contained in 18 USC are actually regulatory in nature [*mala prohibita*].

When dealing with federal law, the trick is to determine (through research) what is the exact nature and authority of the law being examined. It will fall into one of three categories:

a) A true criminal statute [*mala in se*] that applies to persons and property located within the geographic United States (i.e. Washington DC, other federal lands, US possessions and territories).

b) A regulatory law [*mala prohibita*] that applies to persons and property located within the geographic United States (i.e. Washington DC, other federal lands, US possessions and territories), and/or to those who have entered into a licensed activity under the authority of the United States.
c) A regulatory law [*mala prohibita*] that applies to persons and property located within the states of the Union under the enumerated powers of the federal government, which are expressly defined in the US Constitution.

Federal Admiralty Jurisdiction

The federal government frequently moves in Admiralty Jurisdiction. The term used by the government more recently is "Special Maritime Jurisdiction". They are the same animal.

Admiralty jurisdiction deals primarily (or maybe we should say "originally") with ships and occurrences upon the water. This special jurisdiction was a result of the issues of international shipping, questions of ownership over ships and their cargo, "prize" issues [defeating a ship in battle at sea], piracy, controversies over shipped goods when the owners are not in America, salvage of vessels and goods, and various Customs issues.

When our nation was first founded, Admiralty jurisdiction was restricted by the "rule of tides". Under this rule, Admiralty jurisdiction could only be invoked if the circumstance took place on water (or at dock) subject to the natural forces of the tides. However, over time that yardstick was throw aside and Admiralty's reach was expanded (by court decisions) to embrace all actions previously cognizable under Admiralty, but which took place on any navigable waterway under the jurisdiction of the United States. In other words, if it's a navigable waterway that is in the United States (federal territory) or if the waterway is used for interstate commerce, certain controversies that arise in such circumstances can be heard in Admiralty jurisdiction.

It should be noted that the states of the Union also have Admiralty jurisdiction when dealing with issues of intrastate commerce, or when a state is acting as an agent (under agreement with the US Secretary of Transportation) for the federal government in the enforcement of interstate commerce regulations associated with navigable waterways.

It is widely theorized by tax law researchers that IRS seizures are all made under Admiralty jurisdiction derived form an alleged violation of a Custom's regulation. The government is currently disputing this argument by stating that federal court actions involving seizure are commenced under the Federal Code of Civil Procedure. However, many (but not all) procedural aspects of Admiralty actions are controlled by the Federal Code of Civil Procedure.

Civil Codes with Criminal Penalties?

Having discussed the difference between civil actions and criminal actions, one might wonder why some offenses contained in civil [non-penal] codes can result in consequences usually thought to be exclusively for criminal acts (such as going to jail).

Here in California there are two doctrines that seem to be in conflict at first glance. One item of controlling case law states that if you are engaged in an activity that is cognizable under the authority of one the various civil codes, these codes can include penalties that are, in their nature, criminal penalties. While the court was not specific as to when such "criminal penalties" attach to a civil offense, we can only conclude that they are limited to cases that are regulated through a license. It is only in such a circumstance that the defendant made a prior agreement to abide by the conditions of the code and is therefore presumed to know that criminal penalties are a part of the "agreement". In short, the court appears to be saying, "If you don't like water, stay out of the pool."

In the second case, the a California appeals court struck down the jail-time portion of a sentence handed down to a former Los Angeles County Supervisor who'd been convicted of the misuse of campaign funds. In its decision, the court stated that the offense was civil in nature and therefore the maximum sentence that could be imposed was a fine, not jail time. This would appear to be a regulatory violation that was not supported by any form of "license" (i.e. prior agreement) and therefore the defendant had never "agreed" to allow criminal penalties to be applied to him for a civil offense.

The Amazing Disappearing Law

Laws do not actually disappear, but their language is altered over time to obscure the true purpose and intent of the law. One would think that once a law is passed it would not need to be altered unless some flaw or shortcoming becomes apparent, or some circumstance changes that requires the statute to keep up with the times. I think the average citizen would be surprised to learn that statutes are amended to alter their language for no ***apparent*** reason. We stress the word "apparent" because the legislative draftsmen who propose these changes know exactly what their purpose is.

In the following fictitious example, we are going to provide you with the year that the statute was passed as well as the text. I will then give you the year of each amendment of the statute that changes the prior language. After viewing the progression of the changes, look again at the original version and take note of all the clarity that has been lost. You will see how the changes have rendered it

impossible for a person to know the original intent of the law. This practice is more common than you would believe.

> **1959** – It shall be illegal for any foreign corporation to produce widgets except between the hours of 8:00 a.m. and 5 p.m., Monday through Friday. Widgets may not be sold without having first obtained a license in accordance with Business and Professions Code section 12345.
>
> **1970** - It shall be illegal for any corporation to produce widgets except between the hours of 8:00 a.m. and 5 p.m., Monday through Friday. Widgets may not be sold without having first obtained a license in accordance with Business and Professions Code section 12345.
>
> **1973** - No corporation shall produce or sell widgets except between the hours of 8:00 a.m. and 5 p.m., Monday through Friday. Widgets may not be sold without having first obtained a license in accordance with Business and Professions Code section 12345.
>
> **1979** - No person shall produce or sell widgets except during the times allowed by law. Widgets may not be produced or sold without having first obtained a license in accordance with Business and Professions Code section 12345.
>
> **1990** - No person shall produce or sell widgets except in accordance with regulations pertaining to this section. Widgets may not be produced or sold without having first obtained a license in accordance with Business and Professions Code section 12345.
>
> **1994** - No person shall produce or sell widgets without first having obtained a license.

What is important for the reader to know is that the intended meaning and application of the law, as indicated by its original language, cannot be altered by amendment! The 1994 versions still means the same exact thing as the 1959 version. If there are any questions as to the proper meaning and application of a law, the prudent person will seek out the earliest possible version of the statute in order to confirm the issues.

The "Other" Law

There is a form of "law" that is not really law at all. It's commonly referred to as "case law" (also known as "decisional law" or "precedent"). Case law is the previous ruling on a point of law by a court of competent jurisdiction. Case law, when used properly, was/is intended to provide consistency concerning points of law over time.

In theory, this allows a person to go into court on particular subject in the year 2005 and feel confident that the court will make the same ruling on a particular point of law that a neighboring court made in 2000. On the surface, who can complain?!

Unfortunately, that leaves the meaning and/or application of specific points of law up to a just about every Tom, Dick, and Harry who wears a black robe. We believe that today most practicing attorneys will admit that case law has become a quagmire of conflicting opinions that all to often lead to more confusion, than clarity.

There are two institutionalized problems with case law that need correction before this disaster called "case law" can be rectified; they are integrally connected.

The first problem is a general unwillingness on the part of lawyers to challenge existing case law. There are two arguments that can be used to challenge case law:

1) Aver that the circumstances that led to the ruling on a point of law in the previous case are not substantially the same as are at issue in the current case and therefore the ruling on the point of law in the previous case is not controlling in the current case.
2) Aver that the circumstances that led to the ruling on a point of law in the previous case are the same as in the current case, but that the previous court simply ruled in error concerning the issue of law in question.
3) Show that what has been passing for case law is actually nothing more than *obiter dictum*.

Stated plainly, most lawyers are just too lazy tackle option number one. This sort of argument takes time and effort to put forth and is rarely seen except in high-dollar corporate legal battles. In most courtrooms case law is never challenged – even when it's not terribly applicable.

Option 2 is basically dead on arrival. Lawyers will almost never aver to one court that the decision of a previous court is just flat out wrong. Even on the rare occassions that an attorney is motivated enough to make the argument, the court is virtually never willing to overturn a fellow judge's ruing on a point of law. We get the impression that like the aristocracy of old, today's judges consider it impolite or ungentlemanly to publicly declare another learned and honorable judge to be wrong.

Option 3 would require an attorney to actually read the court's decision and sometimes all the briefs, motions, and others filings from the very beginning of the case. Reading previously decided cases is very time-consuming and at times exceedingly boring. Neither of these are the kind of things with which attorneys like to involve themselves. For most attorneys that kind of arduous effort ended on the day they graduated law school.

The second significant problem with case law is that while many judges are willing to follow it blindly, other judges seem unwilling to follow the precedent of their state Supreme Courts or the decisions of the US Supreme Court, even when the issue before the court is well settled by the higher courts. While the motives of such judges may be speculated upon by layperson and lawyer alike, the solution is cheered by the public and dreaded by the BAR associations. Judges who disregard case law that is clearly and correctly applicable to the matter before them should be removed from the bench by a panel of Citizens, their pensions should be forfeit upon removal, and judgments should be issued against them for any injury done to their victims.

The Language of Law

One of the greatest stumbling blocks for the American public in understanding the laws their representatives enact is that laws use words in a different manner than we do in common speech.

There are two kinds of language that are primarily used in law – one is "words" (just as we use in common speech) and the other is "terms" (which can be substantially different than we use in common speech).

"Words" are just that – words. They are presumed to be used in their ordinary manner and they are subject to the "plain meaning rule" when interpreting a statute. Their meaning must be sought through the common English dictionaries of the era in which the statute was written. In the absence of any clear contrary intent by the legislature, the meaning found in these dictionaries is the sole meaning that must be given to the word.

"Terms" are another matter. Terms appear no different, to the layperson, than words. The difference is that terms are not subject to the "plain meaning rule" because the legislature has provided its ***own*** definition for the term being used. Where the legislature has provided its own definition, the ordinary English dictionary must be thrown out the window; the definition given to the term by the legislature controls the meaning completely.

The meanings of terms can be identified by seeking out the "definitions" section applicable the text that you are reading. Unfortunately, this may not always be as straight forward a proposition as one might imagine.

Most codes provide a section that gives definitions that are generally applicable throughout the entire code, however any of the definitions given for the entire code are subject to be redefined in any given subtitle, chapter, section, subsection, or clause. Any time a term is redefined for a specific subtitle, chapter, section, subsection, or clause, that redefinition of the term takes precedent (within that subtitle, chapter, section, subsection, or clause) over the general definition provided for the entire code. Of course, to make matters more confusing, any time a term is redefined for use in a subtitle, chapter, section, subsection, or clause, it can be redefined again and again as you move from subtitle to chapter; chapter to chapter; chapter to section; section to section; section to clause, etc. In other words, you always have to be on your toes and make sure you know the definitions that apply to the exact text your reading!

Here is an example. 26 USC 7701 contains definitions that applicable for the entire Internal Revenue Code. Section 7701(a)(20) defined "**employee**":

> For the purpose of applying the provisions of section 79 with respect to group-term life insurance purchased for employees, for the purpose of applying the provisions of sections 104, 105, and 106 with respect to accident and health insurance or accident and health plans, and for the purpose of applying the provisions of subtitle A with respect to contributions to or under a stock bonus, pension, profit-sharing, or annuity plan, and with respect to distributions under such a plan, or by a trust forming part of such a plan, and for purposes of applying section 125 with respect to cafeteria plans, the term "employee" shall include a full-time life insurance salesman who is considered an employee for the purpose of chapter 21, or in the case of services performed before January 1, 1951, who would be considered an employee if his services were performed during 1951.

The term is redefined for use in chapter 24 of the Code: (26 USC 3401(c))

> For purposes of this chapter, the term "**employee**" includes an officer, employee, or elected official of the United States, a State, or any political subdivision thereof, or the District of Columbia, or any agency or instrumentality of any one or more of the foregoing. The term "employee" also includes an officer of a corporation.

As you can see the terms are defined very differently. The title-wide definition addresses insurance salesmen, while the definition for chapter 24 addresses only government workers under the direct or indirect authority of the federal government. [The corporation that is mentioned is a corporation wholly owned by the federal government.]

Words of Art

Although "Words of Art" are often placed (by the layperson) in the same category as "terms", they are not the same thing. Words of Art are words or phrases that are particular to specific technologies, sciences, arts, professions, etc., and generally do not have the same meaning, or any meaning at all, outside their own field. One example of this is the medical word, "orthopod". The word, "orthopod" is generally used within the medical community to indicate a person who has surgical training and experience in arthroscopy. Outside the medical field, "orthopod" has no meaning whatsoever. While "terms" are often used by politicians and lawyers to mask the true intentions or application of legislation from the general public (especially in tax law), Words of Art are a proper and necessary parts of effective communication in the legal arena.

Does the Law Work?

At this juncture we would like to warn the uninitiated reader that politicians, lawyers, government employees and officers, and judges, do not really care what the law says. Read that sentence again and then burn it into your memory; it will save you a lot of angry days and sleepless nights.

There is a vast difference between what the law says and "how the system works". Here is something else for you to burn into your memory – the system has been hijacked from **The People** and it now functions for four primary purposes:

1) Government control of persons and property.
2) The receipt of revenue, either by lawful action or extortionate conduct.
3) The protection of the system that provides for points 1 and 2.
4) The protection of persons who facilitate points 1, 2, and 3.

If you are one of the uninitiated, the statement made above may seem somewhat reactionary to you. However, all one need do to learn that these statements are true is to stand your ground when the government accosts you and they are legally in the wrong. If you are a person of integrity and good faith, you will expect your government to sit down with you, read the law, and cease their unlawful actions against you. What you will not be prepared for is the attack that will be made upon you by your government in retaliation for your audacity! On the other hand, if your government is not accosting you, but you notice that it is acting in a manner that is contrary to the written law, if you bring that fact to the government's attention, the government will fall completely silent and never respond (with anything substantive) to your comments, observations, or requests for correction.

> "***The evils of tyranny are rarely seen but by him who resists it***."
> -- John Jay, Castilian Days II, 1872

The government generally uses the law as an offensive tool to compel the population to comply with its edicts. In most cases the government could care less whether it is acting lawfully, or whether it is even applying the law to the intended persons or property. The government only cares that there is a superficial appearance of legality. Americans can use the law as either an offensive tool or a defensive tool depending on the circumstance and your preference.

Lawyers

Many people despise lawyers. We suspect that much of that is due to various realities of the legal trade and not because the men and women who become lawyers are inherently bad or evil. However, nearly all lawyers have one fatal flaw that damages the law, the truth, your rights, and the very fabric of our nation. The flaw is their unwillingness to argue the law. That may sound odd, but it is true.

For the most part, lawyers operate within the courts. Those who do not function within the courts, usually function within the corporate environment. Both the courts, and most corporations, operate within "the system". One might hope that "the system" means our system of laws. Unfortunately, "law" takes a very distant backseat to politics and monetary objectives. Sadly, in the America of the new millennium, "the system" is whatever government bureaucrats, politicians and money-powers say it is. Lawyers understand this, and with rare exception, are unwilling to buck "the system". If we have one direct criticism of lawyers, it is that the majority of them are moral cowards, not caring what is truly right, nor being willing to fight for it.

Let us give you a common example: We will speak to an attorney about something of a general nature. During the discussion, we will state a rule of statutory construction and ask the attorney to agree. He/She will agree that the rule has been stated correctly, including its proper application. We will then lead that attorney to a more controversial area, such as tax law, and apply the rule that was just discussed to the exact same circumstance of construction. Once we point out how the rule must be applied and make note of the consequences thereof, the attorney either falls silent or becomes defensive and angry.

We do not wish to leave you with the view that all attorneys are rotten or worthless. Like all professionals, they may serve a purpose at times. However, we encourage you to gain as much legal expertise as possible on your own through reading and study, and we urge you to not blindly place your faith, you future, your rights, or your possessions, in the hands of lawyers because we know that they will generally not serve you well or faithfully.

[Editor's Note – *This section is not intended to operate independently. A more comprehensive picture can be seen if you also read the follow section within this site:*

CITIZENS OF ON HIGH

PRIVATE VS. PUBLIC

Forwarded By: Apostle Gary Carter, Jr.

PREFACE

This class is design to engage and instruct Kingdom minded people in the area of Private and Public Law. To help you to advance the Kingdom Of God here on earth according to YHVH's calling on your life.

APGCJ

PRIVATE vs PUBLIC

About Public and Private Laws

After the President signs a bill into law, it is delivered to the Office of the Federal Register (OFR), National Archives and Records Administration (NARA) where it is assigned a law number, legal statutory citation (public laws only), and prepared for publication as a slip law. Private laws receive their legal statutory citations when they are published in the United States Statutes at Large.

Prior to publication as a slip law, OFR also prepares marginal notes and citations for each law, and a legislative history for public laws only. Until the slip law is published, through the U.S. Government Publishing Office (GPO), the text of the law can be found by accessing the enrolled version of the bill.

Note: A slip law is an official publication of the law and is "competent evidence," admissible in all state and Federal courts and tribunals of the United States (1 U.S.C. 113).

What is the difference between a public and private law?

Public Laws

Most laws passed by Congress are public laws. Public laws affect society as a whole. Public laws citations include the abbreviation, Pub.L., the Congress number (e.g. 107), and the number of the law. For example: Pub.L. 107-006.

Private Laws

Affect an individual, family, or small group. Private laws are enacted to assist citizens that have been injured by government programs or who are appealing an executive agency ruling such as deportation. Private laws citations include the abbreviation, Pvt.L., the Congress number (e.g. 107), and the number of the law. For example: Pvt.L. 107-006.

Statutes at Large and the United States Code

At the end of each session of Congress, the slip laws are compiled into bound volumes called the Statutes at Large, and they are known as "session laws." The Statutes at Large present a chronological

arrangement of the laws in the exact order that they have been enacted.

