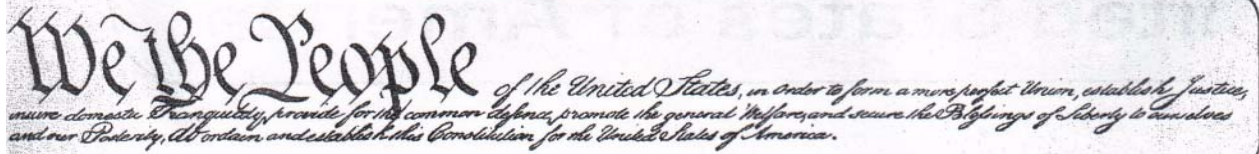


# The Annotated Constitution



*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.*

The Preamble of the Constitution begins with the famous words, "We the people of the United States . . ." emphasizing that under the Constitution, all power comes from the people. Two hundred years after it was written, the Constitution remains the law of the land and a model that other nations have copied.

The Constitution has continued to be a vital and relevant guide to government for more than two centuries because the Framers concentrated on general principles and basic freedoms. By doing so, they ensured that the Constitution would not become mired in detail that would render it unworkable after a few decades.

A complete copy of the U.S. Constitution is reproduced in this chapter. The titles, sections, and clauses are not part of the original document. They have been added to help you find specific information. Some phrases and lines are crossed out because they have been changed by amendments or because they no longer apply. Annotations, or explanations, appear in the margins. Words in **boldface can** be found in the Glossary.

During the past 200 years, six proposed amendments were submitted to the states, but failed to receive ratification. They concerned the following subjects:

- Dividing seats in the House among the states (1789)
- Revoking the citizenship of any American who accepted a title or honor from a foreign government (1810)
- Prohibiting any future amendment concerning slavery (1861)
- Giving the federal government the power to regulate child labor (1924)
- Guaranteeing women equal rights under the law (1972)
- Giving the District of Columbia seats in Congress (1978)

## PRIMARY SOURCES

*"[We have created] a republic, if we can keep it."  
—Ben Franklin*



# The Constitution of the United States of America

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

## **Article I Legislative Branch**

### **Section 1 Two-House Legislature**

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 House of Representatives**

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

The Preamble is an introductory statement that sets the tone of the Constitution and sets forth its goals.

*The Preamble was written last, after all other parts of the Constitution were decided.*

House members must be at least

The power to make laws is given to the Senate and the House of Representatives.

twenty-five years old, U.S. citizens for seven years, and residents of the states that elect them.

House members are elected every two years by people qualified to vote for members of the largest house of their state legislature.

The number of representatives allowed each State depends on the state's population.

*Known as the "three-fifths compromise," this provision settled the question of how slaves were to be counted. Since Amendment 13 abolished slavery, it no longer applies.*

The population of the states is determined by a federal census taken every ten years.

*The first census was taken in 1790.*

The governor of the state calls special elections to fill vacancies in that state's representation.

The House chooses its own officers. It alone has the power to accuse a government official of a crime.

Each state is allowed two senators.  
*Senators are now elected directly.*

Senate elections are arranged so that one third of the senators are elected every two years for six-year terms.

*Originally, vacancies in the Senate were filled by the state legislature. This process was changed by Amendment 17.*

Senators must be at least thirty years old, United States citizens for at least nine years, and residents of the states that elect them.

The Vice President is president of the Senate but only votes to break ties.

~~excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of representatives shall not exceed one for every thirty thousand, but each state shall have at least one representative; and until such enumeration shall be made, the state of New Hampshire shall be entitled to choose 3, Massachusetts 8, Rhode Island and Providence Plantations 1, Connecticut 5, New York 6, New Jersey 1, Pennsylvania 8, Delaware 1, Maryland 6, Virginia 10, North Carolina 5, South Carolina 5, and Georgia~~

3.

4. When vacancies happen in the representation from any state, the executive authority thereof shall issue writs of election to fill such vacancies.
5. The House of Representatives shall choose their speaker and other officers; and shall have the sole power of **impeachment**.

