

# UNITED STATES

ITS HISTORY
APPLICATION AND CONSTRUCTION

ΒY

DAVID K. WATSON, LL.B., LL.D. OF THE COLUMBUS, OHIO, BAR

IN TWO VOLUMES

VOLUME I

CHICAGO
CALLAGHAN & COMPANY
1910



## CONTENTS

## VOLUME I

	$\begin{array}{c} \text{CHAPTER I.} \\ \hline Pages. \end{array}$
X	Outlines of the Constitution1-37
	CHAPTER II.
	Outlines of the Constitution (continued)38-79
	CHAPTER III.
	Who first suggested the Union and the Constitution80-88
	CHAPTER IV.
×	The Preamble—What is a Constitution89-109
	CHAPTER V.
•	Legislative Powers
	CHAPTER VI.
	The House of Representatives — Qualifications of Electors
	CHAPTER VII.
	Qualifications of Representatives141-161
	CHAPTER VIII.
	Representatives and Direct Taxes162-198
	CHAPTER IX.
	Vacancies in Representation—Speaker and other Officers of the House—Power of Impeachment

CHAPTER X.
Pages.           The Senate
CHAPTER XI.
Classification of Senators—Qualifications of Senators—The Vice-President
CHAPTER XII.
Officers of the Senate—How chosen—Impeachment255-269
CHAPTER XIII.
Election of Senators and Representatives—Meeting of Congress
CHAPTER XIV.
Each House Determines the Election and Qualifications of its Members—Proceedings, Journal, Adjournment. 280-300
CHAPTER XV.
Compensation of Senators and Representatives—Privilege of Senators and Representatives—Ineligibility of Members to Office
CHAPTER XVI.
Revenue Bills to Originate in the House—Senate may Propose or Concur in Amendments
CHAPTER XVII.
Bills Presented to the President—When He Shall Sign Them—When not—When Returned—When Passed over President's Veto—Vote in Each House, how De- termined—When a Bill Becomes a Law without the President's Signature

CHAPTER XVIII.
Express Powers of Congress381-409
CHAPTER XIX.
Power to Borrow Money on the Credit of the United States
CHAPTER XX.
Regulation of Commerce453-478
CHAPTER XXI.
Regulation of Commerce (continued)—Foreign Commerce —Interstate Commerce
CHAPTER XXII.
Interstate Commerce (continued)—Original Packages— Commerce with Indians
CHAPTER XXIII.
Regulation of Commerce (continued)—Interstate Commerce Commission—State Commerce—Inspection  Laws
CHAPTER XXIV.
Corporations and Combinations571-595
CHAPTER XXV.
The Police Power596-611
CHAPTER XXVI.
Naturalization and Bankruptcy—Who May be Naturalized —Uniform Laws on Bankruptcy

Sec. 5.

## CHAPTER XXVII.

Pages.

## CHAPTER XXVIII.

### CHAPTER XXIX.

## CHAPTER XXX.

## CHAPTER XXXI.

## CHAPTER XXXII.

Pages.

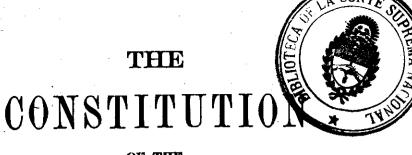
## CHAPTER XXXIII.

## CHAPTER XXXIV.

The Executive—Designation of Executive—Number of Executives—Why Called the President—A Single Executive Determined upon—Re-eligibility of the Executive—Origin of the Term "The President"—The President May Act through Other Officers............850-874

### CHAPTER XXXV.

The Executive (continued)—Election of Executive—Number and Qualifications of Electors—Who Eligible to be President—Vacancy in Presidential Office, how Filled—Compensation of President—Oath of President.875-910



# UNITED STATES

ITS HISTORY APPLICATION AND CONSTRUCTION

DAVID K. WATSON, LL.B., LL.D. OF THE COLUMBUS, OHIO, BAR

O VOLUMES

OLUME II

CHICAGO CALLAGHAN & COMPANY



## CONTENTS

## VOLUME II

## CHAPTER XXXVI.

## CHAPTER XXXVII.

The Executive (continued)—The President to Make Treaties with Consent of the Senate—Shall Appoint Ambassadors, Consuls, Judges and Other Officers—Appointment of Inferior Officers, where Vested—President's Power to Remove from Office ...........948-987