Every six years, public laws are incorporated into the United States Code, which is a codification of all general and permanent laws of the United States. A supplement to the United States Code is published during each interim year until the next comprehensive volume is published. The U.S. Code is arranged by subject matter, and it shows the present status of laws with amendments already incorporated in the text that have been amended on one or more occasions. It is maintained as a separate collection.

Public and Private Laws Side Notes

The Office of the Federal Register (OFR) prepares each law for publication as a slip law (an individual pamphlet print) and then compiles, indexes, and publishes them in the United States Statutes at Large (a permanent bound volume of the laws for each session of Congress).

Slip laws are presented exactly as they appear in the official printed version. Therefore, all side notes appear in the margins in their original format. Side notes are displayed in different ways in ASCII text and Adobe Portable Document Format (PDF) files.

Public and private laws contain the following information in either the header or side notes:

- Public law number
- Date of enactment
- Bill number
- Popular name of the law
- Statutes at Large citation
- U.S. Code citation
- Legislative history (Public laws only)

Example ASCII text: Side notes appear in double angle brackets within the body of the text. For example: In the printed version and ASCII text file of Public Law 106-1, "To restore the management and personnel authority of the Mayor of the District of Columbia," the short title appears as "<<NOTE: District of Columbia Management Restoration Act of 1999.>>" immediately following the clause that begins with "Be it enacted."

Example PDF files: Side notes appear exactly the same way that those changes appear in the printed version. For example: In the printed version and PDF file of Public Law 106-1, "To restore the management and personnel authority of the Mayor of the District of Columbia," the short title ("District of Columbia Management Restoration Act of 1999") appears as a side note in the right margin, adjacent to the clause that begins with "Be it enacted."

What They Want Tell You!

Public v. Private

In order to fully understand and comprehend the nature of franchises, it is essential to thoroughly understand the distinctions between PUBLIC and PRIVATE property. The following subsections will deal with this important subject extensively. In the following subsections, we will establish the following facts:

1. There are TWO types of property:

1.1. Public property. This type of property is protected by the CIVIL law.

1.2. Private property. This type of property is protected by the COMMON law.

2. Specific legal rights attach to EACH of the two types of property. These “rights” in turn, are ALSO property as legally defined.

Property. *That which is peculiar or proper to any person; that which* ***belongs exclusively to one.*** *In the strict legal sense,* ***an aggregate of rights which are guaranteed and protected by the government.*** *Fulton Light, Heat & Power Co. v. State, 65 Misc.Rep. 263, 121 N.Y.S. 536. The term is said to extend to every species of valuable right and interest. More specifically, ownership; the unrestricted and exclusive right to a thing; the right to dispose of a thing in every legal way, to possess it, to use it, and to exclude everyone else from interfering with it. That dominion or indefinite right of use or disposition which one may lawfully exercise over particular things or subjects. The exclusive right of possessing, enjoying, and disposing of a thing. The highest right a man can have to anything; being used to refer to that right which one has to lands or tenements, goods or chattels, which no way depends on another man's courtesy.*

The word is also commonly used to denote everything which is the subject of ownership, corporeal or incorporeal, tangible or intangible, visible or invisible, real or personal, everything that has an exchangeable value or which goes to make up wealth or estate. ***It extends to every species of valuable right and interest, and includes real and personal property, easements, franchises, and***

incorporeal hereditaments, and includes every invasion of one's property rights by actionable wrong. *Labberton v. General Cas. Co. of America, 53 Wash.2d. 180, 332 P.2d. 250, 252, 254. [Black's Law Dictionary, Fifth Edition, p. 1095]*

3. Human beings can simultaneously be in possession of BOTH PUBLIC and PRIVATE rights. This gives rise to TWO legal "persons": PUBLIC and PRIVATE.

3.1. The CIVIL law attaches to the PUBLIC person.

3.2. The COMMON law attaches to the PRIVATE person.

This is consistent with the following maxim of law. (*Quando duo juro concurrunt in und personâ, aequum est ac si essent in diversis. When two rights [public right v. private right] concur in one person, it is the same as if they were* ***two separate persons****. 4 Co. 118. [Bouvier's Maxims ofLaw, 1856;*

4. That the purpose of the Constitution and the establishment of government itself is to protect EXCLUSIVELY PRIVATE rights.

*"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--****That to secure these [EXCLUSIVELY PRIVATE, God-given] rights, Governments are instituted among Men,*** deriving ***their just powers from the consent of the governed,*** -" *[Declaration of Independence, 1776]*

The VERY FIRST step in protecting PRIVATE rights and PRIVATE property is to prevent such property from being converted to PUBLIC property or PUBLIC rights without the consent of the owner. In other words, the VERY FIRST step in protecting PRIVATE rights is to protect you for the GOVERNMENT'S OWN theft. Obviously, if a government becomes corrupted and refuses to protect PRIVATE rights or recognize them, there is absolutely no reason you can or should want to hire them to protect you from ANYONE ELSE.

Government Instituted Slavery Using Franchises

5. The main method for protecting PRIVATE rights is to impose the following burden of proof and presumption upon any entity or person claiming to be "government":

"All rights and property are PRESUMED to be EXCLUSIVELY PRIVATE and beyond the control of government or the CIVIL law unless and until the government meets the burden of proving, WITH EVIDENCE, on the record of the proceeding that:

1. A SPECIFIC formerly PRIVATE owner consented IN WRITING to convert said property to PUBLIC property.

2. The owner was domiciled on federal territory NOT protected by the Constitution and therefore had the legal capacity to ALIENATE a Constitutional right or relieve a public servant of the fiduciary obligation to respect and protect the right. Those domiciled in a constitutional but not statutory state and who are "citizens" or "residents" protected by the constitution cannot alienate rights to a real, de jure government.

3. If the government refuses to meet the above burden of proof, it shall be CONCLUSIVELY PRESUMED to be operating in a PRIVATE, corporate capacity on an EQUAL footing with every other private corporation and which is therefore NOT protected by official, judicial, or sovereign immunity.

6. That the ability to regulate EXCLUSIVELY PRIVATE conduct is repugnant to the constitution and therefore such conduct cannot lawfully become the subject of any civil law.

7. That the terms "person", "persons", "individual", "individuals" as used within the civil law by default imply PUBLIC "persons" and therefore public offices within the government and not PRIVATE human beings. All such offices are creations and franchises of the government and therefore property of the government subject to its exclusive control.

8. That if the government wants to call you a statutory "person" or "individual" under the civil law, then:

8.1. You must volunteer or consent at some point to occupy a public office in the government while situated physically in a place not protected by the USA Constitution and the Bill of Rights....namely, federal territory. In some cases, that public office is also called a "citizen" or "resident".

8.2. If you don't volunteer, they are essentially exercising unconstitutional "eminent domain" over your PRIVATE property. Keep in mind that rights protected by the Constitution are PRIVATE PROPERTY.

9. That there are VERY SPECIFIC and well defined rules for converting PRIVATE property into PUBLIC PROPERTY and OFFICES, and that all such rules require your express consent except when a crime is involved.

10. That if a corrupted judge or public servant imposes upon you any civil statutory status, including that of "person" or "individual" without your consent, they are:

10.1. Violating due process of law.

10.2. Imposing involuntary servitude.

10.3. STEALING property from you. We call this “theft by presumption”.

10.4. Kidnapping your identity and moving it to federal territory.

10.5. Instituting eminent domain over EXCLUSIVELY PRIVATE property.

For an example of how this phenomenon works in the case of the Internal Revenue Code, Subtitles A and C “trade or business” franchise.

As an example of why an understanding of this subject is EXTREMELY important, consider the following dialog at an IRS audit in which the FIRST question out of the mouth of the agent is ALWAYS “What is YOUR Social Security Number?”:

IRS AGENT: What is YOUR Social Security Number?

YOU: 20 CFR §422.103(d) says SSNs belong to the government. The only way it could be MY number is if I am appearing here today as a federal employee or officer on official business. If that is the case, no, I am here as a private human being and not a government statutory “employee” in possession or use of “public property” such as a number. Therefore, I don’t HAVE a Social Security Number. Furthermore, I am not lawfully eligible and never have been eligible to participate in Social Security and any records you have to the contrary are FALSE and FRAUDULENT and should be DESTROYED.

IRS AGENT: That’s ridiculous. Everyone HAS a SSN.

YOU: Well then EVERYONE is a STUPID whore for acting as a federal employee or agent without compensation THEY and not YOU determine. The charge for my services to act as a federal "employee" or officer or trustee in possession of public property such as an SSN is ALL the tax and penalty liability that might result PLUS $1,000 per hour. Will you agree in writing pay the compensation I demand to act essentially as your federal coworker, because if you don't, then it's not MY number?

IRS AGENT: It's YOUR number, not the government's.

YOU: Well why do the regulations at 20 CFR §422.103(d) say it belongs to the Social Security Administration instead of me? I am not appearing as a Social Security employee at this meeting and its unreasonable and prejudicial for you to assume that I am. I am also not appearing here as "federal personnel" as defined in 5 U.S.C. §552a(a)(13). I don't even qualify for Social Security and never have, and what you are asking me to do by providing an INVALID and knowingly FALSE number is to VIOLATE THE LAW and commit fraud by providing that which I am not legally entitled to and thereby fraudulently procure the benefits of a federal franchise. Is that your intention?

IRS AGENT: Don't play word games with me. It's YOUR number.

YOU: Well good. Then if it's MY number and MY property, then I have EXCLUSIVE control and use over it. That is what the word "property" implies. That means I, and not you, may penalize people for abusing MY property. The penalty for wrongful use or possession of MY property is all the tax and penalty liability that might result from using said number for tax collection plus $1,000 per hour for educating you about your lawful duties because you obviously don't know what they are. If it's MY property, then your job is to protect me from abuses of MY property. If you can penalize me for misusing YOUR procedures and forms, which are YOUR property, then I am EQUALLY entitled to penalize you for misusing MY property. Are you willing to sign an agreement in writing to pay for the ABUSE of what you call MY property, because if you aren't, you are depriving me of exclusive use and control over MY property and depriving me of the equal right to prevent abuses of my property??

IRS AGENT: OK, well it's OUR number. Sorry for deceiving you. Can you give us OUR number that WE assigned to you?

YOU: You DIDN'T assign it to ME as a private person, which is what I am appearing here today as. You can't lawfully issue public property such as an SSN to a private person. That's criminal embezzlement. The only way it could have been assigned to me is if I'm acting as a "public officer" or federal employee at this moment, and I am NOT. I am here as a private person and not a public employee. Therefore, it couldn't have been lawfully issued to me.

Keep this up, and I'm going to file a criminal complaint with the U.S. Attorney for embezzlement in violation of 18 U.S.C. §641 and impersonating a public officer in violation of 18 U.S.C. §912. I'm not here as a public officer and you are asking me to act like one without compensation and without legal authority.

Where is the compensation that I demand to act as a fiduciary and trustee over your STINKING number, which is public property? I remind you that the very purpose why governments are created is to PROTECT and maintain the separation between "public property" and "private property" in order to preserve my inalienable constitutional rights that you took an oath to support and defend. Why do you continue to insist on co-mingling and confusing them in order to STEAL my labor, property, and money without compensation in violation of the Fifth Amendment takings clause?

Usually, after the above interchange, the IRS agent will realize he is digging a DEEP hole for himself and will abruptly end that sort of inquiry, and many times will also end his collection efforts.

3.2 What is "Property"?

Property is legally defined as follows:

Property. *That which is peculiar or proper to any person; that which* ***belongs exclusively to one****. In the strict legal sense,* ***an aggregate of rights which are guaranteed and protected by the government****. Fulton Light, Heat & Power Co. v. State, 65 Misc.Rep. 263, 121 N.Y.S. 536. The term is said to extend to every species of valuable right and interest. More specifically, ownership; the unrestricted and exclusive right to a thing; the right to dispose of a thing in every legal way, to possess it, to use it, and to exclude everyone else from interfering with*

it. That dominion or indefinite right of use or disposition which one may lawfully exercise over particular things or subjects. The exclusive right of possessing, enjoying, and disposing of a thing. The highest right a man can have to anything; being used to refer to that right which one has to lands or tenements, goods or chattels, which no way depends on another man's courtesy.

The word is also commonly used to denote everything which is the subject of ownership, corporeal or incorporeal, tangible or intangible, visible or invisible, real or personal, everything that has an exchangeable value or which goes to make up wealth or estate. ***It extends to every species of valuable right and interest, and includes real and personal property, easements, franchises, and incorporeal hereditaments, and includes every invasion of one's property rights by actionable wrong.*** *Labberton v. General Cas. Co. of America, 53 Wash.2d. 180, 332 P.2d. 250, 252, 254.*

Property embraces everything which is or may be the subject of ownership, whether a legal ownership. Or whether beneficial, or a private ownership. Davis v. Davis. TexCiv-App., 495 S.W.2d. 607. 611. Term includes not only ownership and possession but also the right of use and enjoyment for lawful purposes. Hoffmann v. Kinealy, Mo., 389 S.W.2d. 745, 752.

Property, within constitutional protection, denotes group of rights inhering in citizen's relation to physical thing, as right to possess, use and dispose of it. Cereghino v. State By and Through State Highway Commission, 230 Or. 439, 370 P.2d. 694, 697. Goodwill is property, Howell v. Bowden, TexCiv. App.. 368 S.W.2d. 842, &18; as is an insurance policy and rights incident thereto, including a right to the proceeds, Harris v. Harris, 83 N.M. 441,493 P.2d. 407, 408.

Criminal code. "Property" means anything of value. including real estate, tangible and intangible personal property, contract rights, choses-in-action and other interests in or claims to wealth, admission or transportation tickets, captured or domestic animals, food and drink, electric or other power. Model Penal

Code. Q 223.0. See also Property of another, infra. Dusts. Under definition in Restatement, Second, Trusts, Q 2(c), it denotes interest in things and not the things themselves. [Black's Law Dictionary, Fifth Edition, p. 1095]

Keep in mind the following critical facts about “property” as legally defined:

1. The essence of the “property” right is the RIGHT TO EXCLUDE others from using or benefitting from the use of the property.

"We have repeatedly held that, as to property reserved by its owner for private use, "the right to exclude [others is] `one of the most essential sticks in the bundle of rights that are commonly characterized as property.' " Loretto v. Teleprompter Manhattan CATV Corp., 458 U.S. 419, 433 (1982), quoting Kaiser Aetna v. United States, 444 U.S. 164, 176 (1979). " *[Nollan v. California Coastal Comm'n, 483 U.S. 825 (1987)]*

"In this case, we hold that the "right to exclude," so universally held to be a fundamental element of the property right,[11] falls within this category of interests that the Government cannot take without compensation." *[Kaiser Aetna v. United States, 444 U.S. 164 (1979)][11] See, e. g., United States v. Pueblo of San Ildefonso, 206 Ct. Cl. 649, 669-670, 513 F. 2d 1383, 1394 (1975); United States v. Lutz, 295 F. 2d 736, 740 (CA5 1961). As stated by Mr. Justice Brandeis, "[a]n essential element of individual property is the legal right to exclude others from enjoying it." International News Service v. Associated Press, 248 U. S. 215, 250 (1918) (dissenting opinion).*

2. It's NOT your property if you can't exclude the GOVERNMENT from using, benefitting from the use, or taxing the specific property.

3. All constitutional rights and statutory privileges are property.

4. Anything that conveys a right or privilege is property.

5. Contracts convey rights or privileges and are therefore property.

6. All franchises are contracts between the grantor and the grantee and therefore property.

3.3 “Public” v. “Private” property ownership

Next, we would like to compare the two types of property: Public v. Private. There are two types of ownership of “property”: Absolute and Qualified. The following definition describes and compares these two types of ownership:

Ownership. Collection of rights to use and enjoy property, including right to transmit it to others. Trustees of Phillips Exeter Academy v. Exeter, 92 N.H. 473, 33 A.2d. 665, 673. The complete dominion, title, or proprietary right in a thing or claim. The entirety of the powers of use and disposal allowed by law.

The right of one or more persons to possess and use a thing to the exclusion of others. The right by which a thing belongs to someone in particular, to the exclusion of all other persons. The exclusive right of possession, enjoyment, and disposal; involving as an essential attribute the right to control, handle, and dispose.

Ownership of property is either absolute or qualified. The ownership of property is absolute when a single person has the absolute dominion over it, and may use it or dispose of it according to his pleasure, subject only to general laws. The ownership is qualified when it is shared with one or more persons, when the time of enjoyment is deferred or limited, or when the use is restricted. Calif. Civil Code, §§ 678-680.

There may be ownership of all inanimate things which are capable of appropriation or of manual delivery; of all domestic animals; of all obligations; of such products of labor or skill as the composition of an author, the goodwill of a business, trademarks and signs, and of rights created or granted by statute. Calif. Civil Code, § 655.

In connection with burglary, "ownership" means any possession which is rightful as against the burglar.

See also Equitable ownership; Exclusive ownership; Hold; Incident of ownership; Interest; Interval ownership; Ostensible ownership; Owner; Possession; Title. [Black's Law Dictionary, Sixth Edition, p. 1106]

We will prove later in section 10.3 how participation in franchises causes PRIVATE property to transmute into PUBLIC property. Below is a table comparing these two great classes of property and the legal aspects of their status.

