

The American Pageant

Thomas A. Bailey
David M. Kennedy



Volume II

Eighth Edition



8th Edition

*The American
Pageant*

A History of the Republic

Thomas A. Bailey
David M. Kennedy

Stanford University

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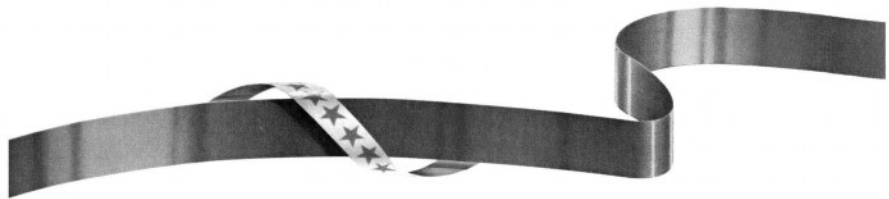
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The American Pageant





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THOMAS A. BAILEY, a native Californian, taught American history for nearly forty years at Stanford University, his alma mater. Always a popular teacher, he also served as a visiting professor at Harvard, Cornell, Johns Hopkins, and other institutions. Long regarded as among the nation's leading diplomatic historians, he was honored by his colleagues in 1968 by election to the presidency of the Organization of American Historians. Though he was the author, co-author, or editor of some twenty books in the field of American history, he was most proud of *The American Pageant*, through which, he liked to say, he had taught American history to some two million students.



DAVID M. KENNEDY, a native of Seattle, received his undergraduate education at Stanford University. He earned his Ph.D. at Yale University in American Studies, combining the fields of history, literature, and economics. His first book, *Birth Control in America: The Career of Margaret Sanger* (1970), was honored with both the Bancroft Prize and the John Gilmary Shea Prize. His study of World War I, *Over Here: The First World War and American Society* (1980), was a Pulitzer Prize nominee. Kennedy is the 1988–1989 holder of the Harmsworth Professorship of American History at Oxford University. A member of the Stanford History Department since 1967, Kennedy has twice been recognized by the graduating class for the effectiveness of his teaching. He has also chaired the university's program in international relations and served as Associate Dean of the School of Humanities and Sciences. His most recent book is *Power and Responsibility: Case Studies in American Leadership* (1986). He is currently working on a volume covering the Great Depression and World War II in *The Oxford History of the United States*.



Preface

Revising *The American Pageant* for this eighth edition posed the vexing problem of how to make a good thing better. The *Pageant* has long enjoyed a deserved reputation as one of the most accessible, popular, and effective textbooks in the field of American history. Thomas A. Bailey gave to the book a distinctive personality that mirrored the vast learning and the sparkling classroom style that he had cultivated during his nearly four decades of teaching at Stanford University. He stamped every page of the text with the charm of his inventive prose, his passion for clarity, his disdain for clutter, and his mastery of the narrative form.

Clearly, these outstanding attributes of the book had to be preserved, even strengthened. But like the United States itself, sometimes described as the only nation that was born perfect and yet aspired to progress, the *Pageant* presented possibilities for improvement in certain areas. Specifically, I have tried to preserve the book's basic personality while incorporating the rich new scholarship in social, economic, cultural, and intellectual history that has appeared in the last generation. I have been guided in this effort by two principles: first, the desire to bring to light the "inner" histories of people—including women, the poor, blacks, Hispanics, and certain religious communities—who until recently were only imperfectly visible to historians; second, the belief that the main drama and the urgent interest of American history reside in the public arena where these and other groups contend and cooperate with one another. In that sometimes noisy forum, Americans have shaped the civic culture in which they all necessarily live. Thus this eighth edition of *The American Pageant*, like earlier editions, gives special emphasis to the great public issues—such as constitution making, slavery and civil war, the rights of minorities, economic regulation, and foreign policy—that have dominated national life. It also gives considerable attention to tracing the evolution of major public institutions like the agencies of government and political parties. Public affairs, in short, form the spine of the *Pageant's* account of American history.

This edition includes much new material on the history of the family from colonial times to the twentieth century; on the influence of religion in American life; on the role of ideas in the making of the Revolution, the Constitution, and the two-party system, and in the struggle for women's rights; on the effects of urbanization and suburbanization; and on the causes and consequences of immigration, old and new.

