

*Founding Documents
of the
United States of America*



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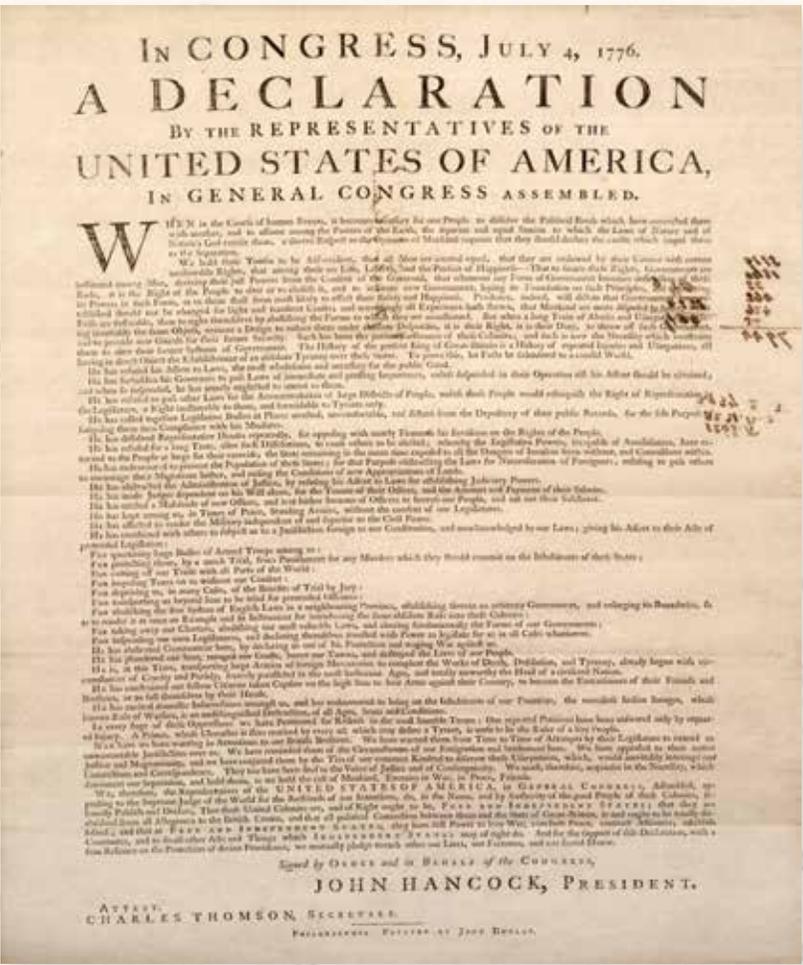
Chapin Library

The Chapin Library was created by Alfred Clark Chapin, Class of 1869, to provide rare books, manuscripts and historic prints in support of education at Williams College. Already distinguished at its opening in 1923, it has continued to grow in importance among rare book libraries and in its application to teaching and learning. One of the Chapin Library's many strengths is Americana, the study of the Americas from the earliest voyages to the New World to the events of the present day. Perhaps most notable within this very notable collection are original documents central to the founding of the United States.

The case in which the Founding Documents are displayed was built through the generosity of William R. Harris, Class of 1940; R. Rhett Austell Jr., Class of 1948; John C. Walsh, Class of 1954; and the General Electric Co. Plastics Division in Pittsfield, Mass. Designed by Burr & McCallum Architects of Williamstown, Mass., and constructed by local craftspeople, it incorporates details from the Chapin Library's copy of the *Articles of the Carpenters Company of Philadelphia* (1786) as well as modern protective materials and technology.



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The Declaration of Independence

Philadelphia, Pa.: Printed by John Dunlap, 1776

The Chapin Library's "Dunlap broadside" — the form in which American independence was officially declared — is one of only 26 copies of the original printing known to survive, including fragments, of perhaps 200 printed the night of July 4-5, 1776. It is in its earliest typographic state, one of the best preserved, and the only copy to have a physical connection to one of the signers: Joseph Hewes of North Carolina. Hewes' docket (title) "Declaration of Independence" is in his handwriting on the back. Also on the back, but now visible from the front as the iron-gall ink has bled through the sheet over time, is a sum in an unidentified hand, adding pounds, shillings and pence — the old colonial currency.

Williams College purchased the Hewes Declaration at Christie's, New York, in April 1983, with funds provided by friends and alumni, including several members of the Class of 1940. The Declaration of Independence is the only one of the major founding documents of the United States that Mr. Chapin was not able to buy.