Table 2: Public v. Private Property

#	Characteristic	Public	Private

1	Authority for ownership comes from	Grantor/ creator of franchise	God/natural law
2	Type of ownership	Qualified	Absolute
3	Law protecting ownership	Statutory franchises	Bill of Rights (First Ten Amendments to the U.S. Constitution)
4	Owner is	The public as LEGAL owner and the human being as EQUITABLE owner	A single person as LEGAL owner
5	Ownership is a	Privilege/franchise	Right
6	Courts protecting ownership (see section 18 later)	Franchise court (Article 4 of the USA Constitution)	Constitutional court
7	Subject to taxation?	Yes	No (you have the right EXCLUDE government from using or benefitting from it)
8	Title held by	Statutory citizen (Statutory citizens are public officers)	Constitutional citizen (Constitutional citizens are human beings and may NOT be public officers)
9	Character of YOUR/HUMAN title	Equitable	Legal

#	***Characteristic***	***Public***	***Private***

10	Conversion to opposite type of property by	1. Removing government identifying number. 2. Donation.	1. Associating with government identifying number.[6] 2. Donation. 3. Eminent domain (with compensation). 4. THEFT (Internal Revenue Service).

Specific methods used by corrupted governments to blur or confuse the above two types of property so that they can

STEAL from you include the following:

1. Deceptively label statutory PRIVILEGES as RIGHTS.

2. Confuse STATUTORY citizenship with CONSTITUTIONAL citizenship.

3. Refuse to admit that the court you are litigating in is a FRANCHISE court that has no jurisdiction over non-franchisees or people who do not consent to the franchise.

4. Abuse the words “includes” and “including” to add anything they want to the definition of “person” or “individual” within the franchise. All such “persons” are public officers and not private human beings. See:

5. Refuse to impose the burden of proof upon the government to show that you EXPRESSLY CONSENTED to convert PRIVATE property into PUBLIC property BEFORE they can claim jurisdiction over it.

6. Silently PRESUME that the property in question is PUBLIC property connected with the “trade or business” (public office per 26 U.S.C. §7701(a)(26)) franchise and force you to prove that it ISN’T by CHALLENGING false information returns filed against it, such as IRS forms W-2, 1098, 1099, and K-1. See:

7. Presuming that the STATUTORY and CONSTITUTIONAL contexts for geographical words are the same. They are NOT, and in fact are mutually exclusive.

8. Presuming that because you submitted an application for a franchise, that you:

8.1. CONSENTED to the franchise and were not under duress.

8.2. Were requesting a “benefit” and therefore agreed to the obligations associated with the “benefit”. *CALIFORNIA CIVIL CODE DIVISION 3. OBLIGATIONS PART 2. CONTRACTS CHAPTER 3. CONSENT Section 1589 1589. A voluntary acceptance of the benefit of a transaction is equivalent to a consent to all the obligations arising from it, so far as the facts are known, or ought to be known, to the person accepting.*

8.3. Agree to accept the obligations associated with the status described on the application, such as “taxpayer”, “driver”, “spouse”.

If you want to prevent the above, reserve all your rights on the application, indicate duress, and define all terms on the form as NOT connected with any government or statutory law.

3.4 The purpose and foundation of de jure government: Protection of EXCLUSIVELY PRIVATE rights

The main purpose for which all governments are established is the protection of EXCLUSIVELY PRIVATE rights. This purpose is the foundation of all the just authority of any government as held by the Declaration of Independence:

*“We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--**That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed,** -”[Declaration of Independence, 1776]*

The fiduciary duty that a public officer who works for the government has is founded upon the requirement to protect PRIVATE property.

“As expressed otherwise, the powers delegated to a public officer are held in trust for the people and are to be exercised in behalf of the government or of all citizens who may need the intervention of the officer. [7]

Furthermore, the view has been expressed that all public officers, within whatever branch and whatever level of government, and whatever be their private vocations, are trustees of the people, and accordingly labor under every disability and prohibition imposed by law the political entity on whose behalf he or she serves. and owes a fiduciary duty to the public. It has been said that the fiduciary responsibilities of a public officer cannot be less than those of a private individual. Furthermore, it has been stated that any enterprise undertaken by the public official which tends to *[63C Am.Jur.2d, Public Officers and Employees, §247]*

The VERY FIRST step that any lawful de jure government must take in protecting PRIVATE property and PRIVATE rights is to protect it from being converted to PUBLIC/GOVERNMENT property. After all: If the people you hire to protect you won't even do the job of protecting you from THEM, why should you hire them to protect you from ANYONE ELSE?

The U.S. Supreme Court has also affirmed that the protection of PRIVATE rights and PRIVATE property is "the foundation of the government" when it held the following. The case below was a challenge to the constitutionality of the first national income tax, and the U.S. government rightfully lost that challenge:

"Here I close my opinion. I could not say less in view of questions of such gravity that they go down to the ***very foundations of the government****. If the provisions of the Constitution can be set aside by an act of Congress, where is the course of usurpation to end?*

The present ***assault upon capital*** *[THEFT! and WEALTH TRANSFER by unconstitutional CONVERSION of PRIVATE property to PUBLIC property] is but the beginning.* ***It will be but the stepping stone to others larger and more sweeping****, until our political contest will become war of the poor against the rich; a war of growing intensity and bitterness."*

[Pollock v. Farmers' Loan & Trust Co., 157 U.S. 429, *158 U.S. 601 (1895), hearing the case against the first income tax passed by Congress that included people in states of the Union. They declared that first income tax UNCONSTITUTIONAL, by the way]*

In the above landmark case, the lawyer for the petitioner, Mr. Choate, even referred to the income tax as COMMUNISM, and he was obviously right! Why? Because communism like socialism operates upon the following political premises:

1. All property is PUBLIC property and there IS no PRIVATE property.

2. The government owns and/or controls all property and said property is LOANED to the people.

[7] State ex rel. Nagle v. Sullivan, 98 Mont. 425, 40 P.2d. 995, 99 A.L.R. 321; Jersey City v. Hague, 18 N.J. 584, 115 A.2d. 8.

[8] Georgia Dep't of Human Resources v. Sistrunk, 249 Ga. 543, 291 S.E.2d. 524. A public official is held in public trust. Madlener v. Finley (1st Dist) 161 Ill.App.3d. 796, 113 Ill.Dec. 712, 515 N.E.2d. 697, app gr 117 Ill.Dec. 226, 520 N.E.2d. 387 and revd on other grounds 128 Ill.2d. 147, 131 Ill.Dec. 145, 538 N.E.2d. 520.

[9] Chicago Park Dist. v. Kenroy, Inc., 78 Ill.2d. 555, 37 Ill.Dec. 291, 402 N.E.2d. 181, appeal after remand (1st Dist) 107 Ill.App.3d. 222, 63 Ill.Dec. 134, 437 N.E.2d. 783.

[10] United States v. Holzer (CA7 Ill), 816 F.2d. 304 and vacated, remanded on other grounds 484 U.S. 807, 98 L.Ed. 2d 18, 108 S.Ct. 53, on remand (CA7 Ill) 840 F.2d. 1343, cert den 486 U.S. 1035, 100 L.Ed. 2d 608, 108 S.Ct. 2022 and (criticized on other grounds by United States v. Osser (CA3 Pa) 864 F.2d. 1056) and (superseded by statute on other grounds as stated in United States v. Little (CA5 Miss) 889 F.2d. 1367) and (among conflicting authorities on other grounds noted in United States v. Boylan (CA1 Mass), 898 F.2d. 230, 29 Fed.Rules.Evid.Serv. 1223).

[11] Chicago ex rel. Cohen v. Keane, 64 Ill.2d. 559, 2 Ill.Dec. 285, 357 N.E.2d. 452, later proceeding (1st Dist) 105 Ill.App.3d. 298, 61 Ill.Dec. 172, 434 N.E.2d. 325.

[12] Indiana State Ethics Comm'n v. Nelson (Ind App) 656 N.E.2d. 1172, reh gr (Ind App) 659 N.E.2d. 260, reh den (Jan 24, 1996) and transfer den (May 28, 1996).

3. The government and/or the collective has rights superior to those of the individual. There is and can be NO equality or equal protection under the law. In that sense, the government or the "state" is a pagan idol with "supernatural powers" because human beings are "natural" and they are inferior.

4. Control is synonymous with ownership. If the government CONTROLS the property but the citizen "owns" it, then:

4.1. The REAL owner is the government.

4.2. The ownership of the property is QUALIFIED rather than ABSOLUTE.

4.3. The person holding the property is a mere CUSTODIAN over GOVERNMENT property and has EQUITABLE rather than LEGAL ownership. Hence, their name in combination with the Social Security Number constitutes a

PUBLIC office synonymous with the government itself.

5. Everyone in temporary use of said property is an officer and agent of the state. A "public officer", after all, is someone

who is in charge of the PROPERTY of the public:

*"**Public office**. The right, authority, and duty created and conferred by law, by which for a given period, either fixed by law or enduring at the pleasure of the creating power, an individual is invested with some portion of the sovereign functions of government for the benefit of the public. Walker v. Rich, 79 Cal.App. 139, 249 P. 56,*

58. An agency for the state, the duties of which involve in their performance the exercise of some portion of the sovereign power, either great or small. Yaselli v. Goff, C.C.A., 12 F.2d. 396, 403, 56 A.L.R. 1239; Lacey v.

State, 13 Ala.App. 212, 68 So. 706, 710; Curtin v. State, 61 Cal.App. 377, 214 P. 1030, 1035; Shelmadine v. City of Elkhart, 75 1nd.App. 493, 129 N.E. 878. State ex rel. Colorado River Commission v. Frohmiller, 46

Ariz. 413, 52 P.2d. 483, 486. ***Where, by virtue of law, a person is clothed, not as an incidental or transient authority, but for such time as de- notes duration and continuance, with Independent power to control the property of the public****, or with public functions to be exercised in the supposed interest of the people, the service to be compensated by a stated yearly salary, and the occupant having a designation or title, the position so created is a public office. State v. Brennan, 49 Ohio.St. 33, 29 N.E. 593. [Black's Law Dictionary, Fourth Edition, p. 1235]*

Look at some of the planks of the Communist Manifesto and confirm the above for yourself:

1. Abolition of property in land and application of all rents of land to public purposes.

2. A heavy progressive or graduated income tax.

[Wikipedia on "The Communist Manifesto", 12-27-2011; SOURCE:

The legal definition of "property" confirms that one who OWNS a thing has the EXCLUSIVE right to use and dispose of and CONTROL the use of his or her property and ALL the fruits and "benefits" associated with the use of such property.

The implication is that you as the PRIVATE owner have a right to EXCLUDE ALL OTHERS including all governments from using, benefitting from, or controlling your property. Governments, after all, are simply legal "persons" and the constitution guarantees that ALL "persons" are equal. If your neighbor can't benefit from your property without your consent, then neither can any so-called "government".

Property. *That which is peculiar or proper to any person; that which* ***belongs exclusively to one****. In the strict legal sense,* ***an aggregate of rights which are guaranteed and protected by the government****. Fulton Light, Heat & Power Co. v. State, 65 Misc.Rep. 263, 121 N.Y.S. 536. The term is said to extend to every species of valuable right and interest.* ***More specifically, ownership; the unrestricted and exclusive right to a thing; the right to dispose of a thing in every legal way, to possess it, to use it, and to exclude everyone else from interfering with it. That dominion or indefinite right of use or disposition which one may lawfully exercise over particular things or subjects. The exclusive right of possessing, enjoying, and disposing of a thing. The highest right a man can have to anything; being used to refer***

to that right which one has to lands or tenements, goods or chattels, which no way depends on another man's courtesy.

The word is also commonly used to denote everything which is the subject of ownership, corporeal or incorporeal, tangible or intangible, visible or invisible, real or personal, everything that has an exchangeable value or which goes to make up wealth or estate. ***It extends to every species of valuable right and interest, and includes real and personal property, easements, franchises, and incorporeal hereditaments, and includes every invasion of one's property rights by actionable wrong.*** *Labberton v. General Cas. Co. of America, 53 Wash.2d. 180, 332 P.2d. 250, 252, 254.*

Property embraces everything which is or may be the subject of ownership, whether a legal ownership. Or whether beneficial, or a private ownership. Davis v. Davis. TexCiv-App., 495 S.W.2d. 607. 611. Term includes not only ownership and possession but also the right of use and enjoyment for lawful purposes. Hoffmann v. Kinealy, Mo., 389 S.W.2d. 745, 752.

Property, within constitutional protection, denotes group of rights inhering in citizen's relation to physical thing, as right to possess, use and dispose of it. Cereghino v. State By and Through State Highway Commission, 230 Or. 439, 370 P.2d. 694, 697. [Black's Law Dictionary, Fifth Edition, p. 1095]

In a lawful de jure government under our constitution:

1. All "persons" are absolutely equal under the law. No government can have any more rights than a single human being, no matter how many people make up that government. If your neighbor can't take your property without your consent, then neither can the government.

2. All property is CONCLUSIVELY presumed to be EXCLUSIVELY PRIVATE until the GOVERNMENT meets the burden of proof on the record of the legal proceeding that you EXPRESSLY consented IN WRITING to donate the property or use of the property to the PUBLIC:

"Men are endowed by their Creator with certain unalienable rights,- 'life, liberty, and the pursuit of happiness;' and to 'secure,' not grant or create, these rights, governments are instituted. ***That property [or income] which a man has honestly acquired he retains full control of, subject to these limitations: First, that he shall not use it to his neighbor's injury, and that does not mean that he must use it for his neighbor's benefit [e.g. SOCIAL SECURITY, Medicare, and every other public "benefit"]; second, that if he devotes it to a public use, he gives to the public a right to control that use; and third, that whenever the public needs require, the public may take it upon payment of due compensation."*** *[Buddv. People of State ofNew York, 143 U.S. 517 (1892)]*

3. You have to knowingly and intentionally DONATE your property to a public use and a PUBLIC purpose before the government can lawfully REGULATE its use.

4. That donation ordinarily occurs by applying for and/or using a license in connection with the use of SPECIFIC otherwise PRIVATE property.

5. The process of applying for or using a license cannot be compelled.

6. The consumer of your services has a right to do business with those who are unlicensed and if the government invades the commercial relationship between you and those you do business with, they are:

6.1. Interfering with your UNALIENABLE right to contract.

6.2. Compelling you to donate EXCLUSIVELY PRIVATE property to a PUBLIC use.

6.3. Exercising unconstitutional eminent domain over your otherwise PRIVATE property.

6.4. Compelling you to accept a public "benefit", where the "protection" afforded by the license is the "benefit".

The above requirements of the USA Constitution are circumvented with nothing more than the simple PRESUMPTION, usually on the part of the IRS and corrupted judges who want to STEAL from you, that the GOVERNMENT owns it and that you have to prove that they CONSENTED to let you keep the fruits of it. They can't and never have proven that they have such a right, and all such presumptions are a violation of due process of law. *(1) [8:4993]* ***Conclusive presumptions affecting protected interests:***

A conclusive presumption may be defeated where its application would impair a party's constitutionally- protected liberty or property interests. In such cases, conclusive ***presumptions have been held to violate a party's due process and equal protection rights.*** *[Vlandis v. Kline (1973) 412 U.S. 441, 449, 93 S.Ct. 2230, 2235; Cleveland Bed. of Ed. v. LaFleur (1974) 414 U.S. 632, 639-640, 94 S.Ct. 1208, 1215-presumption under Illinois law that unmarriedfathers are unfit violates process] [Rutter Group Practice Guide-Federal Civil Trials and Evidence, paragraph 8:4993, page 8K-34]*

In order to unconstitutionally and TREASONOUSLY circumvent the above limitation on their right to presume, corrupt governments and government actors will play "word games" with citizenship and key definitions in the ENCRYPTED "code" in order to KIDNAP your legal identity and place it OUTSIDE the above protections of the constitution by:

1. PRESUMING that you are a public officer and therefore, that everything held in your name is PUBLIC property of the

GOVERNMENT and not YOUR PRIVATE PROPERTY. See:

2. Abusing fraudulent information returns to criminally and unlawfully “elect” you into public offices in the government:

3. PRESUMING that because you did not rebut evidence connecting you to a public office, then you CONSENT to occupy the office.

4. PRESUMING that ALL of the four contexts for "United States" are equivalent.

5. PRESUMING that CONSTITUTIONAL citizens and STATUTORY citizens are EQUIVALENT under federal law.

They are NOT. A CONSTITUTIONAL citizen is a "non-citizen national" under federal law and NOT a "citizen of the United States".

6. PRESUMING that "nationality" and "domicile" are equivalent. They are NOT.

7. Using the word "citizenship" in place of "nationality" OR "domicile", and refuse to disclose WHICH of the two they mean in EVERY context.

8. Confusing the POLITICAL/CONSTITUTIONAL meaning of words with the civil STATUTORY context. For instance, asking on government forms whether you are a POLITICAL/CONSTITUTIONAL citizen and then FALSELY PRESUMING that you are a STATUTORY citizen under 8 U.S.C. §1401.

9. Confusing the words "domicile" and "residence" or impute either to you without satisfying the burden of proving thatyou EXPRESSLY CONSENTED to it and thereby illegally kidnap your civil legal identity against your will. One can have only one "domicile" but many "residences" and BOTH require your consent. See:

10. Adding things or classes of things to the meaning of statutory terms that do not EXPRESSLY appear in their definitions, in violation of the rules of statutory construction. See:

11. Refusing to allow the jury to read the definitions in the law and then give them a definition that is in conflict with the statutory definition. This substitutes the JUDGES will for what the law expressly says and thereby substitutes PUBLIC

POLICY for the written law.