In addition, readers will find expanded discussion of pre-Columbian history and Native Americans; an entirely new chapter on colonial life in the seventeenth century; an extensively revised account of Jacksonian America, stressing the novelty of mass-based political parties and the emergence of the two-party system; new treatment of the rise of a market economy and its implications for women and families in antebellum America; an updated ac-

count of the character of slavery and the nature of abolitionism; a completely revised explanation of Reconstruction; and a virtually all-new chapter on the rise of the city in post-Civil War America. The coverage of twentieth-century American history has likewise been revised and now includes a fresh discussion, in a single chapter, of the domestic and diplomatic dimensions of World War I; new material on the home front during World War II, and on the war's shaping influence on postwar society; an updated account of the origins of the Cold War; a substantial reworking of the entire post-1945 portion of the text, including a new chapter on Ronald Reagan and the conservative resurgence; and a thoroughly revised concluding chapter on the character of American society since World War II. I have also woven into the text narrative new biographies of more than a dozen figures, such as Charles Grandison Finney, Jane Addams, and Eleanor Roosevelt, and have expanded the biographical material on many others, including Brigham Young and Martin Luther King, Jr.

Other improvements include the expansion of most "Varying Viewpoints" essays to reflect recent scholarship and to stimulate classroom discussion; updated end-of-chapter bibliographies, with an added subsection recommending primary-source documents for further study; many new boxed quotations; a much-expanded appendix featuring tables and graphics with extensive information on American social and economic history; and, not least, an attractive new text design with full-color maps and illustrations—many of them new—and the generous use of color throughout.

A new text supplement, the *Instructor's Resource Guide*, is also available with this edition. It features summaries of chapter themes, chapter outlines, suggestions and resources for lectures, character sketches of key historical figures, ideas for classroom debates, and discussion questions. The student *Guidebook* and instructor's *Quizbook* have both been completely rewritten and expanded to incorporate a wealth of useful new material. In addition, *The American Spirit*, a companion collection of primary-source documents, has been thoroughly revised to reflect the changes in the *Pageant*.

While undertaking these improvements, I have tried to preserve all the elements that have made the *Pageant* distinctive, especially a strong chronological narrative and a writing style that emphasizes clarity, concreteness, and a measure of wit. I believe that Thomas A. Bailey would have been proud of this new edition of *The American Pageant*. No scholar ever loved his subject with more gusto and devotion than Thomas A. Bailey loved American history. He originally wrote the *Pageant* so that others could share in the sheer delight and rich satisfaction that he took from his scholarship. In keeping with that tradition, I hope that the readers of this book will enjoy learning from it and come to savor, as Thomas A. Bailey so exuberantly did, the pleasures and rewards of historical study.

DAVID M. KENNEDY
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Many people contributed to this revision. Foremost among them are the countless students and teachers who have written unsolicited letters of comment or inquiry. I have learned from each of them. I want also to thank the hundreds of current *Pageant* users who generously responded to an extensive mail survey. Too numerous to name here, they provided me with the best possible advice on how to make the book most suitable for classroom use. Several colleagues also gave me the benefit of their expertise in particular areas, including:

Professor Geoffrey Blodgett, Oberlin College
Professor Stuart Bruchey, Columbia University
Professor Michael Holt, University of Virginia
Professor Regina Markell Morantz-Sanchez, University of Kansas
Professor Nell Irvin Painter, University of North Carolina
Professor Mel Piehl, Valparaiso University
Professor Jack N. Rakove, Stanford University

My warm thanks to each of them.



Sail, sail thy best, ship of Democracy,
Of value is thy freight, 'tis not the Present only,
The Past is also stored in thee,
Thou holdest not the venture of thyself alone, not of
the Western continent alone,
Earth's résumé entire floats on thy keel, O ship, is
steadied by thy spars,
With thee Time voyages in trust, the antecedent
nations sink or swim with thee,
With all their ancient struggles, martyrs, heroes, epics,
wars, thou bear'st the other continents,
Theirs, theirs as much as thine, the destination-port
triumphant . . .

Walt Whitman
Thou Mother with Thy Equal Brood, 1872



Declaration of Independence

In Congress, July 4, 1776

The Unanimous Declaration of the Thirteen United States of America

[Bracketed material in color has been inserted by the authors. For adoption background, see pp. 112–113.]

When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

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; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and accordingly all experience hath shown that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies; and such is now the necessity which constrains them to alter their former systems of government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these states. To prove this, let facts be submitted to a candid world.