## Sections The Senate

1. The Senate of the United States shall be composed of two senators from each state, chosen ~~by the legislature thereof~~, for six years; and each senator shall have one vote.
2. Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one third may be chosen every second year; and if vacancies happen by resignation, or otherwise, during the recess of the legislature of any state, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.
3. No person shall be a senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state for which he shall be chosen.
4. The Vice President of the United States shall be president of the Senate, but shall have no vote, unless they be equally divided.

The Senate elects its own officers, including a temporary president if needed.

5. The Senate shall choose their other officers, and also a president pro tempore, in the absence of the Vice President, or when he shall exercise the office of President of the United States.
6. The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the chief justice shall preside; and no person shall be convicted without the concurrence of two thirds of the members present.
7. Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States; but the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment, and punishment, according to law.

The Senate tries all impeachment cases. A two-thirds vote is necessary for conviction.

The Senate can remove from office those officials it convicts on impeachment charges, but any further punishment must come by way of trial in regular courts of law.

#### **Section 4 Elections and Meetings**

1. The times, places, and manner of holding elections for senators and representatives shall be prescribed in each state by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing senators.
2. The Congress shall assemble at least once in every year, ~~and such meeting shall be on the first Monday in December~~, unless they shall by law appoint a different day.

Election regulations are left to the states, though Congress may pass certain laws concerning elections.

Congress must meet at least once a year.

*Amendment 20 sets January 3 as the date for session to begin.*

#### **Sections Rules and Procedures**

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 from disorderly behavior, and, with the concurrence of two thirds, expel a member.
3. Each House shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy;

Each house of Congress has the right to judge the elections and qualifications of its members. To conduct official business, each house must have a majority of its members present.

Each house may make rules for its members. Members may be expelled by a two-thirds vote.

Each house of Congress must keep and publish a record of its activities.

Neither house may suspend the session for more than three days or move it to a different location without the permission of the other house.

Members of Congress are paid a salary. With certain exceptions, members cannot be sued or arrested for anything they say in Congress.

Members of Congress may not hold any other federal office while serving in Congress.

All money bills must begin in the House. The Senate may change such bills.

A bill passed by both houses of Congress goes to the President. If the President approves the bill, it becomes a law. If the President vetoes a bill, it goes back to Congress. Congress may pass a bill into law over the President's veto by a two-thirds vote.

*The veto and the override are examples of the checks and balances built into the federal government.*

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 Privileges and Restrictions**

1. The senators and representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the Treasury of the United States. They shall in all cases, except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to and returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place.
2. No senator or representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States shall be a member of either house during his continuance in office.

## **Section 7 Lawmaking Process**

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 becomes a law, be presented to the President of the United States; if he approves he shall sign it, but if not he shall return it with his objections to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration two thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the

bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.

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.

A bill becomes a law if the President holds it unsigned for ten days, unless Congress adjourns in the meantime.

Every order or resolution of Congress II should be presented to the President.

*Actually, many congressional resolutions do not go to the President. But any bill that is to become a law must be sent to the President.*

## Section 8 Powers Granted to Congress

The Congress shall have power:

1. To lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States;
2. To borrow money on the credit of the United States;
3. To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;
4. To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States;
5. To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;
6. To provide for the punishment of counterfeiting the securities and current coin of the United States;
7. To establish post offices and post roads;
8. To promote the progress of science and useful arts by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries;
9. To constitute tribunals inferior to the Supreme Court;
10. To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations;

Congress has the power to:

collect taxes and pay debts; provide for the defense and welfare of the United States;

borrow money;  
regulate trade;

establish laws concerning citizenship and bankruptcy, the inability to pay ones debts;

coin money and establish standards of weights and measures;

determine the punishment for counterfeiting money;

build post offices and roads;

issue copyrights and patents;

set up federal courts;

punish crimes committed against ships at sea;

declare war and determine the treatment for prisoners of war;

maintain an army;

maintain a navy;

make regulations for the armed forces;

provide for calling out the national guard to handle emergencies;

maintain and train the national guard;

make laws for the District of Columbia and other federal properties;

*To win southern support for his economic plan in 1790, Alexander Hamilton supported a southern city, Washington, D.C., as the capital.*

make all laws "necessary and proper."