ON JULY 4, 1776, the Second Continental Congress approved the Declaration of Independence, in Thomas Jefferson's words an "expression of the American mind" which explained to the world why the 13 colonies broke away from British rule. Contrary to myth, the assembled members of Congress did not immediately sign this historic document on the fourth of July (or, at least, they did not sign any copy that has survived). Instead, they directed those who had drafted the Declaration — John Adams of Massachusetts, Benjamin Franklin of Pennsylvania, Thomas Jefferson of Virginia, Robert Livingston of New York and Roger Sherman of Connecticut — to oversee the printing of copies for distribution to state and local officials and to commanders of the Continental Army.

The broadsides (a broadside is a sheet printed on one side only) were ready the next morning. These bear only the names of John Hancock, President of the Congress; Charles Thomson, Secretary; and the printer, John Dunlap. On July 19, Congress commissioned a scribe to engrass the Declaration on parchment, based on a printed copy in the rough minutes kept by Thomson. In the process, the title "A Declaration" was changed to "The unanimous Declaration," New York having joined with the other newly united states after abstaining on July 4. Members of the Congress began to sign the famous manuscript copy (preserved in the National Archives in Washington, D.C.) only on Aug. 2.

*in America, the King's Commissioners
Majesty's Colonies and Plantations*

A Declaration

Probably New York, 1776

Although little known in popular history, the importance of this declaration was recognized by J. Brooks Hoffman, M.D., Williams Class of 1940, who purchased it for the Chapin Library. Dr. Hoffman was a leading donor of Americana, especially items like the "British reply" which put one vividly "in the moment" at a past time and place.



ON SEPT. 11, 1776, Viscount Admiral Richard Howe, one of the King's Commissioners for Restoring Peace in North America, met at his headquarters on Staten Island, New York, with three members of the Continental Congress: John Adams and Benjamin Franklin, and Edward Rutledge of South Carolina.

Howe hoped that through this meeting hostilities between Britain and America might cease, and government be re-established under the Crown. Howe's authority was limited, however, and he could receive his guests only as private citizens, lest any legitimacy be attached to Congress and its actions. On their part, Adams, Franklin and Rutledge insisted that Britain recognize American independence, and they did not share Howe's view that they were still British subjects under King George.

After this attempt at a peace conference failed, on Sept. 19 Lord Howe, with his brother and fellow Commissioner General William Howe, issued a broadside stating that Congress had made an "inadmissible Claim of Independency" and imploring the people to "return to their Allegiance" to the King. At least four different printings of this document were produced, from which only six copies are known to survive. In effect, the broadside is a reply to the Declaration of Independence.

By RICHARD VISCOUNT HOWE, of the Kingdom of Ireland,
and WILLIAM HOWE, Esq; General of his Majesty's Forces
in America, the King's Commissioners for restoring Peace to his
Majesty's Colonies and Plantations in North-America, &c. &c. &c.

DECLARATION.

ALTHOUGH the Congress, whom the misguided Americans suffer to direct their Opposition to a re-establishment of the constitutional Government of these Provinces, have disavowed every Purpose of Reconciliation, not consonant with their extravagant and inadmissible Claim of Independency, the King's Commissioners think fit to declare, that they are equally desirous to confer with his Majesty's well-affected Subjects, upon the Means of restoring the public Tranquility, and establishing a permanent Union with every Colony, as a Part of the British Empire.

The King, being most graciously disposed to direct a Revision of such of his royal Instructions, as may be construed to lay an improper Restraint upon the Freedom of Legislation, in any of his Colonies, and to concur in the Revival of all Acts by which his Subjects there may think themselves aggrieved; it is recommended to the Inhabitants at large, to reflect seriously upon their present Condition and Expectations, and to judge for themselves, whether it be more consistent with their Honour and Happiness to offer up their Lives as a Sacrifice to the unjust and precarious Cause in which they are engaged, or to return to their Allegiance, accept the Blessings of Peace, and be secured in a free Enjoyment of their Liberty and Properties, upon the true Principles of the Constitution.

Given at New-York, the 19th of Sept. 1776.

H O W E. W. H O W E.

By Command of their Excellencies.

H E N. S T R A C H E Y.

*The King, being most gracious
of such of his royal Instructions,
improper Restraint upon the Free
his Colonies, and to concur in th
his Subjects there may think them*

Articles of Confederation and Perpetual Union between the States

Lancaster, Pa.: Printed by Francis Bailey, 1777

The first official printing of the Articles of Confederation was made in Lancaster, Pa., while Congress met in nearby York, the British army having occupied Philadelphia. It was issued in a small number of copies, intended mainly to convey the text to state lawmakers; only nine copies are known to exist. The one in the Chapin Library, preserved in its original blue wrappers, was part of the foundation gift by Alfred Clark Chapin, Class of 1869.