## CHAPTER XXXVIII.

### CHAPTER XXXIX.

CHAPTER XL.
A National Judiciary Prior to the Federal Constitution
CHAPTER XLI.
Judicial Power, where Vested—What are Inferior Courts  —Tenure of Judicial Office—Abolition of Inferior Courts—Compensation of Judges—Judicial Power Extends to Cases in Law or Equity
CHAPTER XLII.
The Judicial Power (continued)—Judicial Power Extends to All Cases Arising under the Constitution, the Laws of the United States and under Treaties, to Cases Affecting Ambassadors or Other Public Ministers, to Cases of Admiralty—To Controversies to which the United States is a Party; between States; between a State and Citizens of Another State; between a State and Foreign States, or Citizens or Subjects—Original Jurisdiction of Supreme Court—Appellate Jurisdiction
CHAPTER XLIII.
The Judicial Power (continued)—Trial of Criminal Cases Shall be by Jury—Where Trial to be Held—Definition of Treason—Two Witnesses or Confession in Open Court Necessary to Convict in Case of Treason1134-1167
CHAPTER XLIV.
Power of Judiciary to Declare Legislation Unconstitutional
CHAPTER XLV.
Full Faith and Credit
CHAPTER XLVI.
Surrender of Fugitives

## CHAPTER XLVII

CHAPIER ALVII.
Pages.
Admission of New States
CHAPTER XLVIII.
Guarantee of a Republican Form of Government to Every State
CHAPTER XLIX.
Prior Debts and Engagements—Supreme Law of the Land —Oaths of Members of Congress—Ratification. 1322-1350
CHAPTER L.
History of the First Ten Amendments
CHAPTER LI.
First Amendment—Establishment of Religion—Judicial Definitions Respecting Establishment of Religion— Religion Cannot Be Made a Defense for Crime—Congress Cannot Abridge the Freedom of Speech or of the Press—The Right of the People to Assemble and Petition the Government
CHAPTER LII.
Second, Third and Fourth Amendments—The Right to Bear Arms—Quartering of Soldiers—Security of the People against Unreasonable Searches and Seizures— Warrants, how to Issue
CHAPTER LIII.
Fifth Amendment—No Person to Answer for an Infamous Crime unless on Presentment or Indictment, except in

Fifth Amendment—No Person to Answer for an Infamous Crime unless on Presentment or Indictment, except in Land or Naval Forces, or in the Militia—Exceptions— No One to Be Placed Twice in Jeopardy; nor to Be a Witness against Himself in a Criminal Case; how Far This Privilege Extends—No One Shall Be Deprived of

-			
- ,,	 ~	•	-

### CHAPTER LIV.

## CHAPTER LV.

## CHAPTER LVI.

## CHAPTER LVII.

### CHAPTER LVIII.

Twelfth Amendment—Votes of the Electors for President and Vice-President—How They Shall Vote—Transmission of Lists to Seat of Government—Opening of Pages.

## CHAPTER LIX.

## CHAPTER LX.

### CHAPTER LXI.

## CHAPTER LXII.

Fifteenth Amendment—Protection of Citizens in Their Right of Suffrage—Suffrage not to Be Denied by Any State, by Reason of Race, Color or Previous Condition

Pages.  of Servitude—The Amendment Did not Confer the Right of Suffrage—Created a New Constitutional Right, viz., Exemption from Discrimination on Account of Race, Color, or Previous Condition of Servitude—Eliminated the Word "White" from the Constitution—Enforcement of the Amendment1667-1679
APPENDICES
APPENDIX No. 1.
Declaration of Rights
APPENDIX No. 2.
Articles of Confederation and Perpetual Union Submitted to the Second Colonial Congress by Benjamin Franklin, July 21, 1775
APPENDIX No. 3.
Articles of Confederation1688-1698
APPENDIX No. 4.
Plan of a Constitution Submitted to the Convention by Mr. Randolph, Governor of Virginia1699-1701
APPENDIX No. 5.
Plan of a Constitution Submitted to the Convention by Mr. Charles Pinckney
APPENDIX No. 6.
Plan of a Constitution Submitted to the Convention by Mr. William Paterson
APPENDIN No. 7.
Plan of a Constitution Submitted to the Convention by Alexander Hamilton, Near its Close

APPENDIX No. 8.
Pages.
Speech of Mr. Hamilton, Made in the Convention When Submitting His Plan of a Constitution1726-1737
APPENDIX No. 9.
Report of the Committee of the Whole to the Convention 1737-1740
APPENDIX No. 10.
 Resolutions Adopted by the Convention and Referred to the Committee of Detail
APPENDIX No. 11.
Report of Committee of Detail, August 6, 17871744-1757
APPENDIX No. 12.
Constitution of the United States1757-1771
APPENDIX No. 13.
Resolutions Adopted by the Constitutional Convention, Directing that the Constitution Be Submitted to Congress—President Washington's Letter Transmitting the Constitution to Congress
APPENDIX No. 14.
Amendments to the Constitution
APPENDIX No. 15.
Additional Cases Relating to Treason to a State1778-1779