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COMMITTEE OF STYLE

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PROCEEDINGS OF CONVENTION REFERRED TO THE COMMITTEE  
OF STYLE AND ARRANGEMENT.<sup>1</sup>

We the People of the States of New-Hampshire, Massachusetts, Rhode-Island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia, do ordain, declare and establish the following Constitution for the Government of Ourselves and our Posterity.

## ARTICLE I.

The style of this Government shall be, "The United States of America."

## II.

The Government shall consist of supreme legislative, executive and judicial powers.

## III.

The legislative power shall be vested in a Congress, to consist of two separate and distinct bodies of men, a House of Representatives, and a Senate. The Legislature shall meet at least once in every year, and such meeting shall be on the first Monday in December unless a different day shall be appointed by law.

## IV.

*Sect. 1.* The Members of the House of Representatives shall be chosen every second year, by the people of the several states comprehended within this Union. The qualifications of the electors shall be the same, from time to time, as those of the electors in the several States, of the most numerous branch of their own legislatures.

*Sect. 2.* Every Member of the House of Representatives shall be of the age of twenty-five years at least; shall have been a citizen of the United States for at least seven years before his election; and shall be, at the time of his election, an inhabitant of the State in which he shall be chosen.

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<sup>1</sup> Compiled by the editor from the proceedings of the Convention.

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*Sect. 3.* The House of Representatives shall, at its first formation, and until the number of citizens and inhabitants shall be taken in the manner herein after described, consist of sixty-five members, of whom three shall be chosen in New-Hampshire, eight in Massachusetts, one in Rhode-Island and Providence Plantations, five in Connecticut, six in New-York, four in New-Jersey, eight in Pennsylvania, one in Delaware, six in Maryland, ten in Virginia, five in North-Carolina, five in South-Carolina, and three in Georgia.

*Sect. 4.* As the proportions of numbers in the different states will alter from time to time; as some of the States may hereafter be divided; as others may be enlarged by addition of territory; as two or more States may be united; as new States will be erected within the limits of the United States, the Legislature shall, in each of these cases, regulate the number of representatives by the number of inhabitants, according to the rule hereinafter made for direct taxation not exceeding the rate of one for every forty thousand. Provided that every State shall have at least one representative.

*Sect. 6.<sup>2</sup>* The House of Representatives shall have the sole power of impeachment. It shall choose its Speaker and other officers.

*Sect. 7.* Vacancies in the House of Representatives shall be supplied by writs of election from the executive authority of the State, in the representation from which they shall happen.

## V.

*Sect. 1.* The Senate of the United States shall be chosen by the Legislatures of the several States. Each Legislature shall chuse two members. Vacancies happening by refusals to accept, resignations or otherwise may be supplied by the Legislature of the State in the representation of which such vacancies shall happen, or by the executive thereof until the next meeting of the Legislature. Each member shall have one vote.

*Sect. 2.* The Senators shall be chosen for six years; but

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<sup>2</sup> Sect. 5 was struck out.

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immediately after they shall be assembled in consequence of the first election they shall be divided, by lot, into three classes, as nearly as may be, numbered one, two and three. The seats of the members 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, of the third class at the expiration of the sixth year, so that a third part of the members may be chosen every second year.

*Sect. 3.* Every member of the Senate shall be of the age of thirty years at least; shall have been a citizen of the United States for at least nine years before his election; and shall be, at the time of his election, an inhabitant of the State for which he shall be chosen.

*Sect. 4.* The Senate shall chuse its own President and other officers.

## VI.

*Sect. 1.* The times and places and the manner of holding the elections of the members of each House shall be prescribed by the Legislature of each State respectively; but regulations in each of the foregoing cases may, at any time, be made or altered by the Legislature of the United States.

*Sect. 3.*<sup>3</sup> In each House a majority of the members shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorised to compel the attendance of absent members in such manner and under such penalties as each House may provide.

*Sect. 4.* Each House shall be the judge of the elections, returns and qualifications of its own members.

*Sect. 5.* Freedom of speech and debate in the Legislature shall not be impeached or questioned in any court or place out of the Legislature; and the members of each House shall, in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at Congress, and in going to and returning from it.

*Sect. 6.* Each House may determine the rules of its pro-

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<sup>3</sup> Sect. 2 was struck out.

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ceedings; may punish its members for disorderly behaviour; and may, with the concurrence of two thirds, expel a member.