He has refused his assent to laws, the most wholesome and necessary for the public good. [See royal veto, p. 92.]

He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained; and, when so suspended, he has utterly neglected to attend to them.

He has refused to pass other laws for the accommodation of large districts of people [by establishing new counties], unless those people would relinquish the right of representation in the legislature, a right inestimable to them, and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures. [E.g., removal of Massachusetts Assembly to Salem, 1774.]

He has dissolved representative houses repeatedly, for opposing, with manly firmness, his invasions on the rights of the people. [E.g., Virginia Assembly, 1765.]

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise; the state remaining, in the mean time, exposed to all the dangers of invasions from without and convulsions within.

He has endeavored to prevent the population [populating] of these states; for that purpose obstructing the laws for naturalization of foreigners; refusing to pass others to encourage their migration hither, and raising the conditions of new appropriations of lands. [E.g., Proclamation of 1763, p. 87.]

He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

He has made judges dependent on his will alone, for the tenure of their offices, and the amount and payment of their salaries. [See Townshend Acts, p. 97.]

He has erected a multitude of new offices, and sent hither swarms of officers to harass our people and eat out their substance. [See enforcement of Navigation Laws, p. 97.]

He has kept among us, in times of peace, standing armies, without the consent of our legislatures. [See pp. 94, 97.]

He has affected to render the military independent of, and superior to, the civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws, giving his assent to their acts of pretended legislation:

For quartering large bodies of armed troops among us [see Boston Massacre, p. 97];

For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these states [see 1774 Acts, pp. 100–101];

For cutting off our trade with all parts of the world [see Boston Port Act, p. 100];

For imposing taxes on us without our consent [see Stamp Act, p. 94];

For depriving us, in many cases, of the benefits of trial by jury;

For transporting us beyond seas, to be tried for pretended offenses;

For abolishing the free system of English laws in a neighboring province [Quebec], establishing therein an arbitrary government, and enlarging its boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies [Quebec Act, p. 100];

For taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our governments [E.g., in Massachusetts, p. 100];

For suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever [see Stamp Act repeal, p. 96].

He has abdicated government here, by declaring us out of his protection and waging war against us. [Proclamation, p. 110.]

He has plundered our seas, ravaged our coasts, burned our towns, and destroyed the lives of our people. [E.g., the burning of Falmouth (Portland), p. 110.]

He is at this time transporting large armies of foreign mercenaries [Hessians, p. 110] to complete the works of death, desolation, and tyranny already begun with circumstances of cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation.

He has constrained our fellow-citizens, taken captive on the high seas [by impressment], to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

He has excited domestic insurrection among us [i.e., among slaves], and has endeavored to bring on the inhabitants of our frontiers the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions.

In every stage of these oppressions we have petitioned for redress in the most humble terms; our repeated petitions have been answered only by repeated injury. [E.g., pp. 108–111.] A prince, whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people.

Nor have we been wanting in our attentions to our British brethren. We have warned them, from time to time, of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity; and we have conjured them, by the ties of our common kindred, to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They, too, have been deaf to the voice of justice and of consanguinity [blood relationship]. We must, therefore, acquiesce in the necessity which denounces [announces] our separation, and hold them, as we hold the rest of mankind, enemies in war, in peace friends.

We, therefore, the representatives of the United States of America, in General Congress assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the name and by the authority of the good people of these colonies, solemnly publish and declare, That these United Colonies are, and of right ought to be, FREE AND INDEPENDENT STATES; that they are absolved from all allegiance to the British crown, and that all political connection between them and the state of Great Britain is, and ought to be, totally dissolved; and that, as free and independent states, they have full power to levy war, conclude peace, contract alliances, establish commerce, and do all other acts and things which independent states may of right do. And for the support of this declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor.

[Signed by]

JOHN HANCOCK [President]
[and fifty-five others]



Constitution of the United States of America

[Boldface headings and bracketed explanatory matter and marginal comments (both in color) have been inserted for the reader's convenience. Passages that are no longer operative are printed in italic type.]

PREAMBLE

On "We the people," see p. 247n.

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 Department

Section I. Congress

Legislative power vested in a two-house Congress. All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.

Section II. House of Representatives

1. The people elect representatives biennially. The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors [voters] in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.