12. Publishing deceptive government publications that are in deliberate conflict with what the statutes define "United States" as and then tell the public that they CANNOT rely on the publication.

This kind of arbitrary discretion is PROHIBITED by the Constitution, as held by the U.S. Supreme Court:

"When we consider the nature and the theory of our institutions of government, the principles upon which they are supposed to rest, and review the history of their development, ***we are constrained to conclude that they do not mean to leave room for the play and action of purely personal and arbitrary power.****" [Yick Wo v. Hopkins, 118 U.S. 356, 369 , 6 S. Sup. Ct. 1064, 1071]*

Thomas Jefferson, our most revered founding father, precisely predicted the above abuses when he astutely said:

"It has long been my opinion, and I have never shrunk from its expression,... that the germ of dissolution of our Federal Government is in the constitution of the Federal Judiciary--an irresponsible body (for impeachment is scarcely a scare-crow), ***working like gravity by night and by day, gaining a little today and a little tomorrow, and advancing its noiseless step like a thief over the field of jurisdiction until all shall be usurped from the States and the government be consolidated into one. To this Iam opposed.****" [Thomas Jefferson to Charles Hammond, 1821. ME 15:331]*

"Contrary to all correct example, [the Federal judiciary] are in the habit of going out of the question before them, to throw an anchor ahead and grapple further hold for future advances of power. ***They are then in fact the corps of sappers and miners, steadily working to undermine the independent rights of the States and to consolidate all power in the hands of that government in which they have so important a freehold estate.****"*

[Thomas Jefferson: Autobiography, 1821. ME 1:121]

"The judiciary of the United States is the subtle corps of sappers and miners constantly working under ground to undermine the foundations of our confederated fabric. They are construing our Constitution from a co- ordination of a general and special government to a general and supreme one alone. ***This will lay all things at their feet, and they are too well versed in English law to forget the maxim, 'boni judicis est ampliare jurisdictionem.'****" [Thomas Jefferson to Thomas Ritchie, 1820. ME 15:297]*

"When all government, domestic and foreign, in little as in great things, shall be drawn to Washington as the center of all power, it will render powerless the checks provided of one government on another and will become as venal and oppressive as the government from which we separated.*" [Thomas Jefferson to Charles Hammond, 1821. ME 15:332]*

"What an augmentation of the field for jobbing, speculating, plundering, office-building ["trade or business" scam] and office-hunting would be produced by an assumption [PRESUMPTION] of all the State powers into the hands of the General Government!"[Thomas Jefferson to Gideon Granger, 1800. ME 10:168]

The key to preventing the unconstitutional abuse of presumption by the corrupted judiciary and IRS to STEAL from people is to completely understand the content of the following memorandum of law and consistently apply it in every interaction with the government:

It ought to be very obvious to the reader that:

1. The rules for converting PRIVATE property to PUBLIC property ought to be consistently, completely, clearly, and unambiguously defined by every government

officer you come in contact with, and ESPECIALLY in court. These rules ought to be DEMANDED to be declared EVEN BEFORE you enter a plea in a criminal case.

2. If the government asserts any right over your PRIVATE property, they are PRESUMING they are the LEGAL owner and relegating you to EQUITABLE ownership. This presumption should be forcefully challenged.

3. If they won't expressly define the rules, or try to cloud the rules for converting PRIVATE property to PUBLIC property, then they are:

3.1. Defeating the very purpose for which they were established as a "government". Hence, they are not a true "government" but a de facto private corporation PRETENDING to be a "government", which is a CRIME under 18 U.S.C. §912.

3.2. Exercising unconstitutional eminent domain over private property without the consent of the owner and without compensation.

3.3. Trying to STEAL from you.

3.4. Violating their fiduciary duty to the public.

3.5 All PUBLIC/GOVERNMENT law attaches to government territory, all PRIVATE law attaches to your right to contract

A very important consideration to understand is that:

1. All EXCLUSIVELY PUBLIC LAW attaches to the government's own territory. By "PUBLIC", we mean law that runs the government and ONLY the government.

2. All EXCLUSIVELY PRIVATE law attaches to one of the following:

2.1. The exercise of your right to contract with others.

2.2. The property you own and lend out to others based on specific conditions.

Item 2.2 needs further attention. Here is how that mechanism works:

"How, then, are purely equitable obligations created? For the most part, either by the acts of third persons or by equity alone. ***But how can one person impose an obligation upon another? By giving property to the latter on the terms of his assuming an obligation in respect to it. At law there are only two means by which the object of the donor could be at all accomplished, consistently with the entire ownership of the property passing to the donee, namely: first, by imposing a real obligation upon the property; secondly, by subjecting the title of the donee to a condition subsequent.*** *The first of these the law does not permit; the second is entirely inadequate. Equity, however, can secure most of the objects of the donor, and yet avoid the mischiefs of real obligations by imposing upon the donee (and upon all persons to whom the property shall afterwards come without value or with notice)* ***a personal obligation with respect to the property; and accordingly this is what equity does.*** *It is in this way that all trusts are created, and all equitable charges made (i.e., equitable hypothecations or liens created) by testators in their wills. In this way, also, most trusts are created by acts inter vivos, except in those cases in which the trustee incurs a legal as well as an equitable obligation.* ***In short, as property is the subject of every equitable obligation, so the owner of property is the only person whose act or acts can be the means of creating an obligation in respect to that property. Moreover, the owner of property can create an obligation in respect to it in only two ways: first, by incurring the obligation himself, in which case he commonly also incurs a legal obligation; secondly, by imposing the obligation upon some third person; and this he does in the way just explained."***

[Readings on the History and System of the Common Law, Roscoe Pound, Second Edition, 1925, p. 543]

Next, we must describe exactly what we mean by “territory”, and the three types of “territory” identified by the U.S. Supreme Court in relation to the term “United States”. Below is how the united States Supreme Court addressed the question of the meaning of the term “United States” (see Black’s Law Dictionary) in the famous case of *Hooven & Allison Co. v. Evatt*, 324 U.S. 652 (1945). The Court ruled that the term United States has three uses:

"The term 'United States' may be used in any one of several senses. It may be merely the name of a sovereign occupying the position analogous to that of other sovereigns in the family of nations. It may designate the territory over which the sovereignty of the United States extends, or it may be the collective name of the states which are united by and under the Constitution." [Hooven & Allison Co. v. Evatt, 324 U.S. 652 (1945)]

Forward by Apostle Gary Carter, Jr.

Source: *Sovereignty Education and Defense Ministry*.


LAW COURTS


FOUNDING FATHERS

1788, he wrote in The Federalist Papers: "We have staked the whole future of the American Civilization, not upon the power of Government, far from it. We have staked the future .. upon the capacity of each and all of us to govern ourselves, to sustain ourselves, according to the Ten Commandments of God."

JOHN QUINCY ADAMS, our sixth President said, "The highest glory of the American Revolution was this: it connected in one indissoluble bond, the principles of civil government with the principles of Christianity". On July 4, 1821 President Adams also said, "From the day of the Declaration . . . They (the American people) were bound by the laws of God, which they all, and by the laws of the Gospel, which they nearly all, acknowledged as the rules of their conduct."

The Most Amazing Law In 70 Years

In October of 1982 the U.S. Congress passed **Public Law 97-280.** It set aside 1983 as **"The Year of the Bible."** Congress said that the Bible is the Word of God. Congress mentioned our national need to study and apply the teachings of the Holy Scriptures.

That statement is in Congress's resolution asking the President to declare 1983 the year of the Bible. That new law is so startling in its implications that we present the complete text of both the law and the Proclamation.

Public Law 97-280 - Oct. 4, 1982
97th Congress 96 STAT. 1211

Joint Resolution

Authorizing and requesting the President to proclaim 1983 as the Year of the Bible-Oct.4, 1982 (Senate Joint Resolution. 165)

Whereas the Bible, the Word of God, has made a unique contribution in shaping the United States as a distinctive and blessed nation and people:
Whereas deeply held religious convictions springing from the Holy Scriptures led to the early settlement of our Nation:
Whereas Biblical teachings inspired concepts of civil government that are contained in our Declaration of Independence and the Constitution of the United States:
Whereas many of our great national leaders-among them Presidents Washington, Jackson, Lincoln, and Wilson-paid tribute to the surpassing influence of the Bible in our country's development, as in the words of President Jackson that "the Bible is the rock on which our Republic rests:"
Whereas the history of our Nation clearly illustrates the value of voluntarily applying the teachings of Scriptures in the lives of individuals, families, and societies;
Whereas this Nation now faces great challenges that will test this Nation as it has never been tested before; and Whereas that renewing our knowledge of and faith in God through Holy Scripture can strengthen us as a nation and a people: Now, therefore, be it.
Resolved by the Senate and House of Representatives of the United States of America in Congress assembled. That the President is authorized and requested to designate 1983 as a national Year of the Bible in recognition of both the formative influence the Bible has been for our Nation, and our national need to study and apply the teachings of the Holy Scriptures.

Legislative History - S.J. Res 165:
Approved October 4, 1982.
Congressional Record. Vol 128 (1982):
Mar. 31 considered and passed Senate.
Sept. 21 Considered and passed House.

Year of the Bible, 1983 By the President of the United States of America

A Proclamation

Of the many influences that have shaped the United States of America into a distinctive Nation and people, none may be said to be more fundamental and enduring than the Bible.
Deep religious beliefs, stemming from the Old and New Testaments of the Bible, inspired many of the early settlers of our country, providing them with the strength, character, convictions, and faith neces-sary to withstand great hardship and danger in this new and rugged land. These shared beliefs helped forge a sense of common purpose among the widely dispersed colonies-a sense of community which laid the foundation for the spirit of nationhood that was to develop in later decades.
The Bible and its teachings helped form the basis for the Founding Fathers' abiding belief in the inalienable rights of the individual, rights which they found implicit in the Bible's teachings of the inherent worth and dignity of each individual. This same sense of man patterned the convictions of those who framed the English system of law inherited by our own Nation, as well as the ideals set forth in the Declaration of Independence and the Constitution. **For centuries the Bible's emphasis** on compas-sion and love for our neighbor has inspired institutional and governmental expressions of benevolent outreach such as private charity, the establishment of schools and hospitals, and the abolition of slavery.

Many of our greatest national leaders-among them Presidents Washington, Jackson, Lincoln, and Wilson-have recognized the influence of the Bible on our country's development. The plain-spoken Andrew Jackson referred to the Bible as no less than the rock on which our Republic rests.

Today our beloved America and, indeed, the world, is facing a decade of enormous challenge. As a people we may well be tested as we have seldom, if ever, been tested before. We will need resources of spirit even more than resources of technology, education, and armaments. There could be no more fitting moment than now to reflect with gratitude, humility, and urgency upon the wisdom revealed to us in the writing that Abraham Lincoln called the best gift God has ever given to man . . . But for it we could not know right from wrong.

The Congress of the United States, in recognition of the unique contribution of the Bible in shaping the history and character of this Nation, and so many of its citizens, has by Senate Joint Resolution 165 authorized and requested the President to designate the year 1983 as the Year of the Bible.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, in recognition of the contributions and influence of the Bible on our Republic and our people, do hereby proclaim 1983 as the Year of the Bible in the United States. I encourage all citizens, each in his or her own way, to re-examine and rediscover its priceless and timeless message.

IN WITNESS WHEREOF, I have hereunto set my hand this third day of February, in the year of our Lord nineteen hundred and eighty-three, and of the Independence of the United States of America the two hundred and seventh.

signature

Congress And The Bible

Many Liberals and Humanists objected to this law making 1983 a national "The Year of the Bible." The news media gave it almost no coverage at all. Did you read about "The Year of The Bible" in your newspaper? Did you hear about it on television? Probably not. Here are a few other almost unknown or unmentioned historical events.

May 17, 1776: Congress appointed a day of fasting and prayer so they might "**by a sincere repentance and amendment of life, appease God's righteous displeasure, and through the merits and mediation of Jesus Christ, obtain His pardon and forgiveness.**"

September 11, 1777: Because the domestic supply of Bibles was short, the Continental Congress wrote, **directing the Committee of Commerce to import (from Europe) 20,000 copies of the Bible, the great political text book of the patriots ...** The Congress also authorized chaplains to be in the Continental Army. General Washington had chaplains appointed in each regiment. What did Congress call, the great **political** text book of the patriots?)

September 10, 1782: Because of the difficulties experienced in importing Bibles from Europe, Congress approved and recommended an edition of the Bible printed by Robert Aiken of Philadelphia. Congress called it a "**neat edition of the Holy Scriptures for use in schools.**"

"**Whereupon, RESOLVED THAT the United States in Congress assembled . . . recommend this edition of the Bible to the inhabitants of the United States, and hereby authorize him to publish this recommendation in the manner he (Robert Aiken) shall think proper.**"

The United States of America
Christian From Its Beginning!

The United States was founded by Christians as a Christian nation. The vast majority of its citizens are Christian. Our national motto is, "In God We Trust," our national hymn is, "God Of Our Fathers." The fathers are Abraham, Isaac, and Jacob of the Bible. We Christians pledge allegiance to the United States of America as One Nation Under God.

Our Constitution begins with, "We the people of the United States . . ." Article Seven mentions, "the Seventeenth Day of September in the Year of our Lord one thousand seven hundred Eighty seven . . ." Who is our Lord mentioned by "we the people?"

Few people know, and it is no longer taught in our public schools, that eleven of the thirteen original colonies gave religious tests for public office. These State governments required faith in Jesus Christ and the Bible as a basic qualification for holding public office.

MASSACHUSETTS required this declaration: I believe the Christian religion and have a firm persuasion of its truth.

NEW JERSEY declared "that no Protestant inhabitant of this colony shall be denied any civil right merely on account of his religious principles, but that all persons professing a belief in the faith of any Protestant sect, who shall demean themselves peacefully under the government as hereby established, shall be capable of being elected into any office of profit or trust, or being a member of either branch of the legislature."

VERMONT'S constitution required every member of the House of Representatives to take this oath: "I do believe in One God, the creator and governor of the universe, the rewarder of the good, and the punisher of the wicked, and I do acknowledge the scriptures of the Old and New Testament to be given by divine inspiration,..."

VIRGINIA. If you visit Jamestown, Virginia you will find the remains of a church building. This is one of the first churches built in the New World. There is a plaque in this church. It states that, on July 30, 1619, Governor George Yeardley convened the first elected legislative assembly in the New World. It met in this church. No separation of church and state here! The Virginia Legislature held its meetings inside this church building. This Virginia assembly is the second oldest legislative body in the English speaking world. Parliament is the oldest.

Virginia denied public office to anyone who denied the Christian religion to be true, or (deny) the Holy Scriptures of the Old and New Testament to be of divine authority.

Christian Schools
For A Christian Nation

Remember that Congress authorized the Robert Aiken edition of the Bible "for the use in schools." Section 18 of The Constitution of Mississippi forbids "excluding the Holy Bible from use in any public school of this state."

Christians founded the first schools. They wanted to give a Christian education to all who might come to positions of leadership. Kings College, now renamed **Columbia,** advertised, "The chief thing that is aimed at in this college is to teach and engage the children to know God in Jesus Christ, and to live and serve Him, in all sobriety, Godliness, and Righteousness of life with a perfect heart, and a willing mind."

Amherst, Dartmouth and **Yale** were established for training in the Christian faith. For the first century 40% of Yale's graduates became ministers of the Gospel.

Mr. Harvard, in founding **Harvard University** said this, **"Let every student be plainly instructed and earnestly pressed to consider well the main end of his life and studies is, to know God and Jesus Christ which is eternal life, and therefore to lay Christ in the bottom as the only foundation of all sound knowledge and learning."** How times have changed. Now many of our states prohibit reading the Bible in our Public Schools. The very schools established to teach the Bible.

In today's government schools, they teach your children, Oh, yes, there were some Christians who came over here, and they may have made some Christian statements, and they formed churches, but most came to America for gold or for land and therefore the government had nothing to do with Christianity. Don't let them fool you my friends, for their intentions in deceiving you are as base as their methods of doing so.

They are forcing upon us non-Christian, even anti-Christian laws and practices. They want a non-Christian, even an anti-Christian, Government here in America. However, they know that they cannot install an anti-Christian government over America if Christians understand that our original form of government, both local and national, and all of our original laws came from the Christian Bible.

They would find it very difficult, perhaps impossible, to continue to sweep aside our Christian laws, if we knew they were Christian laws. Let us consider a few of the things they are doing to us today. For example, our rulers are making treaties with non-Christian, even anti-Christian nations. Thus giving them aid and help in their anti-Christian activities. Would we Christians accept that and sit by so silently if we realized that such things are against both God's Law and against the founding principles of our Christian government?

What about abortion? Have you noticed how the pro-abortionists use the phrase, "We don't believe you should force your religion upon others." Notice they call the opposition to abortion-religion. And of course the religion opposing abortion is the Christian religion. (In Lesson 3, we will quote their own writings to show that they do believe that they do have the right to impose their religious beliefs upon you.)

Since our beginning as a few colonies, who opposed abortion? Who arrested the abortionist and either executed him or put him in prison? Was it the churches or was it the government? It was the government! And what was the government doing when it acted against abortion? Well, it was enforcing morality! It was acting according to the precepts upon which that government was founded, the precepts of the Christian religion.