*Sect. 7.* The House of Representatives, and the Senate, shall keep a journal of their proceedings, and shall, from time to time, publish them, except such parts thereof as in their judgment require secrecy; and the yeas and nays of the members of each House, on any question, shall, at the desire of one-fifth part of the members present, be entered on the journal.

*Sect. 8.* During the session of the Legislature neither House, without the consent of the other, shall adjourn for more than three days, nor to any place than that at which the two Houses are sitting.

*Sect. 9.* The Members of each House shall be ineligible to any civil office under the authority of the United States created, or the emoluments whereof shall have been increased during the time for which they shall respectively be elected — and no person holding any office under the United States shall be a Member of either House during his continuance in Office.

*Sect. 10.* The members of each House shall receive a compensation for their services, to be paid out of the Treasury of the United States, to be ascertained by law.

*Sect. 11.* The enacting stile of the laws of the United States shall be. “Be it enacted, by the Senate and Representatives in Congress assembled.

*Sect. 12.* 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. No money shall be drawn from the Treasury but in consequence of appropriations made by law.

*Sect. 13.* 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, for his revision; if, upon such revision, he approve of it, he shall signify his approbation by signing it: But if, upon such revision, it shall appear to him improper for being passed into a law, he shall return it, together with his objections against it, to

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that House in which it shall have originated, who shall enter the objections at large on their Journal, and proceed to reconsider the bill. But if, after such reconsideration, three-fourths of that House shall, notwithstanding the objections of the President, agree to pass it, it shall, together with his objections, be sent to the other House, by which it shall likewise be reconsidered, and, if approved by three-fourths of the other House also, 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 or against the bill shall be entered in 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, it shall be a law, unless the Legislature, by their adjournment, prevent its return; in which case it shall not be a law.

*Sect. 14.* 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, and in the cases hereinafter mentioned) shall be presented to the President for his revision; and before the same shall have force, shall be approved by him, or, being disapproved by him, shall be re-passed by the Senate and House of representatives, according to the rules and limitations prescribed in the case of a bill.

## VII.

*Sect. 1.* The Legislature shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare of the United States.

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

To establish a uniform rule of naturalization throughout the United States;

To coin money;

To regulate the value of foreign coin;

To fix the standard of weights and measures;

To establish post-offices and post-roads;

To borrow money on the credit of the United States;

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To appoint a Treasurer by joint ballot;

To constitute tribunals inferior to the supreme court;

To make rules concerning captures on land and water;

To define and punish piracies and felonies committed on the high seas, to punish the counterfeiting of the securities, and current coin of the United States, and offences against the law of nations;

To declare war; and grant letters of marque and reprisal.

To raise and support armies; but no appropriation of money to that use shall be for a longer term than two years.

To provide & maintain a navy;

To make rules for the government and regulation of the land and naval forces.

To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions;

To make laws 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 the United States.

To establish uniform laws on the subject of bankruptcies.

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 the Legislature 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, for the erection of Forts, Magazines, Arsenals, Dock Yards and other needful buildings.

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.

And to make all laws that 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.

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All<sup>4</sup> debts contracted and engagements entered into, by or under the authority of Congress shall be as valid against the United States under this constitution as under the confederation.

*Sect. 2.* Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. The Legislature shall have power to declare the punishment of treason. 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. No attainder of treason shall work corruption of blood, nor forfeiture, except during the life of the person attainted. The Legislature shall pass no bill of attainder nor any ex post facto laws.

*Sect. 3.* The proportions of direct taxation shall be regulated by the whole number of free citizens and inhabitants, of every age, sex, and condition, including those bound to servitude for a term of years, and three fifths of all other persons not comprehended in the foregoing description, (except Indians not paying taxes) which number shall, within three years after the first meeting of the Legislature, and within the term of every ten years afterwards, be taken in such manner as the said Legislature shall direct.

*Sect. 4.* No tax or duty shall be laid by the Legislature on articles exported from any State. The migration or importation of such persons as the several States now existing shall think proper to admit shall not be prohibited by the Legislature prior to the year 1808 — but a tax or duty may be imposed on such importation not exceeding ten dollars for each person. Nor shall any regulation of commerce or revenue give preference to the ports of one State over those of another, or oblige Vessels bound to or from any State to enter, clear, or pay duties in another.

And all duties, imposts, and excises, laid by the Legislature, shall be uniform throughout the United States.

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<sup>4</sup> The correct location of this clause is uncertain. It was considered and adopted in connection with the "powers of Congress", and so is inserted here.