*Known as the elastic clause, it allows Congress to make laws not specifically mentioned in the Constitution.*

CONGRESS CANNOT:

*This clause, referring to the slave trade until 1808, no longer applies.*

illegally imprison people;

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

## Section 9 Powers Denied

### to the Federal Government

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.
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.

pass laws of unfair punishment; .

pass any direct tax unless it is in proportion to population

*An exception is the income tax, established by Amendment 16.*

tax exports;

pass any law that would favor the trade of a particular state;

spend money that has not been authorized

grant any title of nobility; government officials may not accept any gifts or titles from other nations unless Congress approves.

## **Section 10 Powers Denied to the States**

1. No state shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in 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 Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts laid by any state on imports or exports shall be for the use of the Treasury of the United . States; and all such laws shall be subject to the revision and control of the Congress.
3. No state shall, without the consent of Congress, lay any duty of tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another state, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

### **STATE GOVERNMENTS CANNOT:**

make treaties or alliances; coin money; give bills of credit; pass laws of unfair punishment; grant titles of nobility;

tax imports or exports without the consent of Congress;

tax ships without the consent of Congress; keep a regular army; make agreements with other states or with foreign countries; or engage in war, unless invaded or in grave danger

The President is the chief executive, who holds office with the Vice President for a four-year term.

*This method of electing a President and Vice President was changed by Amendment 12.*

The President is elected by an electoral college made up of electors appointed by the states. The number of electors each state may have is equal to the number of its senators and representatives.

Congress decides when electors are chosen and when they will vote.

## **Article II Executive Branch**

### **Section 1 President and Vice President**

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 make a list of all 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 a majority, and have an equal number of votes, then the House of Representatives shall immediately choose by ballot one of them for President; and if no person have a majority, then from the five highest on the list the said house shall in like manner choose the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two thirds of the states, and a majority of all the states shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the electors shall be the Vice President. But if there should remain two or more who have equal votes, the Senate shall choose from them by ballot the Vice President.~~
4. The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

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, 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 increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.
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."

The President must be a natural-born citizen of the United States, at least 35 years old, and a resident of the United States for at least 14 years.

*This section has been modified by Amendment 25*

The President receives a salary, which cannot be lowered or raised during his term in office.

Before taking office, the President swears to uphold and defend the Constitution.

## **Section 2 Powers of the President**

1. The President shall be commander in chief of the army and navy of the United States, and of the militia of the several states, when called into the actual service of the United States; he may require the opinion in writing of the principal officer in each of the executive departments upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment.
2. He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two thirds of the senators present concur; and he shall nominate and, by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States whose appointments are not herein otherwise

The President is commander in chief of the armed forces.

The President can grant delays of punishment and pardons for offenses against the United States, except in impeachment cases.

The President has the power to make treaties and to appoint ambassadors and other officers. The Senate must approve such appointments. Minor appointments may be made without Senate approval.

When the Senate is not in session, the President may make temporary appointments to office.

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.

### ***Sections 3 Duties of the President***

The President is required to report to Congress annually on the condition of the nation, to receive ambassadors, and to carry out the laws. He also has the power to call special sessions of Congress and to adjourn Congress if necessary.

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 Impeachment and Removal From Office***

The President, Vice President, and other government officials, such as federal judges and Cabinet members, can be forced from office for major offenses (**high crimes**) and certain minor offenses (**misdemeanors**).

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 Judicial Branch***

### ***Section 1 The Federal Courts***

The right to decide legal cases is given to a Supreme Court and other lesser courts authorized by Congress. Federal judges can hold office for life if they are not **impeached** and found guilty of certain crimes.

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

### ***Section 2 Jurisdiction of the Federal Courts***

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~~; between citizens of different states; between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens, or subjects.

2. In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be a 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 Treason***

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 attained.