The pro-abortionists and others know that they need not fear today's Christian churches. But the wicked fear a return to Christian government! They know that only government has the power to stop abortion and other evil doings. They know that only a Christian government would do so. And so, they must keep "we the people" from knowing that our

whole government was based upon the precepts of the Christian Bible from its very beginning.

They know an ignorance of our true history will keep us from insisting that our government enforce Christian Laws. They know that a government enforcing Christian laws would stop them in their tracks. Two generations ago, in the United States, performing an abortion on one of our young women was a capital crime punishable by the death penalty. Fifty years ago pornographers were arrested and put in prison. We quoted colonial governmental documents of 200 - 350 years ago. We don't need to go back that far. We need go back only two generations to find enforcement of Christian law by our Christian government. What a change!

Why do you think the anti-Christ newspapers and T.V.'s harp and harp upon the phrase, "separation of church and state" until its meaning is completely distorted? Separation of church and state has become a catch-all phrase to eliminate Christian influence upon anything involving state or civil affairs. Read the first amendment to the Constitution. Surprise! The words separation of church and state are not there! What does the First Amendment to the Constitution really say? It says; 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 to assemble, and to petition the Government for redress of grievances.

Separation of Church And State

Very few Christians know that several State Constitutions specifically mention religion, Christianity and the Bible, for example;

Section 7 of the OHIO - Bill of Rights: "Religion, morality, and knowledge, however, being essential to good government, it shall be the duty of the general assembly to pass suitable laws to protect every religious denomination in the peaceful enjoyment of its own mode of public worship, and to encourage schools and the means of instruction."

The Ohio Constitution was adopted in 1802. Twenty-three years later, in 1825, a tax levy was passed to support and set up a public school system. Therefore, the schools mentioned in the Ohio Constitution are private and church schools. Christian Churches founded 106 of the first 108 schools. As written, the Ohio Constitution required the State to protect and encourage private church schools.

MASSACHUSETTS - Declaration of Rights, Article 2: "And every denomination of Christians . . . shall be equally under the protection of the law." (The law is to protect Christians!).

VERMONT - Declaration of Rights, Article 3: "(our) opinion shall be regulated by the word of God." (The Bible) . . . "Nevertheless, every sect or denomination of Christians ought to observe the Sabbath or Lord's day, and keep up some sort of religious worship, which to them shall seem most agreeable to the revealed word of God." (The Bible)

VIRGINIA - Article 1, Section 16: "and it is the mutual duty of all to practice Christian forbearance, love and charity towards each other."

MISSISSIPPI - Section 18: "the rights hereby secured shall not be construed to . . . exclude or remove the Holy Bible from use in any public school of this state."

Our government has three separate branches: the Executive, the Legislative and the Judicial. Each branch is separate, meaning that each is independent from the other. Even if the words separation of church and state were in the Constitution, would it therefore follow that separation of church and state meant that one is cut off and cast away? No, it means that the Church is independent from the State. In the Scriptures we never find a God-anointed priest or prophet taking to himself the function of a civil administrator. Nor do we find a case where a man anointed to serve in civil administration took unto himself the ministry of priest or prophet, without coming under the judgment of God. For example: 2 Chronicles 26:16-20.

Knowledge of America's true history exposes the lie. The so called constitutional requirement of separation of church and state. They want to separate the Christian religion from the State.

The Supreme Court has declared that the United States of America is a Christian nation. (Holy Trinity Church v. United States 143 U.S. 457 - 1892, McGowen v. Maryland 366 U.S. 420 at 561 - 1961.) In addition, a State court said, "By our form of government, the Christian religion is the established religion; and all sects and denominations are placed on the same equal footing, and are equally entitled to protection in their religious liberty." (Runkel vs. Winemiller, 4 Harris & McHenry (MD) 429, 1 AD 411, 417). And there is more information in Lessons 11 and 14.)

On the other hand, the Constitution of Soviet Russia reads, "the state shall be separate from the church, and the church separate from the school," and the

ninth doctrine listed in the Humanist Manifesto II reads, "The separation of the church and state... are imperatives." (More about Humanism in Lesson 3)

The Bill of Rights was added to our Constitution in 1791. How did the Court understand the First Amendments Congress shall make no law respecting an establishment of religion? Runkel vs. Winemiller et al is a Maryland court case decided in 1799. This Court decision was decided only nine years after the adoption of the Bill Of Rights.

Runkel vs. Winemiller et al.

Your local law library at the Court House or University has a copy of Runkel vs. Winemiller et al. (4 Harris & McHenry). Here we have reproduced the title page summarizing the court's decision. Notice the third paragraph that reads, "**The Christian religion is the established religion by our form of government and all denominations are placed on an equal footing and equally entitled to protection in their religious liberty.**"

While we do not have an established church (denomination, i.e, an establishment of religion) we do have an established religion. In the law book at our local law library the case takes up seventeen pages. Pages 276 to 292. On page 288 at reference number 450 we found these words;

"Religion is of general and public concern, and on its support depend, in great measure, the peace and good order of government, the safety and happiness of the people. By our form of government, the Christian religion is the established religion; and all sects and denominations of Christians are placed upon the same equal footing, and are equally entitled to protection in their religious liberty. The principles of the Christian religion cannot be diffused, and its doctrines generally propagated, without places of public worship, and teachers and ministers, to explain the Scriptures to the people, and to enforce an observance of the precepts of religion by their preaching and living. And the pastors, teachers and ministers, of every denomination of Christians, are equally entitled to the protection of the law, and to the enjoyment of their religious and temporal rights.

And the Courts are of opinion, that every endowed minister, of any sect or denomination of Christians, who has been wrongfully dispossessed of his pulpit, is entitled to the writ of mandamus to be restored to his function, and the temporal rights with which it is endowed."

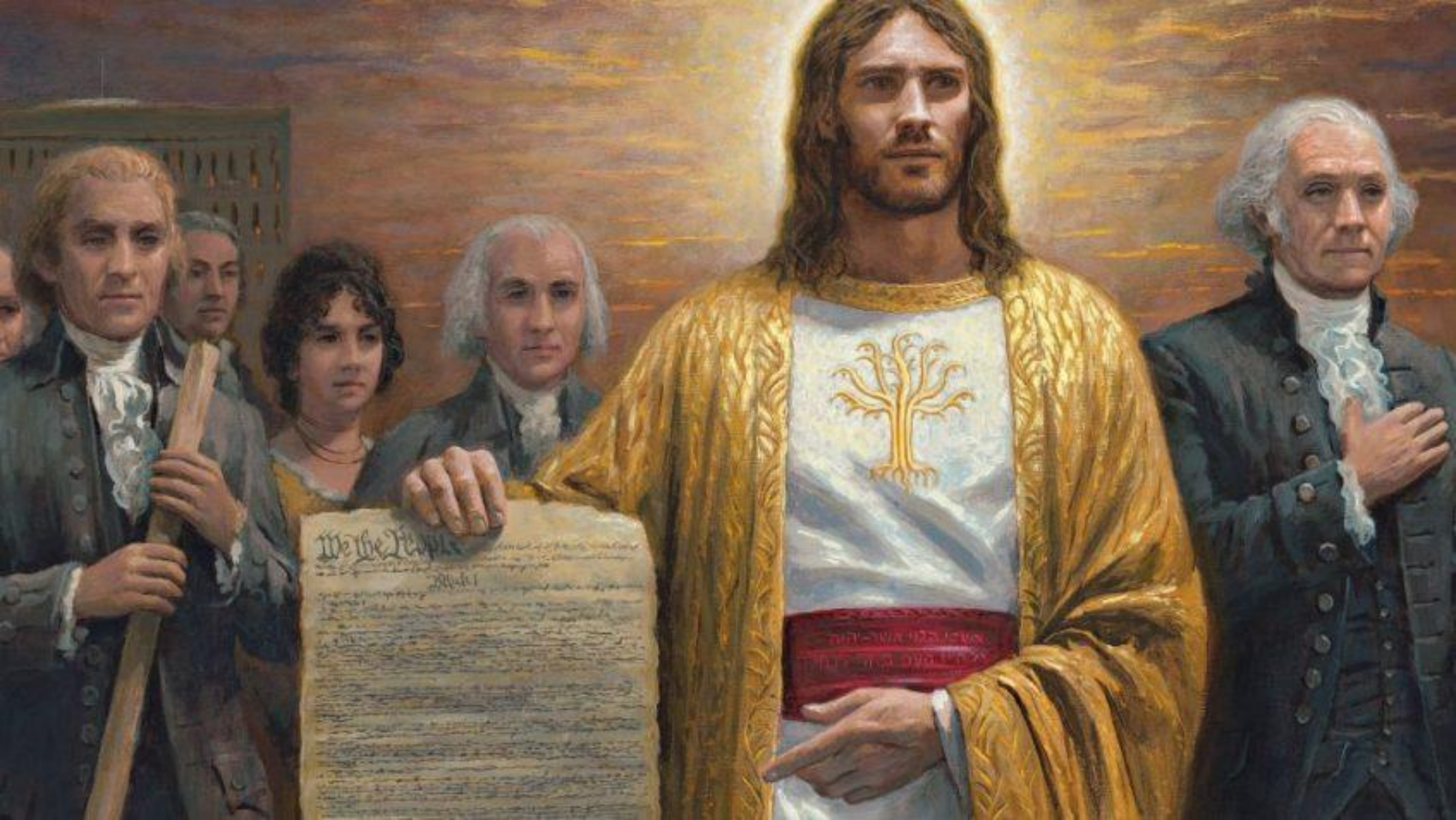
On this and the following pages we present the complete text of the United States Supreme Court decision Holy Trinity Church v. United States. It is in every University and Court House Law Library. In this document we find the highest court of the land stating and proving that The United States is a Christian nation. It is interesting reading, but you do not need to read all of it. You can skip ahead and start reading on page 15 at margin reference number 466.

War Against Christianity

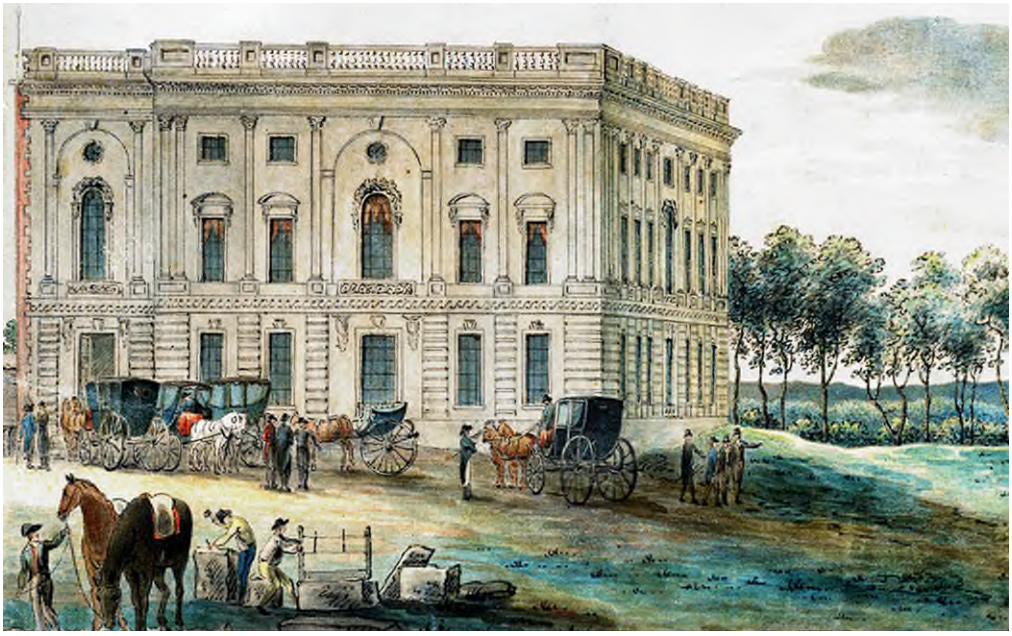
Separation of church and state is a non Constitutional **battle-cry** in the **war** against Christianity. It is used to frighten godly Americans out of the polls, out of government, and back to the pews. Separation of church and state is a blatant distortion of the intent of the framers of the First Amendment. Are the wicked afraid that Christianity and government are somehow going to unite in the future? No, they are fearful because they know that Christianity and government were already united here in America. It is the connection between Christianity and government that they have to destroy if they ever hope to take complete control over America.

To sever the connection between Christianity and government, they have to separate us from the knowledge of our Christian history. They must keep us ignorant of the truth that government in America was Christian from its very beginning.

Most patriots realize the left-wing and the anti-Christ want to destroy Christianity. Marx, Lenin, Stalin, all communist leaders have made that plain in a thousand different ways. Well, if it is Christianity that they are against, why don't they just try to change our religion? The answer is obvious. They do, but they also realize that they cannot destroy the Christian religion until after they have prevented the government from upholding and protecting the Christian religion. How do they stop the American government from being a protector of Christianity? Well, they cause Americans to forget their Christian history. They re-write history, put it on television and call it a Docu-drama. They remove from our history books or distort the writings of our Colonial founders. They keep us from reading the Maryland Charter that ended with a proviso that no interpretation of the charter should be allowed whereby God's holy and true Christian religion might in any wise suffer. They deny us the knowledge that our forefathers wrote into the Rhode Island Charter that the very reason for the Rhode Island government was that the people might be in a better capacity to defend themselves in their rights and liberties against all the enemies of the Christian faith.


We the People

Church in the U.S. Capitol

- 

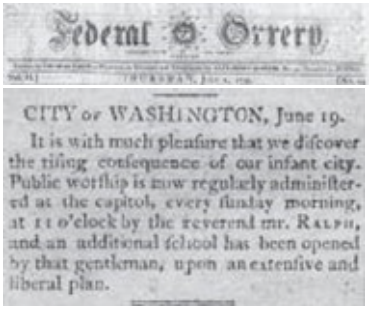
Many people are surprised to learn that the United States Capitol regularly served as a church building; a practice that began even before Congress officially moved into the building and lasted until well after the Civil War. Below is a brief history of the Capitol's use as a church, and some of the prominent individuals who attended services there.

CAPITOL IN 1800

The cornerstone of the Capitol was laid by President George Washington in 1793., but it was not until the end of 1800 that Congress actually moved into the building. According to the congressional records for late November of 1800, Congress spent the first few weeks organizing the Capitol rooms, committees, locations, etc. Then, on December 4, 1800, Congress approved the use of the Capitol building as a church building. [1]

The approval of the Capitol for church was given by both the House and the Senate, with House approval being given by Speaker of the House, Theodore Sedgwick, and Senate approval being given by the President of the Senate, Thomas Jefferson. Interestingly, Jefferson's approval came while he was still officially the Vice- President but after he had just been elected President.

Significantly, the Capitol building had been used as a church even for years ***before*** it was occupied by Congress. The cornerstone for the Capitol had been laid on September 18, 1793; two years later while still under construction, the July 2, 1795, *Federal Orrery* newspaper of Boston reported:


Federal Orrery

CITY OF WASHINGTON, June 19.

It is with much pleasure that we discover the rising consequence of our infant city. Public worship is now regularly administered at the capitol, every sunday morning, at 11 o'clock by the reverend mr. RALPH, and an additional school has been opened by that gentleman, upon an extensive and liberal plan.

City of Washington, June 19. It is with much pleasure that we discover the rising consequence of our infant city. Public worship is now regularly administered at the Capitol, every Sunday morning, at 11 o'clock by the Reverend Mr. Ralph. [2]

The reason for the original use of the Capitol as a church might initially be explained by the fact that there were no churches in the city at that time. Even a decade later in 1803, U. S. Senator John Quincy Adams confirmed: "There is no church of any denomination in this city." [3] The absence of churches in Washington eventually changed, however. As one Washington citizen reported: "For several years after the seat of government was fixed at Washington, there were but two small [wooden] churches. . . . Now, in 1837 there are 22 churches of brick or stone." [4] Yet, even after churches began proliferating across the city, religious services still continued at the Capitol until well after the Civil War and Reconstruction.

Jefferson attended church at the Capitol while he was Vice President [5] and also throughout his presidency. The first Capitol church service that Jefferson attended as President was a service preached by Jefferson's friend, the Rev. John Leland, on January 3, 1802. [6] Significantly, Jefferson attended that Capitol church service just two days after he penned his famous letter containing the "wall of separation between church and state" metaphor.

U. S. Rep. Manasseh Cutler, who also attended church at the Capitol, recorded in his own diary that "He [Jefferson] and his family have constantly attended public worship in the Hall." [7] Mary Bayard Smith, another attendee at the Capitol services, confirmed: "Mr. Jefferson, during his whole administration, was a most regular attendant." [8] She noted that Jefferson even had a designated seat at the Capitol church: "The seat he chose the first Sabbath, and the adjoining one (which his private secretary occupied), were ever afterwards by the courtesy of the congregation, left for him and his secretary." [9] Jefferson was so committed to those services that he would not even allow inclement weather to dissuade him; as Rep. Cutler noted: "It was very rainy, but his [Jefferson's] ardent zeal brought him through the

rain and on horseback to the Hall." [10] Other diary entries confirm Jefferson's attendance in spite of bad weather. [11]

In addition to Mary Bayard Smith and Congressman Manasseh Cutler, others kept diaries of the weekly Capitol church services including Congressman Abijah Bigelow and statesman John Quincy Adams. (Adams served in Washington first as a Senator, then a President, and then as a Representative; and his extensive diaries describe the numerous church services he attended at the Capitol across a span of decades.) Typical of Adams' diary entries while a U. S. Senator under President Jefferson were these :

Attended public service at the Capitol where Mr. Rattoon, an Episcopalian clergyman from Baltimore, preached a sermon. [12]
[R]eligious service is usually performed on Sundays at the Treasury office and at the Capitol. I went both forenoon and afternoon to the Treasury. [13]

Jefferson was not the only President to attend church at the Capitol. His successor, James Madison, also attended church at the Capitol. [14] However, there was a difference in the way the two arrived for services. Observers noted that Jefferson arrived at church on horseback [15] (it was 1.6 miles from the White House to the Capitol). However, Madison arrived for church in a coach and four. In fact, British diplomat Augustus Foster, who attended services at the Capitol, gave an eloquent description of President Madison arriving at the Capitol for church in a carriage drawn by four white horses.