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*Sect. 5.* No capitation tax shall be laid, unless in proportion to the census herein before directed to be taken.

*Sect. 7.<sup>5</sup>* The United States shall not grant any title of nobility. No person holding any office of profit or trust under the United States, shall without the consent of the Legislature accept of any present, emolument, office, or title of any kind whatever, from any king, prince or foreign State.

## VIII.

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 several States, and of their citizens and inhabitants; and the judges in the several States shall be bound thereby in their decisions; any thing in the constitutions or laws of the several States to the contrary notwithstanding.

## IX.

*Sect. 1.* The Senate of the United States shall have power to try all impeachments: but no person shall be convicted without the concurrence of two thirds of the Members present: and every Member shall be on oath.

## X.

*Sect. 1.* The Executive power of the United States shall be vested in a single person. His stile shall be, "The President of the United States of America;" and his title shall be, "His Excellency." He shall hold his office during the term of four years, and together with the Vice President, chosen for the same term, be elected in the following manner.

Each State shall appoint, in such manner as it's legislature may direct, a number of Electors equal to the whole number of Senators and Members of the House of representatives to which the State may be entitled in the Legislature. But no Person shall be appointed an Elector who is a member of the

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<sup>5</sup> Sect. 6 was struck out.

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Legislature of the United States, or who holds any office of profit or trust under the United States.

The Electors shall meet in their respective States and vote by ballot for two Persons of whom one at least shall not be an inhabitant of the same State with themselves. — and they shall make a list of all the Persons voted for, and of the number of votes for each, which list they shall sign and certify, and transmit sealed to the seat of the general Government, 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 the 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, the representation from each State having one vote — But if no Person have a majority, then from the five highest on the list, the House of representatives shall, in like manner, choose by ballot the President — In the choice of a President by the House of representatives a quorum shall consist of a Member or Members from two thirds of the States, and the concurrence of a majority of all the States shall be necessary to such choice. — and, 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 the Vice President

The Legislature may determine the time of chusing the Electors and of their giving their votes — But the election shall be on the same day throughout the United States

The Legislature may declare by law what officer of the United States shall act as President in case of the death, resignation, or disability of the President and Vice President; and such Officer shall act accordingly, until such disability be removed, or a President shall be elected

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Sect. 2. No Person except a natural born Citizen, or a Citizen of the U. S. at the time of the adoption of this Constitution shall be eligible to the office of President: nor shall any Person be elected to that office, who shall be under the age of 35 years, and who has not been in the whole, at least 14 years a resident within the U. S.

Sect. 3. The Vice President shall be *ex officio*, President of the Senate, except when they sit to try the impeachment of the President, in which case the Chief Justice shall preside, and excepting also when he shall exercise the powers and duties of President, in which case, and in case of his absence, the Senate shall chuse a President *pro tempore*— The Vice President when acting as President of the Senate shall not have a vote unless the House be equally divided

Sect. 4. The President by and with the advice and consent of the Senate, shall have power to make treaties: 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 U. S. whose appointments are not otherwise herein provided for. But no Treaty shall be made without the consent of two thirds of the Members present.

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 the next session of the Senate.

Sect. 2.<sup>6</sup> He shall, from time to time, give to the Legislature information of the State of the Union: and recommend to their consideration such measures as he shall judge necessary, and expedient: he may convene both or either of the Houses on extraordinary occasions, and in case of disagreement between the two Houses, with regard to the time of adjournment, he may adjourn them to such time as he shall think proper: he shall take care that the laws of the United States be duly and faithfully executed: he shall commission all the officers of the United States; and shall appoint to all

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<sup>6</sup> Original numbering, the sections above numbered 2-4 were insertions.

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offices established by this constitution except in cases herein otherwise provided for, and to all offices which may hereafter be created by law. He shall receive Ambassadors, other public Ministers and Consuls. He shall have power to grant reprieves and pardons except in cases of impeachment. He 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; and 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. He shall, at stated times, receive for his services, a compensation, which shall neither be increased nor diminished during his continuance in office. Before he shall enter on the duties of his department, he shall take the following Oath or Affirmation, "I————— solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States of America, and will to the best of my judgment and power, preserve, protect and defend the Constitution of the United States." He shall be removed from his office on impeachment by the House of representatives, and conviction by the Senate, for treason or bribery or other high crimes and misdemeanors against the United States; the Vice President and other civil Officers of the United States shall be removed from Office on impeachment and conviction as aforesaid; and in case of his removal as aforesaid, death, absence, resignation or inability to discharge the powers or duties of his office the Vice President shall exercise those powers and duties until another President be chosen, or until the inability of the President be removed.