## ***Article IV The States and the Federal Government***

### ***Section 1 State Records***

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.

*Amendment 11 changed this part.*

All crimes, except in cases of impeachment, shall be tried by jury.

Cases involving ambassadors or officials of foreign nations or those involving states are tried in the Supreme Court. Other cases begin in lower courts but may be appealed to the Supreme Court.

It is considered an act of treason to wage war against the United States or give aid to its enemies.

Congress may decide the punishment for traitors, but it may not punish the families of convicted traitors by taking away their civil rights or property.

The official acts (such as issuing marriage certificates) of one state must be recognized as legal by all other states.

States must treat citizens of another state as fairly as their own citizens. Courts have, however, allowed states to give residents certain privileges, such as lower tuition rates at state schools.

A state governor may demand the return of a criminal who has fled to another state.

*The act of returning a suspected criminal or an escaped prisoner to the state where he or she is wanted is called **extradition**,*

*This provision for the return of runaway slaves has had no effect since Amendment 13 abolished slavery in 1865.*

Congress has the power to admit new states to the Union.

Congress has the power to make rules for managing and governing land owned by the United States, such as territories and federal lands within a state.

The federal government guarantees to each state a **republican** form of government, protection against invasion, and protection against disturbances within the state.

The Constitution can be **amended**, or changed, if necessary in the following ways: an amendment can be proposed

## **Section 2 Privileges and Immunities of Citizens**

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 hold to service or labor in one state, under the laws thereof, escaping into another shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.~~

## **Section 3 New States and Territories**

1. New states may be admitted by the Congress into this Union; but no new state shall be formed or erected within the jurisdiction of any other state; nor any state be formed by the junction of two or more states, or parts of states, without the consent of the legislatures of the states concerned, as well as of the Congress.
2. The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.

## **Section 4 Guarantees to the States and Territories**

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 Amending the Constitution**

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.~~

by a two-thirds vote of both houses of Congress or by a national convention called by two-thirds of the states. Amendments must be ratified, or approved, by three fourths of the state legislatures or by special conventions in three fourths of the states. Congress decides which method will be used.

*This clause ceased to apply in 1808.*

## ***Article VI General Provisions***

1. All debts contracted and engagements entered into before the adoption of this Constitution shall be as valid against the United States under this Constitution as under the Confederation.
2. This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the constitution or laws of any state to the contrary notwithstanding.
3. The senators and representatives before mentioned, and the members of the several state legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation, to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

All money borrowed under the Articles of Confederation will be repaid under the Constitution.

The Constitution, federal laws, and the treaties of the United States are the supreme law of the land, and thus outweigh the state laws.

All Federal and state officials must take an oath of office promising to support the Constitution. There can be no religious requirement for holding office.

## ***Article VII Ratification of the Constitution***

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

The Constitution will take effect when it is approved by nine states.  
*The Constitution went into effect on March 4, 1789*

# ***Signing the Constitution***

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.

**Attest: William Jackson**

Secretary

**George Washington**

President and deputy from Virginia

**New Hampshire**

John Langdon

Nicholas Oilman

**Massachusetts**

Nathaniel Gorham

Rufus King

**Connecticut**

William Samuel Johnson

Roger Sherman

**New York** Alexander

Hamilton

**New Jersey** William

Livingston David

Brearley William

Paterson Jonathan

Dayton

**Pennsylvania**

Benjamin Franklin

Thomas Mifflin Robert

Morris George Clymer

Thomas FitzSimmons

Jared Ingersoll James

Wilson Gouverneur

Morris

**Delaware**

George Read Gunning

Bedford, Jr. John

Dickinson Richard

Bassett Jacob Broom

**Maryland**

James McHenry

Dan of St. Thomas Jennifer

Daniel Carroll

**Virginia**

John Blair James

Madison, Jr.

**North Carolina**

William Blount Richard

Dobbs Spaight Hugh

Williamson

**South Carolina**

John Rutledge

Charles Cotesworth Pinckney

Charles Pinckney

Pierce Butler

**Georgia**

William Few Abraham

Baldwin