From Jefferson through Abraham Lincoln, many presidents attended church at the Capitol; and it was common practice for Members of Congress to attend those services. For example, in his diary entry of January 9, 1803, Congressman Cutler noted: "Attended in the morning at the Capitol. . . . Very full assembly. Many of the Members present." [16] The church was often full "so crowded, in fact, one attendee reported that since "the floor of the House offered insufficient space, the platform behind the Speaker's chair, and every spot where a chair could be wedged in" was filled. [17] U. S. Representative John Quincy Adams (although noting that occasionally the "House was full, but not crowded" [18]) also commented numerous times on the overly-crowded conditions at the Capitol church. In his diary entry for February 28, 1841, he noted: "I rode with my wife, Elizabeth C. Adams, and Mary, to the Capitol, where the Hall of the House of Representatives was so excessively crowded that it was with extreme difficulty that we were enabled to obtain seats." [19] Why did so many Members attend Divine service in the Hall of the House? Adams explained why he attended: "I consider it as one of my public duties- as a representative of the people- to give my attendance every Sunday morning when Divine service is performed in the Hall." [20]

Interestingly, the Marine Band participated in the early Capitol church services. According to Margaret Bayard Smith, who regularly attended services at the Capitol, the band, clad in their scarlet uniforms, made a "dazzling appearance" as they played from the gallery, providing instrumental accompaniment for the singing. [21] The band, however, seemed too ostentatious for the services and "the attendance of the marine-band was soon discontinued." [22]

From 1800 to 1801, the services were held in the north wing; from 1801 to 1804, they were held in the "oven" in the south wing, and then from 1804 to 1807, they were again held in the north wing. From 1807 to 1857, services were held in what is now Statuary Hall. By 1857 when the House moved into its new home in the extension, some 2,000 persons a week were attending services in the Hall of the House. [23] Significantly, even though the U. S. Congress began meeting in the extension on Wednesday, December 16, 1857, the first official use of the House Chamber had occurred three days earlier, when "on December 13, 1857, the Rev. Dr. George Cummins preached before a crowd of 2,000 worshipers in the first public use of the chamber. Soon thereafter, the committee recommended that the House convene in the new Hall on Wednesday, December 16, 1857." [24] However, regardless of the part of the building in which the church met, the rostrum of the Speaker of the House was used as the preacher's pulpit; and Congress purchased the hymnals used in the service.

The church services in the Hall of the House were interdenominational, overseen by the chaplains appointed by the House and Senate; sermons were preached by the chaplains on a rotating basis, or by visiting ministers approved by the Speaker of the House. As Margaret Bayard Smith, confirmed: "Not only the chaplains, but the most distinguished clergymen who visited the city, preached in the Capitol" [25] and "clergymen, who during the session of Congress visited the city, were invited by the chaplains to preach." [26]

In addition to the non-denominational service held in the Hall of the House, several individual churches (such as Capitol Hill Presbyterian, the Unitarian Church of Washington, First Congregational Church, First Presbyterian Church, etc.) met in the Capitol each week for their own services; there could be up to four different church services at the Capitol each Sunday.

IN 1867, OVER 2,000 PER WEEK ATTENDED
CHURCH SERVICES AT THE CAPITOL

The Library of Congress provides an account of one of those churches that met weekly at the Capitol: "Charles Boynton (1806-1883) was in 1867 Chaplain of the House of Representatives and organizing pastor of the First Congregational Church in Washington, which was trying at that time to build its own sanctuary. In the meantime, the church, as Boynton informed potential donors, was holding services- ˜at the Hall of Representatives' where- ˜the audience is the largest in town. . . . nearly 2000 assembled every Sabbath' for services, making the congregation in the House the ˜largest Protestant Sabbath audience then in the United States.' The First Congregational Church met in the House from 1865 to 1868." [27]

With so many services occurring, the Hall of the House was not the only location in the Capitol where church services were conducted. John Quincy Adams, in his February 2, 1806, diary entry, describes an overflow service held in the Supreme Court Chamber, [28] and Congressman Manasseh Cutler describes a similar service in 1804. [29] (At that time, the Supreme Court Chamber was located on the first floor of the Capitol.) Services were also held in the Senate Chamber as well as on the first floor of the south wing.

OLD SUPREME COURT CHAMBER

Church In The Capitol Milestones

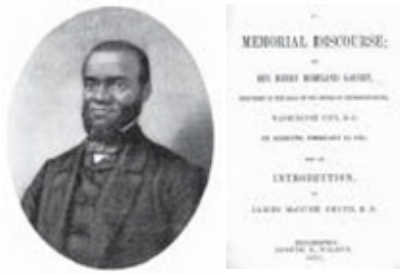
* 1806. On January 12, 1806, Dorothy Ripley (1767-1832) became the first woman to preach before the House. One female attendee had noted: "Preachers of every sect and denomination of Christians were there admitted- Catholics, Unitarians, Quakers, with every intervening diversity of sect. Even women were allowed to display their pulpit eloquence in this national Hall." [30] In attendance at that service were President Thomas Jefferson and Vice President Aaron Burr. Ripley conducted the lengthy service in a fervent, evangelical, camp-meeting style.

* 1826. On January 8, 1826, Bishop John England (1786-1842) of Charleston, South Carolina (Bishop over North and South Carolina and Georgia) became the first Catholic to preach in the House of Representatives. Of that service, President John Quincy Adams (a regular attendee of church services in the Capitol) noted: Walked to the Capitol and heard the Bishop of Charleston, [John] England -" an Irishman. He read a few prayers and then delivered an extemporaneous discourse of

nearly two hours' duration. . . . He closed by reading an admirable prayer. He came and spoke to me after the service and said he would call and take leave of me tomorrow. The house was overflowing, and it was with great difficulty that I obtained a seat. [31]

HARRIET LIVERMORE

* 1827. In January 1827, Harriet Livermore (1788-1868) became the second woman to preach in the House of Representatives. (Three of her immediate family members: " her father, grandfather, and uncle" had been Members of Congress. Her grandfather, Samuel Livermore, was a Member of the first federal Congress and a framer of the Bill of Rights; her uncle was a Member under Presidents Thomas Jefferson and James Madison; her father was a Member under President James Monroe.) The service in which she preached was not only attended by President John Quincy Adams but was also filled with Members of Congress as well as the inquisitive from the city. As Margaret Bayard Smith noted, "curiosity rather than piety attracted throngs on such occasions." [32] Livermore spoke for an hour and a half, resulting in mixed reactions; some praised her and were even moved to tears by her preaching, some dismissed her. Harriet Livermore preached in the Capitol on four different occasions, each attended by a different President.



HENRY H. GARNET AND HIS DISCOURSE

* 1865. On February 12, 1865, Henry Highland Garnet (1815-1882) became the first African American to speak in Congress. Two weeks earlier, on January 31, 1865, Congress had passed the Thirteenth Amendment abolishing slavery, and Garnet was invited to preach a sermon in Congress to commemorate that event. In his sermon, Garnet described his beginnings: 'I was born among the cherished institutions of slavery. My earliest recollections of parents, friends, and the home of my childhood are clouded with its wrongs. The first sight that met my eyes was my Christian mother enslaved." [33] His family escaped to the North; he became a minister, abolitionist, temperance leader, and political activist. He recruited black regiments during the Civil War and served as chaplain to the black troops of New York. In 1864, he became the pastor of the Fifteenth Street Presbyterian Church in Washington, D. C. (where he served at the time of this sermon). He later became president of Avery College and was made Minister to Liberia by President Ulysses S. Grant.

(For more information on this topic please see "Religion and the Founding of the American Republic: Religion and the Federal Government (Part 2)" on the Library of Congress website.)

NOTES

[1] *Debates and Proceedings in the Congress of the United States* (Washington: Gales and Seaton, 1853), p. 797, Sixth Congress, December 4, 1800.

[2] *Federal Orrery*, Boston, July 2, 1795, p. 2.

[3] John Quincy Adams, *Memoirs of John Quincy Adams*, Charles Francis Adams, editor (Philadelphia: J. B. Lippincott and Company, 1874), Vol. I, p. 268, October 30, 1803.

[4] Mrs. Samuel Harrison Smith (Margaret Bayard), *The First Forty Years of Washington Society*, Galliard Hunt, editor (New York: Charles Scribner's Sons, 1906), p. 16.

[5] Bishop Claggett's (Episcopal Bishop of Maryland) letter of February 18, 1801, reveals that, as vice- President, Jefferson went to church services in the House. Available in the Maryland Diocesan Archives.

[6] William Parker Cutler and Julia Perkins Cutler, *Life, Journal, and Correspondence of Rev. Manasseh Cutler* (Cincinnati: Colin Robert Clarke & Co., 1888), Vol. II, p. 66, letter to Joseph Torrey, January 4, 1802. Cutler meant that Jefferson attended church on January 3, 1802, for the first time as President. Bishop Claggett's letter of February 18, 1801, already revealed that as Vice-President, Jefferson went to church services in the House.


Holy Bible


We the People
insure domestic Tranquility, provide for the common
and our Posterity,

CONSTITUTION OF THE UNITED STATES OF AMERICA—1787[1]

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

ARTICLE. I.

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

SECTION. 2. [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.[2] The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

[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 chuse 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,[3] for six Years; and each Senator shall have one Vote.

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[1]This text of the Constitution follows the engrossed copy signed by Gen. Washington and the deputies from 12 States. The small superior figures preceding the paragraphs designate clauses, and were not in the original and have no reference to footnotes.

In May 1785, a committee of Congress made a report recommending an alteration in the Articles of Confederation, but no action was taken on it, and it was left to the State Legislatures to proceed in the matter. In January 1786, the Legislature of Virginia passed a resolution providing for the appointment of five commissioners, who, or any three of them, should meet such commissioners as might be appointed in the other States of the Union, at a time and place to be agreed upon, to take into consideration the trade of the United States; to consider how far a uniform system in their commercial regulations may be necessary to their common interest and their permanent harmony; and to report to the several States such an act, relative to this great object, as, when ratified by them, will enable the United States in Congress effectually to provide for the same. The Virginia commissioners, after some correspondence, fixed the first Monday in September as the time, and the city of Annapolis as the place for the meeting, but only four other States were represented, viz: Delaware, New York, New Jersey, and Pennsylvania; the commissioners appointed by Massachusetts, New Hampshire, North Carolina, and Rhode Island failed to attend. Under the circumstances of so partial a representation, the commissioners present agreed upon a report, (drawn by Mr. Hamilton, of New York,) expressing their unanimous conviction that it might essentially tend to advance the interests of the Union if the States by which they were respectively delegated would concur, and use their endeavors to procure the concurrence of the other States, in the appointment of commissioners to meet at Philadelphia on the Second Monday of May following, to take into consideration the situation of the United States; to devise such further provisions as should appear to them necessary to render the Constitution of the Federal Government adequate to the exigencies of the Union; and to report such an act for that purpose to the United States in Congress assembled as, when agreed to by them and afterwards confirmed by the Legislatures of every State, would effectually provide for the same.

Congress, on the 21st of February, 1787, adopted a resolution in favor of a convention, and the Legislatures of those States which had not already done so (with the exception of Rhode Island) promptly appointed delegates. On the 25th of May, seven States having convened, George Washington, of Virginia, was unanimously elected President, and the consideration of the proposed constitution was commenced. On the 17th of September, 1787, the Constitution as engrossed and agreed upon was signed by all the members present, except Mr. Gerry of Massachusetts, and Messrs. Mason and Randolph, of Virginia. The president of the convention transmitted it to Congress, with a resolution stating how the proposed Federal Government should be put in operation, and an explanatory letter. Congress, on the 28th of September, 1787, directed the Constitution so framed, with the resolutions and letter concerning the same, to ''be transmitted to the several Legislatures in order to be submitted to a convention of delegates chosen in each State by the people thereof, in conformity to the resolves of the convention.''

On the 4th of March, 1789, the day which had been fixed for commencing the operations of Government under the new Constitution, it had been ratified by the conventions chosen in each State to consider it, as follows: Delaware, December 7, 1787; Pennsylvania, December 12, 1787; New Jersey, December 18, 1787; Georgia, January 2, 1788; Connecticut, January 9, 1788; Massachusetts, February 6, 1788; Maryland, April 28, 1788; South Carolina, May 23, 1788; New Hampshire, June 21, 1788; Virginia, June 25, 1788; and New York, July 26, 1788.

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

[2]The part of this clause relating to the mode of apportionment of representatives among the several States has been affected by section 2 of amendment XIV, and as to taxes on incomes without apportionment by amendment XVI.

[3]This clause has been affected by clause 1 of amendment XVII.

[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.[4]

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

[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 chusing Senators.

[2]The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December,[5] 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 Behaviour, 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.[6] 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 encreased 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 approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

[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 Ex-

[4]This clause has been affected by clause 2 of amendment XVIII.

[5]This clause has been affected by amendment XX.

[6]This clause has been affected by amendment XXVII.

cises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

[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 Offences 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 Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;—And

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

SECTION. 9. [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.

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

[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 herein before directed to be taken.[7]

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

[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 it's inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.

[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.

[3]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

[7]This clause has been affected by amendment XVI.

make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this Purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice President.[8]

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

[5]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.

[6]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,[9] the Same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

[7]The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be encreased 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.

[8]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 Offences 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 up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

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

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

ARTICLE. III.

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

SECTION. 2. [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;[10]—between Citizens of different States,—between Citizens of the same State claiming Lands under Grants of different

[8]This clause has been superseded by amendment XII.

[9]This clause has been affected by amendment XXV.

[10]This clause has been affected by amendment XI.

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 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.

[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 Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.[11]

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.

[11]This clause has been affected by amendment XIII.

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

ARTICLE. V.

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

ARTICLE. VI.

[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, any Thing 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,

G[O]. WASHINGTON—*Presid[t].*
and deputy from Virginia

[Signed also by the deputies of twelve States.]

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[12]

ARTICLE [I.][13]

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

ARTICLE [II.]

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

ARTICLE [III.]

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

ARTICLE [IV.]

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

ARTICLE [V.]

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

ARTICLE [VI.]

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

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

Ratification was completed on December 15, 1791.

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

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

ARTICLE [VII.]

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

ARTICLE [VIII.]

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

ARTICLE [IX.]

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

ARTICLE [X.]

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

[ARTICLE XI.]

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

PROPOSAL AND RATIFICATION

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

Ratification was completed on February 7, 1795.

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

[ARTICLE XII.]

The Electors shall meet in their respective states, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;—The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.[14]—The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

PROPOSAL AND RATIFICATION

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

Ratification was completed on June 15, 1804.

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

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

ARTICLE XIII.

SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

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

PROPOSAL AND RATIFICATION

The thirteenth amendment to the Constitution of the United States was proposed to the legislatures of the several States by the Thirty-eighth Congress, on the 31st day of January, 1865, and was declared, in a procla-

[14] This sentence has been superseded by section 3 of amendment XX.

mation of the Secretary of State, dated the 18th of December, 1865, to have been ratified by the legislatures of twenty-seven of the thirty-six States. The dates of ratification were: Illinois, February 1, 1865; Rhode Island, February 2, 1865; Michigan, February 2, 1865; Maryland, February 3, 1865; New York, February 3, 1865; Pennsylvania, February 3, 1865; West Virginia, February 3, 1865; Missouri, February 6, 1865; Maine, February 7, 1865; Kansas, February 7, 1865; Massachusetts, February 7, 1865; Virginia, February 9, 1865; Ohio, February 10, 1865; Indiana, February 13, 1865; Nevada, February 16, 1865; Louisiana, February 17, 1865; Minnesota, February 23, 1865; Wisconsin, February 24, 1865; Vermont, March 9, 1865; Tennessee, April 7, 1865; Arkansas, April 14, 1865; Connecticut, May 4, 1865; New Hampshire, July 1, 1865; South Carolina, November 13, 1865; Alabama, December 2, 1865; North Carolina, December 4, 1865; Georgia, December 6, 1865.

Ratification was completed on December 6, 1865.

The amendment was subsequently ratified by Oregon, December 8, 1865; California, December 19, 1865; Florida, December 28, 1865 (Florida again ratified on June 9, 1868, upon its adoption of a new constitution); Iowa, January 15, 1866; New Jersey, January 23, 1866 (after having rejected the amendment on March 16, 1865); Texas, February 18, 1870; Delaware, February 12, 1901 (after having rejected the amendment on February 8, 1865); Kentucky, March 18, 1976 (after having rejected it on February 24, 1865).

The amendment was rejected (and not subsequently ratified) by Mississippi, December 4, 1865.

ARTICLE XIV.