THE ARTICLES OF CONFEDERATION established a “firm league of friendship” between the states, to be called “the United States of America,” a phrase used already in the Declaration of Independence. In truth, however, the states were united mainly in their aim to achieve independence from Great Britain. The ceremonial copy of the Declaration made it clear that there were 13 states, not one nation (contrary to the idea of “a new nation” in Lincoln’s Gettysburg Address), and the opening text of the Articles lists the states by name. The Articles created only a weak central government in the form of Congress assembled, which had limited powers. Otherwise, the individual states retained their “sovereignty, freedom and independence” and most of the governing authority.

The Second Continental Congress approved the Articles on Nov. 15, 1777, but they came into force only on March 1, 1781. Ratification had to be unanimous, and this did not occur until states with land claims extending far to the west agreed to cede them to the common government, satisfying smaller states who were more confined by their charters.



ARTICLES

Of Confederation and perpetual Union between the States of *New-Hampshire, Massachusetts-Bay, Rhode-Island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia.*

ARTICLE I. **T**HE stile of this confederacy shall be “The United States of America.”

Stile of the Confederacy.

ART. II. EACH state retains its sovereignty, freedom and independence, and every power, jurisdiction and right, which

Sovereignty and Independence of the respective States.

The Constitution of the United States

Philadelphia, Pa.: Printed by Dunlap & Claypoole, 1787

For each of two drafts, 60 copies of the Constitution were printed for the use of delegates to the Constitutional Convention. The Chapin Library has one of 14 surviving copies of the Committee of Style draft, formerly owned by George Mason of Virginia and purchased for Williams by Alfred Clark Chapin, Class of 1869. Mason's notes on the printed side of the four leaves record the changes made in the final days of debate, some proposed by Mason himself though not always adopted. Mason also wrote, on the reverse side of the document, his objections to the Constitution, not least that it did not contain a declaration of rights.



UNDER THE ARTICLES OF CONFEDERATION, Congress could request money, for example to support the army or to settle debts, but had no power to force the states to contribute. Colonial currency had become essentially worthless, and the burden of an enormous war debt fell on those least able to pay. Conflict between the states over commerce, strife over economic and civil injustice — most notably Shays' Rebellion in Western Massachusetts — and the inability of Congress to govern effectively, often for lack of a quorum, became so alarming that delegates were sent to a convention in Philadelphia in May 1787 to discuss these pressing issues and consider improvements to the Articles.

For the most part, there was no thought of a national government making decisions for all citizens, as this seemed too like the British rule Americans fought to overthrow. Yet George Washington, James Madison and Alexander Hamilton, among others, believed that it was not enough to be independent if the states were divided and lacked a larger purpose, and they supported a strong federal government for the common good.

Although the delegates were meant only to revise the Articles of Confederation, they chose to discard them and crafted a completely new system of government. In doing so, they argued about the relative powers of the states versus those of the central government, whether or not to have an Executive (President) and a Judiciary (Supreme Court), how these officers and legislators (in a House and Senate) would be chosen and how to deal with slaves and the slave trade. From these deliberations a Committee of Detail produced a rough draft of a new constitution and, after a series of compromises, a Committee of Style produced the final text, approved on Sept. 17, 1787. It was in the second draft that the preamble read, "We the People of the United States of America," removing the focus from the states and creating a new nation.

WE, the People of the United States, in order to form a more perfect union, to 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.

ARTICLE I

Sec. 1. 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.

Sec. 2. 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.

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.

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 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 forty 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.

When vacancies happen in the representation from any State, the Executive authority thereof shall issue writs of election to fill such vacancies.

The House of Representatives shall choose their Speaker and other officers; and they shall have the sole power of impeachment.

Sec. 3. 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.

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.

No person shall be a Senator who shall not have attained to the age of thirty years, and been seven 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.

The Vice-President of the United States shall be, ex officio, President of the Senate, but shall have no vote, unless they be equally divided.

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.

The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath. 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.

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.

Sec. 4. 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.

The Congress shall assemble at least once in every year, and such meeting shall begin the first Monday in December, unless they shall by law appoint a different day.

Sec. 5. 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.

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

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.

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.

Sec. 6. 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.

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 emolument

The Bill of Rights

House of Representatives first version

New York: Printed by Thomas Greenleaf, August 24, 1789

Acts passed at a Congress of the United States of America

New York: Printed by Childs & Swaine, 1789

In the Chapin Library the original House articles, in a printed leaflet of which only five are known copies (out of perhaps 100 printed), are shown next to the revised amendments in the first printed Acts of Congress. Both items were given by Alfred Clark Chapin, Class of 1869.