## XI.

*Sect. 1.* The Judicial Power of the United States both in law and equity shall be vested in one Supreme Court, and in such Inferior Courts as shall, when necessary, from time to time, be constituted by the Legislature of the United States.

*Sect. 2.* The Judges of the Supreme Court, and of the Inferior courts, shall hold their offices during good behaviour. They shall, at stated times, receive for their services, a com-

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## XII.

No State shall coin money; nor emit bills of credit, nor make anything but gold or silver coin a tender in payment of debts; nor pass any bill of attainder or ex post facto laws; nor grant letters of marque and reprisal, nor enter into any treaty, alliance, or confederation; nor grant any title of nobility.

## XIII.

No State, without the consent of the Legislature of the United States shall lay imposts or duties on imports or exports, nor with such consent but for the use of the treasury of the United States; nor keep troops or ships of war in time of peace; nor enter into any agreement or compact with another State, or with any foreign power; nor engage in any war, unless it shall be actually invaded by enemies, or the danger of invasion be so imminent, as not to admit of a delay, until the Legislature of the United States can be consulted.

## XIV.

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

## XV.

Any person charged with treason, felony, or other crime in any State, who shall flee from justice, and shall be found in any other State, shall, on demand of the Executive Power of the State from which he fled, be delivered up and removed to the State having jurisdiction of the offence.

If any Person bound to service or labor in any of the United States shall escape into another State, He or She shall not be discharged from such service or labor in consequence of any regulations subsisting in the State to which they escape; but shall be delivered up to the person justly claiming their service or labor.

## XVI.

Full faith and credit shall be given in each State to the public Acts, records, and judicial proceedings of every other

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State, and the Legislature may by general laws prescribe the manner in which such acts, records, and proceedings shall be proved and the effect thereof.

## XVII.

New States may be admitted by the Legislature into this Union: but no new State shall be hereafter formed or erected within the jurisdiction of any of the present States, without the consent of the Legislature of such State as well as of the general Legislature. Nor shall any State be formed by the junction of two or more States or parts thereof without the consent of the Legislatures of such States as well as of the Legislature of the United States.

The Legislature 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 contained shall be so construed as to prejudice any claims either of the United States or of any particular State.

## XVIII.

The United States shall guaranty to each State a Republican form of government; and shall protect each State against invasions, and, on the application of its Legislature or Executive, against domestic violence.

## XIX.

The Legislature of the United States, whenever two thirds of both Houses shall deem necessary, or on the application of two thirds of the Legislatures of the several States, shall propose amendments to this Constitution which shall be valid to all intents and purposes as parts thereof, when the same shall have been ratified by three fourths at least of the Legislatures of the several States, or by Conventions in three fourths thereof, as one or the other mode of ratification may be proposed by the Legislature of the United-States: Provided that no amendments which may be made prior to the year 1808. shall in any manner affect the 4th and 5th Sections of article the 7th

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## XX.

The Members of the Legislatures, and the executive and judicial officers 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 authority of the United States.

## XXI.

The ratification of the Conventions of nine States shall be sufficient for organising this Constitution between the said States.

## XXII.

This Constitution shall be laid before the United States in Congress assembled, and it is the opinion of this Convention that it should be afterwards submitted to a Convention chosen in each State, under the recommendation of its Legislature, in order to receive the ratification of such Convention.

## XXIII.

To introduce this government, it is the opinion of this Convention, that each assenting Convention should notify its assent and ratification to the United States in Congress assembled; that Congress, after receiving the assent and ratification of the Conventions of nine States, should appoint and publish a day, as early as may be, and appoint a place for commencing proceedings under this Constitution; that after such publication, the Legislatures of the several States should elect Members of the Senate, and direct the election of Members of the House of Representatives; and that the Members of the Legislature should meet at the time and place assigned by Congress and should, as soon as may be, after their meeting, proceed to execute this Constitution.

That it be an instruction to the Committee to prepare an address to the People to accompany the present constitution,

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and to be laid with the same before the United States in Congress.<sup>7</sup>

Mr. Randolph moved to refer to the Committee also a motion relating to pardons in cases of Treason — which was agreed to nem: con:<sup>7</sup>

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<sup>7</sup> Action taken by the Convention at the close of the proceedings on September 10.