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

SECTION 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age,[15] and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

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

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

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

PROPOSAL AND RATIFICATION

The fourteenth amendment to the Constitution of the United States was proposed to the legislatures of the several States by the Thirty-ninth Congress, on the 13th of June, 1866. It was declared, in a certificate of the Secretary of State dated July 28, 1868 to have been ratified by the legislatures of 28 of the 37 States. The dates of ratification were: Connecticut, June 25, 1866; New Hampshire, July 6, 1866; Tennessee, July 19, 1866; New Jersey, September 11, 1866 (subsequently the legislature rescinded its ratification, and on March 24, 1868, readopted its resolution of rescission over the Governor's veto, and on Nov. 12, 1980, expressed support for the amendment); Oregon, September 19, 1866 (and rescinded its ratification on October 16, 1868, but reratified the amendment on April 25, 1973); Vermont, October 30, 1866; Ohio, January 11, 1867 (and rescinded its ratification on January 15, 1868, but reratified the amendment on March 12, 2003); New York, January 10, 1867; Kansas, January 11, 1867; Illinois, January 15, 1867; West Virginia, January 16, 1867; Michigan, January 16, 1867; Minnesota, January 16, 1867; Maine, January 19, 1867; Nevada, January 22, 1867; Indiana, January 23, 1867; Missouri, January 25, 1867; Rhode Island, February 7, 1867; Wisconsin, February 7, 1867; Pennsylvania, February 12, 1867; Massachusetts, March 20, 1867; Nebraska, June 15, 1867; Iowa, March 16, 1868; Arkansas, April 6, 1868; Florida, June 9, 1868; North Carolina, July 4, 1868 (after having rejected it on December 14, 1866); Louisiana, July 9, 1868 (after having rejected it on February 6, 1867); South Carolina, July 9, 1868 (after having rejected it on December 20, 1866).

Ratification was completed on July 9, 1868.

The amendment was subsequently ratified by Alabama, July 13, 1868; Georgia, July 21, 1868 (after having rejected it on November 9, 1866); Virginia, October 8, 1869 (after having rejected it on January 9, 1867); Mississippi, January 17, 1870; Texas, February 18, 1870 (after having rejected it on October 27, 1866); Delaware, February 12, 1901 (after having rejected it on February 8, 1867); Maryland, April 4, 1959 (after having rejected it on March 23, 1867); California, May 6, 1959; Kentucky, March 18, 1976 (after having rejected it on January 8, 1867).

ARTICLE XV.

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

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

PROPOSAL AND RATIFICATION

The fifteenth amendment to the Constitution of the United States was proposed to the legislatures of the several States by the Fortieth Congress, on the 26th of

[15] See amendment XIX and section 1 of amendment XXVI.

February, 1869, and was declared, in a proclamation of the Secretary of State, dated March 30, 1870, to have been ratified by the legislatures of twenty-nine of the thirty-seven States. The dates of ratification were: Nevada, March 1, 1869; West Virginia, March 3, 1869; Illinois, March 5, 1869; Louisiana, March 5, 1869; North Carolina, March 5, 1869; Michigan, March 8, 1869; Wisconsin, March 9, 1869; Maine, March 11, 1869; Massachusetts, March 12, 1869; Arkansas, March 15, 1869; South Carolina, March 15, 1869; Pennsylvania, March 25, 1869; New York, April 14, 1869 (and the legislature of the same State passed a resolution January 5, 1870, to withdraw its consent to it, which action it rescinded on March 30, 1970); Indiana, May 14, 1869; Connecticut, May 19, 1869; Florida, June 14, 1869; New Hampshire, July 1, 1869; Virginia, October 8, 1869; Vermont, October 20, 1869; Missouri, January 7, 1870; Minnesota, January 13, 1870; Mississippi, January 17, 1870; Rhode Island, January 18, 1870; Kansas, January 19, 1870; Ohio, January 27, 1870 (after having rejected it on April 30, 1869); Georgia, February 2, 1870; Iowa, February 3, 1870; Tennessee, April 2, 1997 (after having rejected it on November 16, 1869).

Ratification was completed on February 3, 1870, unless the withdrawal of ratification by New York was effective; in which event ratification was completed on February 17, 1870, when Nebraska ratified.

The amendment was subsequently ratified by Texas, February 18, 1870; New Jersey, February 15, 1871 (after having rejected it on February 7, 1870); Delaware, February 12, 1901 (after having rejected it on March 18, 1869); Oregon, February 24, 1959; California, April 3, 1962 (after having rejected it on January 28, 1870); Kentucky, March 18, 1976 (after having rejected it on March 12, 1869).

The amendment was approved by the Governor of Maryland, May 7, 1973; Maryland having previously rejected it on February 26, 1870.

ARTICLE XVI.

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

PROPOSAL AND RATIFICATION

The sixteenth amendment to the Constitution of the United States was proposed to the legislatures of the several States by the Sixty-first Congress on the 12th of July, 1909, and was declared, in a proclamation of the Secretary of State, dated the 25th of February, 1913, to have been ratified by 36 of the 48 States. The dates of ratification were: Alabama, August 10, 1909; Kentucky, February 8, 1910; South Carolina, February 19, 1910; Illinois, March 1, 1910; Mississippi, March 7, 1910; Oklahoma, March 10, 1910; Maryland, April 8, 1910; Georgia, August 3, 1910; Texas, August 16, 1910; Ohio, January 19, 1911; Idaho, January 20, 1911; Oregon, January 23, 1911; Washington, January 26, 1911; Montana, January 30, 1911; Indiana, January 30, 1911; California, January 31, 1911; Nevada, January 31, 1911; South Dakota, February 3, 1911; Nebraska, February 9, 1911; North Carolina, February 11, 1911; Colorado, February 15, 1911; North Dakota, February 17, 1911; Kansas, February 18, 1911; Michigan, February 23, 1911; Iowa, February 24, 1911; Missouri, March 16, 1911; Maine, March 31, 1911; Tennessee, April 7, 1911; Arkansas, April 22, 1911 (after having rejected it earlier); Wisconsin, May 26, 1911; New York, July 12, 1911; Arizona, April 6, 1912; Minnesota, June 11, 1912; Louisiana, June 28, 1912; West Virginia, January 31, 1913; New Mexico, February 3, 1913.

Ratification was completed on February 3, 1913.

The amendment was subsequently ratified by Massachusetts, March 4, 1913; New Hampshire, March 7, 1913 (after having rejected it on March 2, 1911).

The amendment was rejected (and not subsequently ratified) by Connecticut, Rhode Island, and Utah.

[ARTICLE XVII.]

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Provided*, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

PROPOSAL AND RATIFICATION

The seventeenth amendment to the Constitution of the United States was proposed to the legislatures of the several States by the Sixty-second Congress on the 13th of May, 1912, and was declared, in a proclamation of the Secretary of State, dated the 31st of May, 1913, to have been ratified by the legislatures of 36 of the 48 States. The dates of ratification were: Massachusetts, May 22, 1912; Arizona, June 3, 1912; Minnesota, June 10, 1912; New York, January 15, 1913; Kansas, January 17, 1913; Oregon, January 23, 1913; North Carolina, January 25, 1913; California, January 28, 1913; Michigan, January 28, 1913; Iowa, January 30, 1913; Montana, January 30, 1913; Idaho, January 31, 1913; West Virginia, February 4, 1913; Colorado, February 5, 1913; Nevada, February 6, 1913; Texas, February 7, 1913; Washington, February 7, 1913; Wyoming, February 8, 1913; Arkansas, February 11, 1913; Maine, February 11, 1913; Illinois, February 13, 1913; North Dakota, February 14, 1913; Wisconsin, February 18, 1913; Indiana, February 19, 1913; New Hampshire, February 19, 1913; Vermont, February 19, 1913; South Dakota, February 19, 1913; Oklahoma, February 24, 1913; Ohio, February 25, 1913; Missouri, March 7, 1913; New Mexico, March 13, 1913; Nebraska, March 14, 1913; New Jersey, March 17, 1913; Tennessee, April 1, 1913; Pennsylvania, April 2, 1913; Connecticut, April 8, 1913.

Ratification was completed on April 8, 1913.

The amendment was subsequently ratified by Louisiana, June 11, 1914.

The amendment was rejected by Utah (and not subsequently ratified) on February 26, 1913.

ARTICLE [XVIII].[16]

SECTION 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

SEC. 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

[16] Repealed by section 1 of amendment XXI.

PROPOSAL AND RATIFICATION

The eighteenth amendment to the Constitution of the United States was proposed to the legislatures of the several States by the Sixty-fifth Congress, on the 18th of December, 1917, and was declared, in a proclamation of the Secretary of State, dated the 29th of January, 1919, to have been ratified by the legislatures of 36 of the 48 States. The dates of ratification were: Mississippi, January 8, 1918; Virginia, January 11, 1918; Kentucky, January 14, 1918; North Dakota, January 25, 1918; South Carolina, January 29, 1918; Maryland, February 13, 1918; Montana, February 19, 1918; Texas, March 4, 1918; Delaware, March 18, 1918; South Dakota, March 20, 1918; Massachusetts, April 2, 1918; Arizona, May 24, 1918; Georgia, June 26, 1918; Louisiana, August 3, 1918; Florida, December 3, 1918; Michigan, January 2, 1919; Ohio, January 7, 1919; Oklahoma, January 7, 1919; Idaho, January 8, 1919; Maine, January 8, 1919; West Virginia, January 9, 1919; California, January 13, 1919; Tennessee, January 13, 1919; Washington, January 13, 1919; Arkansas, January 14, 1919; Kansas, January 14, 1919; Alabama, January 15, 1919; Colorado, January 15, 1919; Iowa, January 15, 1919; New Hampshire, January 15, 1919; Oregon, January 15, 1919; Nebraska, January 16, 1919; North Carolina, January 16, 1919; Utah, January 16, 1919; Missouri, January 16, 1919; Wyoming, January 16, 1919.

Ratification was completed on January 16, 1919. See *Dillon v. Gloss*, 256 U.S. 368, 376 (1921).

The amendment was subsequently ratified by Minnesota on January 17, 1919; Wisconsin, January 17, 1919; New Mexico, January 20, 1919; Nevada, January 21, 1919; New York, January 29, 1919; Vermont, January 29, 1919; Pennsylvania, February 25, 1919; and New Jersey, March 9, 1922.

The amendment was rejected (and not subsequently ratified) by Connecticut and Rhode Island.

ARTICLE [XIX].

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

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

PROPOSAL AND RATIFICATION

The nineteenth amendment to the Constitution of the United States was proposed to the legislatures of the several States by the Sixty-sixth Congress, on the 4th of June, 1919, and was declared, in a proclamation of the Secretary of State, dated the 26th of August, 1920, to have been ratified by the legislatures of 36 of the 48 States. The dates of ratification were: Illinois, June 10, 1919 (and that State readopted its resolution of ratification June 17, 1919); Michigan, June 10, 1919; Wisconsin, June 10, 1919; Kansas, June 16, 1919; New York, June 16, 1919; Ohio, June 16, 1919; Pennsylvania, June 24, 1919; Massachusetts, June 25, 1919; Texas, June 28, 1919; Iowa, July 2, 1919; Missouri, July 3, 1919; Arkansas, July 28, 1919; Montana, August 2, 1919; Nebraska, August 2, 1919; Minnesota, September 8, 1919; New Hampshire, September 10, 1919; Utah, October 2, 1919; California, November 1, 1919; Maine, November 5, 1919; North Dakota, December 1, 1919; South Dakota, December 4, 1919; Colorado, December 15, 1919; Kentucky, January 6, 1920; Rhode Island, January 6, 1920; Oregon, January 13, 1920; Indiana, January 16, 1920; Wyoming, January 27, 1920; Nevada, February 7, 1920; New Jersey, February 9, 1920; Idaho, February 11, 1920; Arizona, February 12, 1920; New Mexico, February 21, 1920; Oklahoma, February 28, 1920; West Virginia, March 10, 1920; Washington, March 22, 1920; Tennessee, August 18, 1920.

Ratification was completed on August 18, 1920.

The amendment was subsequently ratified by Connecticut on September 14, 1920 (and that State reaffirmed on September 21, 1920); Vermont, February 8, 1921; Delaware, March 6, 1923 (after having rejected it on June 2, 1920); Maryland, March 29, 1941 (after having rejected it on February 24, 1920, ratification certified on February 25, 1958); Virginia, February 21, 1952 (after having rejected it on February 12, 1920); Alabama, September 8, 1953 (after having rejected it on September 22, 1919); Florida, May 13, 1969; South Carolina, July 1, 1969 (after having rejected it on January 28, 1920, ratification certified on August 22, 1973); Georgia, February 20, 1970 (after having rejected it on July 24, 1919); Louisiana, June 11, 1970 (after having rejected it on July 1, 1920); North Carolina, May 6, 1971; Mississippi, March 22, 1984 (after having rejected it on March 29, 1920).

ARTICLE [XX.]

SECTION 1. The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

SEC. 2. The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3d day of January, unless they shall by law appoint a different day.

SEC. 3. If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

SEC. 4. The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

SEC. 5. Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

SEC. 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission.

PROPOSAL AND RATIFICATION

The twentieth amendment to the Constitution was proposed to the legislatures of the several states by the Seventy-Second Congress, on the 2d day of March, 1932, and was declared, in a proclamation by the Secretary of State, dated on the 6th day of February, 1933, to have been ratified by the legislatures of 36 of the 48 States. The dates of ratification were: Virginia, March 4, 1932; New York, March 11, 1932; Mississippi, March 16, 1932; Arkansas, March 17, 1932; Kentucky, March 17, 1932; New Jersey, March 21, 1932; South Carolina, March 25, 1932; Michigan, March 31, 1932; Maine, April 1, 1932; Rhode Island, April 14, 1932; Illinois, April 21, 1932; Louisiana, June 22, 1932; West Virginia, July 30, 1932; Pennsylvania, August 11, 1932; Indiana, August 15, 1932; Texas, September 7, 1932; Alabama, September 13, 1932; California, January 4, 1933; North Carolina, January 5,

1933; North Dakota, January 9, 1933; Minnesota, January 12, 1933; Arizona, January 13, 1933; Montana, January 13, 1933; Nebraska, January 13, 1933; Oklahoma, January 13, 1933; Kansas, January 16, 1933; Oregon, January 16, 1933; Delaware, January 19, 1933; Washington, January 19, 1933; Wyoming, January 19, 1933; Iowa, January 20, 1933; South Dakota, January 20, 1933; Tennessee, January 20, 1933; Idaho, January 21, 1933; New Mexico, January 21, 1933; Georgia, January 23, 1933; Missouri, January 23, 1933; Ohio, January 23, 1933; Utah, January 23, 1933.

Ratification was completed on January 23, 1933.

The amendment was subsequently ratified by Massachusetts on January 24, 1933; Wisconsin, January 24, 1933; Colorado, January 24, 1933; Nevada, January 26, 1933; Connecticut, January 27, 1933; New Hampshire, January 31, 1933; Vermont, February 2, 1933; Maryland, March 24, 1933; Florida, April 26, 1933.

ARTICLE [XXI.]

SECTION 1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

SECTION 2. The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

SECTION 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

PROPOSAL AND RATIFICATION

The twenty-first amendment to the Constitution was proposed to the several states by the Seventy-Second Congress, on the 20th day of February, 1933, and was declared, in a proclamation by the Secretary of State, dated on the 5th day of December, 1933, to have been ratified by 36 of the 48 States. The dates of ratification were: Michigan, April 10, 1933; Wisconsin, April 25, 1933; Rhode Island, May 8, 1933; Wyoming, May 25, 1933; New Jersey, June 1, 1933; Delaware, June 24, 1933; Indiana, June 26, 1933; Massachusetts, June 26, 1933; New York, June 27, 1933; Illinois, July 10, 1933; Iowa, July 10, 1933; Connecticut, July 11, 1933; New Hampshire, July 11, 1933; California, July 24, 1933; West Virginia, July 25, 1933; Arkansas, August 1, 1933; Oregon, August 7, 1933; Alabama, August 8, 1933; Tennessee, August 11, 1933; Missouri, August 29, 1933; Arizona, September 5, 1933; Nevada, September 5, 1933; Vermont, September 23, 1933; Colorado, September 26, 1933; Washington, October 3, 1933; Minnesota, October 10, 1933; Idaho, October 17, 1933; Maryland, October 18, 1933; Virginia, October 25, 1933; New Mexico, November 2, 1933; Florida, November 14, 1933; Texas, November 24, 1933; Kentucky, November 27, 1933; Ohio, December 5, 1933; Pennsylvania, December 5, 1933; Utah, December 5, 1933.

Ratification was completed on December 5, 1933.

The amendment was subsequently ratified by Maine, on December 6, 1933, and by Montana, on August 6, 1934.

The amendment was rejected (and not subsequently ratified) by South Carolina, on December 4, 1933.

ARTICLE [XXII.]

SECTION 1. No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term.

SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress.

