

# A Familiar Exposition of the Constitution of the United States

**Containing a Brief  
Commentary on Every Clause,  
Explaining the True Nature, Reasons, and Objects  
Thereof; Designed for the Use of School  
Libraries and General Readers**

**With an Appendix,  
Containing Important Public Documents,  
Illustrative of the Constitution**

# Joseph Story

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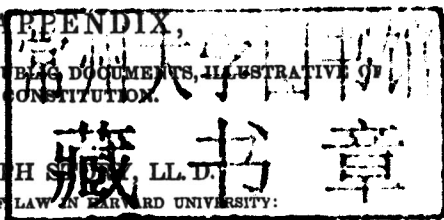
A  
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UNITED STATES:

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A BRIEF COMMENTARY

ON EVERY CLAUSE, EXPLAINING THE TRUE NATURE, REASONS, AND OBJECTS  
THEREOF; DESIGNED FOR THE USE OF SCHOOL LIBRARIES  
AND GENERAL READERS.

WITH  
AN APPENDIX,  
CONTAINING IMPORTANT PUBLIC DOCUMENTS, ILLUSTRATIVE OF  
THE CONSTITUTION.

BY JOSEPH STORY, LL.D.,  
DANE PROFESSOR OF LAW IN HARVARD UNIVERSITY:



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"This Government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers uniting security with energy, and containing, within itself, a provision for its own amendment, has a just claim to your confidence and respect." — *President Washington's Farewell Address to the People of the United States.*

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TO  
THE PEOPLE  
OF THE  
COMMONWEALTH OF MASSACHUSETTS,  
THIS WORK,  
DESIGNED TO AID  
THE CAUSE OF EDUCATION,  
AND  
TO PROMOTE AND ENCOURAGE THE STUDY  
OF THE  
CONSTITUTION OF THE UNITED STATES,  
BY HER INGENUOUS YOUTH,  
IS RESPECTFULLY DEDICATED,  
BY ONE  
WHO GRATEFULLY ACKNOWLEDGES, THAT HER  
TERRITORY IS  
THE LAND OF HIS BIRTH,  
AND THE  
HOME OF HIS CHOICE,  
THE AUTHOR,

*Cambridge, January 1, 1840.*



## PREFACE.

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THE present Work is designed, not only for private reading, but as a text book for the highest classes in our Common Schools and Academies. It is also adapted to the use of those, who are more advanced, and have left school, after having passed through the common branches of education. It may also be studied with advantage by those, who have arrived at maturer years, but whose pursuits have not allowed them leisure to acquire a thorough knowledge of the Republican Constitution of Government, under which they live. Some of the subjects, which are here treated of, may seem remote from those topics, which ordinarily engage the attention of our youth, and some of them may seem to be of such an abstract political nature, that the full value of them can scarcely be felt, except by persons, who have had some experience of the duties and difficulties of social life. But, I think, that it will be found, upon closer examination, that an objection of this sort can properly apply to very few passages in the Work; and that even those, which fall within the scope of the objection, will furnish sources of reflection, and means of knowledge, which will essentially aid the student in his future progress, and place him, as it were, upon the vantage ground, to master the leading principles of politics, and public policy. The Work has been framed upon the basis of my larger

Commentaries on the Constitution, which are already before the Public. And one of the advantages, which it possesses, 's, that the reader will find every one of the topics here discussed, examined almost in the same order, far more completely in those Commentaries, if his curiosity or his leisure shall prompt him to more thorough researches. I have endeavored, as far as practicable, to make the remarks intelligible to every class of readers, by embodying them in plain and unambitious language, so as to give the Work a just claim to the title of being "A Familiar Exposition of the Constitution of the United States." If it shall tend to awaken in the bosoms of American Youth, a more warm and devoted attachment to the National Union, and a more deep and firm love of the National Constitution, it will afford me very sincere gratification, and be an ample compensation for the time, which has necessarily been withdrawn from my other pressing avocations, in order to prepare it.

An Appendix has been added, containing some important public Documents, which may serve to confirm or illustrate the Text.

With these few suggestions, I submit the Work to the indulgent consideration of the Public, adopting the expressive motto of the poet,—

"Content, if here th' unlearned their wants may view,  
The learned reflect on what before they knew."

JOSEPH STORY.

*Cambridge, January 1, 1840.*

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A

FAMILIAR EXPOSITION  
OF THE  
CONSTITUTION OF THE UNITED STATES

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CHAPTER I.

*History of the Colonies.*

§ 1. BEFORE entering upon the more immediate object of this work, which is, to present to the general reader a familiar exposition of the nature and objects of the different provisions of the Constitution of the United States, it seems proper to take a brief review of the origin and settlement of the various States, originally composing the Union, and their political relations to each other at the time of its adoption. This will naturally conduct us back to the American Revolution, and to the formation of the Confederation of the States, consequent thereon. But if we stop here, we shall still be surrounded by difficulties, unless we understand the political organization of the various colonies during their common dependence upon the sovereignty of Great Britain, and we are in some degree made acquainted with the domestic institutions, policy, and legislation, which impressed upon each of them some peculiar habits, interests, opinions, attachments, and even prejudices, which may still be traced in the actual jurisprudence of each State, and are openly or silently referred to in some of the provisions of the Constitution of Government, by which they are