2. Who may be representatives. 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.

See 1787 compromise, p. 139.

See 1787 compromise, p. 139.

3. Representation in the House based on population; census. Representatives and direct taxes¹ 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 [apprentices and indentured servants], and excluding Indians not taxed, three-fifths of all other persons [slaves].*² The actual enumeration [census] 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 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.*

¹Modified in 1913 by the Sixteenth Amendment re income taxes (see p. 658).

²The word *slave* appears nowhere in the original, unamended Constitution. The three-fifths rule ceased to be in force when the Thirteenth Amendment was adopted in 1865 (see p. 43 and amendments below).

See *Chase and Johnson trials*, pp. 182, 474; *Nixon trial preliminaries*, pp. 893–894.

Section III.

4. Vacancies in the House are filled by election. When vacancies happen in the representation from any State, the Executive authority [governor] thereof shall issue writs of election [call a special election] to fill such vacancies.

5. The House selects its Speaker; has sole power to vote impeachment charges (i.e., indictments). The House of Representatives shall choose their Speaker and other officers; and shall have the sole power of impeachment.

Section III. Senate

1. Senators represent the states. The Senate of the United States shall be composed of two Senators from each State, *chosen by the legislature thereof*,¹ for six years; and each Senator shall have one vote.

2. One-third of senators chosen every two years; vacancies. *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 [governor] thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.*²

3. Who may be senators. 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 presides over the Senate. The Vice-President of the United States shall be President of the Senate, but shall have no vote, unless they be equally divided [tied].

5. The Senate chooses its other officers. 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.

See *Chase and Johnson trials*, pp. 182, 474.

6. The Senate has sole power to try impeachments. 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;³ and no person shall be convicted without the concurrence of two-thirds of the members present.

7. Penalties for impeachment conviction. 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 IV.

Election and Meetings of Congress

1. Regulation of elections. 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.

¹ Repealed in favor of popular election in 1913 by the Seventeenth Amendment.

² Changed in 1913 by the Seventeenth Amendment.

³ The vice-president, as next in line, would be an interested party.

2. Congress must meet once a year. 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.¹

Section V. Organization and Rules of the Houses

1. Each house may reject members; quorums. 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.

See "Bully" Brooks case, pp. 395–396.

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

3. Each house must keep and publish a record of its proceedings. 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. Both houses must agree on adjournment. 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 VI. Privileges of and Prohibitions upon Congressmen

1. Congressional salaries; immunities. 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 [i.e., they shall be immune from libel suits].

2. A congressman may not hold any other federal civil office. 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 VII. Method of Making Laws

See 1787 compromise, p. 139.

Nixon, more than any predecessors, "impounded" billions of dollars voted by Congress for specific purposes, because he disapproved of them. The courts generally failed to sustain him, and his impeachment foes regarded wholesale impoundment as a violation of his oath to "faithfully execute" the laws.

1. Money bills must originate in the House. 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. The president's veto power; Congress may override. 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 recon-

¹ Changed in 1935 to January 3 by the Twentieth Amendment (see p. 764 and below).

sidered, 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 [this is the so-called pocket veto]

3. All measures requiring the agreement of both houses go to president for approval. 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 VIII. Powers Granted to Congress

Congress has certain enumerated powers:

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

2. It may borrow money. To borrow money on the credit of the United States;

3. It may regulate foreign and interstate trade. To regulate commerce with foreign nations, and among the several States, and with the Indian tribes;

4. It may pass naturalization and bankruptcy laws. To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States;

*For 1798
naturalization,
see p. 172.*

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

6. It may punish counterfeiters. To provide for the punishment of counterfeiting the securities and current coin of the United States;

7. It may establish a postal service. To establish post offices and post roads;

8. It may issue patents and copyrights. 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. It may establish inferior courts. To constitute tribunals inferior to the Supreme Court;

*See Judiciary Act
of 1789, p. 153.*

10. It may punish crimes committed on the high seas. To define and punish piracies and felonies committed on the high seas [i.e., outside the three-mile limit] and offenses against the law of nations [international law];

11. It may declare war; authorize privateers. To declare war,¹ grant letters of marque and reprisal,² and make rules concerning captures on land and water;

¹Note that presidents, though they can provoke war (see the case of Polk, p. 281) or wage it after it is declared, cannot declare it.

²Papers issued private citizens in wartime authorizing them to capture enemy ships.