PROPOSAL AND RATIFICATION

This amendment was proposed to the legislatures of the several States by the Eightieth Congress on Mar. 21, 1947 by House Joint Res. No. 27, and was declared by the Administrator of General Services, on Mar. 1, 1951, to have been ratified by the legislatures of 36 of the 48 States. The dates of ratification were: Maine, March 31, 1947; Michigan, March 31, 1947; Iowa, April 1, 1947; Kansas, April 1, 1947; New Hampshire, April 1, 1947; Delaware, April 2, 1947; Illinois, April 3, 1947; Oregon, April 3, 1947; Colorado, April 12, 1947; California, April 15, 1947; New Jersey, April 15, 1947; Vermont, April 15, 1947; Ohio, April 16, 1947; Wisconsin, April 16, 1947; Pennsylvania, April 29, 1947; Connecticut, May 21, 1947; Missouri, May 22, 1947; Nebraska, May 23, 1947; Virginia, January 28, 1948; Mississippi, February 12, 1948; New York, March 9, 1948; South Dakota, January 21, 1949; North Dakota, February 25, 1949; Louisiana, May 17, 1950; Montana, January 25, 1951; Indiana, January 29, 1951; Idaho, January 30, 1951; New Mexico, February 12, 1951; Wyoming, February 12, 1951; Arkansas, February 15, 1951; Georgia, February 17, 1951; Tennessee, February 20, 1951; Texas, February 22, 1951; Nevada, February 26, 1951; Utah, February 26, 1951; Minnesota, February 27, 1951.

Ratification was completed on February 27, 1951.

The amendment was subsequently ratified by North Carolina on February 28, 1951; South Carolina, March 13, 1951; Maryland, March 14, 1951; Florida, April 16, 1951; Alabama, May 4, 1951.

The amendment was rejected (and not subsequently ratified) by Oklahoma in June 1947, and Massachusetts on June 9, 1949.

CERTIFICATION OF VALIDITY

Publication of the certifying statement of the Administrator of General Services that the amendment had become valid was made on Mar. 1, 1951, F.R. Doc. 51–2940, 16 F.R. 2019.

ARTICLE [XXIII.]

SECTION 1. The District constituting the seat of Government of the United States shall appoint in such manner as the Congress may direct:

A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

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

PROPOSAL AND RATIFICATION

This amendment was proposed by the Eighty-sixth Congress on June 17, 1960 and was declared by the Ad-

ministrator of General Services on Apr. 3, 1961, to have been ratified by 38 of the 50 States. The dates of ratification were: Hawaii, June 23, 1960 (and that State made a technical correction to its resolution on June 30, 1960); Massachusetts, August 22, 1960; New Jersey, December 19, 1960; New York, January 17, 1961; California, January 19, 1961; Oregon, January 27, 1961; Maryland, January 30, 1961; Idaho, January 31, 1961; Maine, January 31, 1961; Minnesota, January 31, 1961; New Mexico, February 1, 1961; Nevada, February 2, 1961; Montana, February 6, 1961; South Dakota, February 6, 1961; Colorado, February 8, 1961; Washington, February 9, 1961; West Virginia, February 9, 1961; Alaska, February 10, 1961; Wyoming, February 13, 1961; Delaware, February 20, 1961; Utah, February 21, 1961; Wisconsin, February 21, 1961; Pennsylvania, February 28, 1961; Indiana, March 3, 1961; North Dakota, March 3, 1961; Tennessee, March 6, 1961; Michigan, March 8, 1961; Connecticut, March 9, 1961; Arizona, March 10, 1961; Illinois, March 14, 1961; Nebraska, March 15, 1961; Vermont, March 15, 1961; Iowa, March 16, 1961; Missouri, March 20, 1961; Oklahoma, March 21, 1961; Rhode Island, March 22, 1961; Kansas, March 29, 1961; Ohio, March 29, 1961.

Ratification was completed on March 29, 1961.

The amendment was subsequently ratified by New Hampshire on March 30, 1961 (when that State annulled and then repeated its ratification of March 29, 1961; Alabama, April 16, 2002).

The amendment was rejected (and not subsequently ratified) by Arkansas on January 24, 1961.

CERTIFICATION OF VALIDITY

Publication of the certifying statement of the Administrator of General Services that the amendment had become valid was made on Apr. 3, 1961, F.R. Doc. 61–3017, 26 F.R. 2808.

ARTICLE [XXIV.]

SECTION 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

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

PROPOSAL AND RATIFICATION

This amendment was proposed by the Eighty-seventh Congress by Senate Joint Resolution No. 29, which was approved by the Senate on Mar. 27, 1962, and by the House of Representatives on Aug. 27, 1962. It was declared by the Administrator of General Services on Feb. 4, 1964, to have been ratified by the legislatures of 38 of the 50 States.

This amendment was ratified by the following States: Illinois, November 14, 1962; New Jersey, December 3, 1962; Oregon, January 25, 1963; Montana, January 28, 1963; West Virginia, February 1, 1963; New York, February 4, 1963; Maryland, February 6, 1963; California, February 7, 1963; Alaska, February 11, 1963; Rhode Island, February 14, 1963; Indiana, February 19, 1963; Utah, February 20, 1963; Michigan, February 20, 1963; Colorado, February 21, 1963; Ohio, February 27, 1963; Minnesota, February 27, 1963; New Mexico, March 5, 1963; Hawaii, March 6, 1963; North Dakota, March 7, 1963; Idaho, March 8, 1963; Washington, March 14, 1963; Vermont, March 15, 1963; Nevada, March 19, 1963; Connecticut, March 20, 1963; Tennessee, March 21, 1963; Pennsylvania, March 25, 1963; Wisconsin, March 26, 1963; Kansas, March 28, 1963; Massachusetts, March 28, 1963; Nebraska, April 4, 1963; Florida, April 18, 1963; Iowa, April 24, 1963; Delaware, May 1, 1963; Missouri, May 13, 1963; New Hampshire, June 12, 1963; Kentucky, June 27, 1963; Maine, January 16, 1964; South Dakota, January 23, 1964; Virginia, February 25, 1977.

Ratification was completed on January 23, 1964.

The amendment was subsequently ratified by North Carolina on May 3, 1989.

The amendment was rejected by Mississippi (and not subsequently ratified) on December 20, 1962.

CERTIFICATION OF VALIDITY

Publication of the certifying statement of the Administrator of General Services that the amendment had become valid was made on Feb. 5, 1964, F.R. Doc. 64–1229, 29 F.R. 1715.

ARTICLE [XXV.]

SECTION 1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

SEC. 2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

SEC. 3. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

SEC. 4. Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department[17] or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.

PROPOSAL AND RATIFICATION

This amendment was proposed by the Eighty-ninth Congress by Senate Joint Resolution No. 1, which was

[17] So in original. Probably should be ''departments''.

approved by the Senate on Feb. 19, 1965, and by the House of Representatives, in amended form, on Apr. 13, 1965. The House of Representatives agreed to a Conference Report on June 30, 1965, and the Senate agreed to the Conference Report on July 6, 1965. It was declared by the Administrator of General Services, on Feb. 23, 1967, to have been ratified by the legislatures of 39 of the 50 States.

This amendment was ratified by the following States: Nebraska, July 12, 1965; Wisconsin, July 13, 1965; Oklahoma, July 16, 1965; Massachusetts, August 9, 1965; Pennsylvania, August 18, 1965; Kentucky, September 15, 1965; Arizona, September 22, 1965; Michigan, October 5, 1965; Indiana, October 20, 1965; California, October 21, 1965; Arkansas, November 4, 1965; New Jersey, November 29, 1965; Delaware, December 7, 1965; Utah, January 17, 1966; West Virginia, January 20, 1966; Maine, January 24, 1966; Rhode Island, January 28, 1966; Colorado, February 3, 1966; New Mexico, February 3, 1966; Kansas, February 8, 1966; Vermont, February 10, 1966; Alaska, February 18, 1966; Idaho, March 2, 1966; Hawaii, March 3, 1966; Virginia, March 8, 1966; Mississippi, March 10, 1966; New York, March 14, 1966; Maryland, March 23, 1966; Missouri, March 30, 1966; New Hampshire, June 13, 1966; Louisiana, July 5, 1966; Tennessee, January 12, 1967; Wyoming, January 25, 1967; Washington, January 26, 1967; Iowa, January 26, 1967; Oregon, February 2, 1967; Minnesota, February 10, 1967; Nevada, February 10, 1967.

Ratification was completed on February 10, 1967.

The amendment was subsequently ratified by Connecticut, February 14, 1967; Montana, February 15, 1967; South Dakota, March 6, 1967; Ohio, March 7, 1967; Alabama, March 14, 1967; North Carolina, March 22, 1967; Illinois, March 22, 1967; Texas, April 25, 1967; Florida, May 25, 1967.

CERTIFICATION OF VALIDITY

Publication of the certifying statement of the Administrator of General Services that the amendment had become valid was made on Feb. 25, 1967, F.R. Doc. 67–2208, 32 F.R. 3287.

ARTICLE [XXVI.]

SECTION 1. The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

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

PROPOSAL AND RATIFICATION

This amendment was proposed by the Ninety-second Congress by Senate Joint Resolution No. 7, which was approved by the Senate on Mar. 10, 1971, and by the House of Representatives on Mar. 23, 1971. It was declared by the Administrator of General Services on July 5, 1971, to have been ratified by the legislatures of 39 of the 50 States.

This amendment was ratified by the following States: Connecticut, March 23, 1971; Delaware, March 23, 1971; Minnesota, March 23, 1971; Tennessee, March 23, 1971; Washington, March 23, 1971; Hawaii, March 24, 1971; Massachusetts, March 24, 1971; Montana, March 29, 1971; Arkansas, March 30, 1971; Idaho, March 30, 1971; Iowa, March 30, 1971; Nebraska, April 2, 1971; New Jersey, April 3, 1971; Kansas, April 7, 1971; Michigan, April 7, 1971; Alaska, April 8, 1971; Maryland, April 8, 1971; Indiana, April 8, 1971; Maine, April 9, 1971; Vermont, April 16, 1971; Louisiana, April 17, 1971; California, April 19, 1971; Colorado, April 27, 1971; Pennsylvania, April 27, 1971; Texas, April 27, 1971; South Carolina, April 28, 1971; West Virginia, April 28, 1971; New Hampshire, May 13, 1971; Arizona, May 14, 1971; Rhode Island, May 27, 1971; New York, June 2, 1971; Oregon, June 4, 1971; Missouri, June 14, 1971; Wisconsin, June 22, 1971; Illinois, June 29, 1971; Alabama, June 30, 1971; Ohio, June 30, 1971; North Carolina, July 1, 1971; Oklahoma, July 1, 1971.

Ratification was completed on July 1, 1971.

The amendment was subsequently ratified by Virginia, July 8, 1971; Wyoming, July 8, 1971; Georgia, October 4, 1971.

CERTIFICATION OF VALIDITY

Publication of the certifying statement of the Administrator of General Services that the amendment had become valid was made on July 7, 1971, F.R. Doc. 71–9691, 36 F.R. 12725.

ARTICLE [XXVII.]

No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened.

PROPOSAL AND RATIFICATION

This amendment, being the second of twelve articles proposed by the First Congress on Sept. 25, 1789, was declared by the Archivist of the United States on May 18, 1992, to have been ratified by the legislatures of 40 of the 50 States.

This amendment was ratified by the following States: Maryland, December 19, 1789; North Carolina, December 22, 1789; South Carolina, January 19, 1790; Delaware, January 28, 1790; Vermont, November 3, 1791; Virginia, December 15, 1791; Ohio, May 6, 1873; Wyoming, March 6, 1978; Maine, April 27, 1983; Colorado, April 22, 1984; South Dakota, February 21, 1985; New Hampshire, March 7, 1985; Arizona, April 3, 1985; Tennessee, May 23, 1985; Oklahoma, July 10, 1985; New Mexico, February 14, 1986; Indiana, February 24, 1986; Utah, February 25, 1986; Arkansas, March 6, 1987; Montana, March 17, 1987; Connecticut, May 13, 1987; Wisconsin, July 15, 1987; Georgia, February 2, 1988; West Virginia, March 10, 1988; Louisiana, July 7, 1988; Iowa, February 9, 1989; Idaho, March 23, 1989; Nevada, April 26, 1989; Alaska, May 6, 1989; Oregon, May 19, 1989; Minnesota, May 22, 1989; Texas, May 25, 1989; Kansas, April 5, 1990; Florida, May 31, 1990; North Dakota, March 25, 1991; Alabama, May 5, 1992; Missouri, May 5, 1992; Michigan, May 7, 1992; New Jersey, May 7, 1992.

Ratification was completed on May 7, 1992.

The amendment was subsequently ratified by Illinois on May 12, 1992; California, June 26, 1992; Rhode Island, June 10, 1993; Hawaii, April 29, 1994; Washington, April 6, 1995; Kentucky, March 21, 1996.

CERTIFICATION OF VALIDITY

Publication of the certifying statement of the Archivist of the United States that the amendment had become valid was made on May 18, 1992, F.R. Doc. 92–11951, 57 F.R. 21187.

PROPOSED AMENDMENTS TO THE CONSTITUTION NOT RATIFIED BY THE STATES

In addition to the 27 amendments that have been ratified by the required three-fourths of the States, six other amendments have been submitted to the States but have not been ratified by them.

Beginning with the proposed Eighteenth Amendment, Congress has customarily included a provision requiring ratification within seven years from the time of the submission to the States. The Supreme Court in *Coleman* v. *Miller*, 307 U.S. 433 (1939), declared that the question of the reasonableness of the time within which a sufficient number of States must act is a political question to be determined by the Congress.

In 1789, twelve proposed articles of amendment were submitted to the States. Of these, Articles III–XII were ratified and became the first ten

amendments to the Constitution, popularly known as the Bill of Rights. In 1992, proposed Article II was ratified and became the 27th amendment to the Constitution. Proposed Article I which was not ratified is as follows:

''ARTICLE THE FIRST

''After the first enumeration required by the first article of the Constitution, there shall be one Representative for every thirty thousand, until the number shall amount to one hundred, after which the proportion shall be so regulated by Congress, that there shall be not less than one hundred Representatives, nor less than one Representative for every forty thousand persons, until the number of Representatives shall amount to two hundred; after which the proportion shall be so regulated by Congress, that there shall not be less than two hundred Representatives, nor more than one Representative for every fifty thousand persons.''

Thereafter, in the 2d session of the Eleventh Congress, the Congress proposed the following article of amendment to the Constitution relating to acceptance by citizens of the United States of titles of nobility from any foreign government.

The proposed amendment, which was not ratified by three-fourths of the States, is as follows:

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, Two thirds of both Houses concurring, that the following section be submitted to the legislatures of the several states, which when ratified by the legislatures of three fourths of the states, shall be valid and binding, as a part of the constitution of the United States:

If any citizen of the United States shall accept, claim, receive or retain any title of nobility or honor, or shall, without the consent of Congress, accept and retain any present, pension, office or emolument of any kind whatever, from any emperor, king, prince or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them.

The following amendment to the Constitution relating to slavery was proposed by the 2d session of the Thirty-sixth Congress on March 2, 1861, when it passed the Senate, having previously passed the House on February 28, 1861. It is interesting to note in this connection that this is the only proposed (and not ratified) amendment to the Constitution to have been signed by the President. The President's signature is considered unnecessary because of the constitutional provision that on the concurrence of two-thirds of both Houses of Congress the proposal shall be submitted to the States for ratification.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said Legislatures, shall be valid, to all intents and purposes, as part of the said Constitution, viz:

''ARTICLE THIRTEEN

''No amendment shall be made to the Constitution which will authorize or give to Congress the power to abolish or interfere, within any State, with the domestic institutions thereof, including that of persons held to labor or service by the laws of said State.''

A child labor amendment was proposed by the 1st session of the Sixty-eighth Congress on June 2, 1926, when it passed the Senate, having previously passed the House on April 26, 1926. The proposed amendment, which has been ratified by 28 States, to date, is as follows:

JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which, when ratified by the legislatures of three-fourths of the several States, shall be valid to all intents and purposes as a part of the Constitution:

''ARTICLE—.

''SECTION 1. The Congress shall have power to limit, regulate, and prohibit the labor of persons under eighteen years of age.

''SECTION 2. The power of the several States is unimpaired by this article except that the operation of State laws shall be suspended to the extent necessary to give effect to legislation enacted by the Congress.''

An amendment relative to equal rights for men and women was proposed by the 2d session of the Ninety-second Congress on March 22, 1972, when it passed the Senate, having previously passed the House on October 12, 1971. The seven-year deadline for ratification of the proposed amendment was extended to June 30, 1982, by the 2d session of the Ninety-fifth Congress. The proposed amendment, which was not ratified by three-fourths of the States by June 30, 1982, is as follows:

JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES RELATIVE TO EQUAL RIGHTS FOR MEN AND WOMEN

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

''ARTICLE—

''SECTION 1. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

''SEC. 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

''SEC. 3. This amendment shall take effect two years after the date of ratification.''

An amendment relative to voting rights for the District of Columbia was proposed by the 2d session of the Ninety-fifth Congress on August 22, 1978, when it passed the Senate, having pre-

viously passed the House on March 2, 1978. The proposed amendment, which was not ratified by three-fourths of the States within the specified seven-year period, is as follows:

JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION TO PROVIDE FOR REPRESENTATION OF THE DISTRICT OF COLUMBIA IN THE CONGRESS.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

''ARTICLE—

''SECTION 1. For purposes of representation in the Congress, election of the President and Vice President, and article V of this Constitution, the District constituting the seat of government of the United States shall be treated as though it were a State.

''SEC. 2. The exercise of the rights and powers conferred under this article shall be by the people of the District constituting the seat of government, and as shall be provided by the Congress.

''SEC. 3. The twenty-third article of amendment to the Constitution of the United States is hereby repealed.

''SEC. 4. This article shall be inoperative, unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission.''

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