GEORGE MASON'S OBJECTIONS TO THE CONSTITUTION BEGIN: "There is no Declaration of Rights, and the Laws of the general Government being paramount to the Laws & Constitutions of the several States, the Declarations of Rights in the separate States are no Security." Most of the framers of the Constitution felt that the divisions of government and the checks and balances they had created would prevent the concentration of power and thus guard against oppression. But many in the state ratifying conventions agreed with Mason that the Constitution as it stood was no guarantee of individual liberties.

James Madison at first considered a bill of rights to be no more than a "parchment barrier" against abuse of power but changed his mind as a newly elected Representative from Virginia. He was also concerned to take up a selection of amendments offered during ratification as a matter for the House, to forestall efforts to call a second convention, which some hoped would overturn the Constitution and return power to the states.

The House chose to approve 17 articles, which are interesting to compare to the amendments familiar today. For example, the original third article provided not only that "Congress shall make no law establishing religion or prohibiting the free exercise thereof," but also that "the rights of Conscience [shall not] be infringed."

The House amendments went to the Senate, where they were rewritten, combined or deleted. After review by the House, 12 amendments were ready to be considered for ratification. Only the first and second of these were not approved by the states, on the proportion of representation in Congress and the method by which congressional salaries can be changed (the original second article was eventually ratified as the 27th Amendment in May 1992), while articles three through 12 became the first 10 amendments, known as the Bill of Rights.

CONGRESS OF THE UNITED STATES.

In the HOUSE of REPRESENTATIVES,

Monday, 24th August, 1789,

RESOLVED, BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED, two thirds of both Houses deeming it necessary, That the following Articles be proposed to the Legislatures of the several States, as Amendments to the Constitution of the United States, all or any of which Articles, when ratified by three fourths of the said Legislatures, to be valid to all intents and purposes as part of the said Constitution—Viz.

ARTICLES in addition to, and amendment of, the Constitution of the United States of America, proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth Article of the original Constitution.

ARTICLE THE FIRST.

After the first enumeration, required by the first Article of the Constitution, there shall be one Representative for every thirty thousand, until the number shall amount to one hundred, after which the proportion shall be so regulated by Congress, that there shall be not less than one hundred Representatives, nor less than one Representative for every forty thousand persons, until the number of Representatives shall amount to two hundred, after which the proportion shall be so regulated by Congress, that there shall not be less than two hundred Representatives, nor less than one Representative for every fifty thousand persons.

ARTICLE THE SECOND.

No law varying the compensation to the members of Congress, shall take effect, until an election of Representatives shall have intervened.

ARTICLE THE THIRD.

Congress shall make no law establishing religion or prohibiting the free exercise thereof, nor shall the rights of Conscience be infringed.

ARTICLE THE FOURTH.

The Freedom of Speech, and of the Press, and the right of the People peaceably to assemble, and consult for their common good, and to apply to the Government for a redress of grievances, shall not be infringed.

*The Gift of
George Washington*

FEDERALIST:

A COLLECTION

OF

ESSAYS,

WRITTEN IN FAVOUR OF THE

NEW CONSTITUTION,

AS AGREED UPON BY THE FEDERAL CONVENTION,
SEPTEMBER 17, 1787.

IN TWO VOLUMES.

VOL. II.

NEW-YORK:

PRINTED AND SOLD BY J. AND A. M'LEAN,
No. 41, HANOVER-SQUARE.

The Federalist

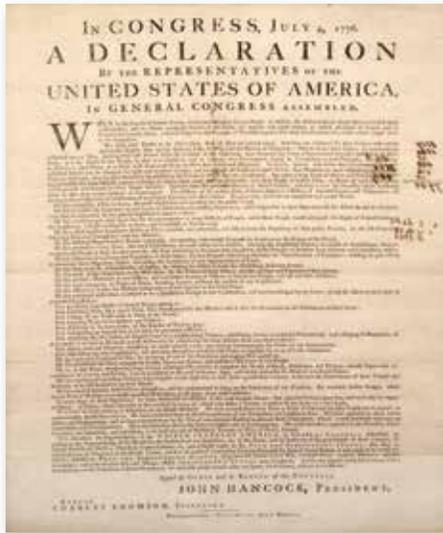
New York: Printed by J. & A. M'Lean, 1788

The Chapin Library has two copies of this important book. One, the gift of Alfred Clark Chapin, Class of 1869, belonged to U.S. Sen. Ralph Izard of South Carolina. The other, given to George Washington by Alexander Hamilton and James Madison, contains Washington's signatures and bookplate as well as annotations by his nephew and the heir of his library, Supreme Court Justice Bushrod Washington. Washington's copy of *The Federalist* was given to the Chapin Library by Herbert A. Allen, Class of 1962.

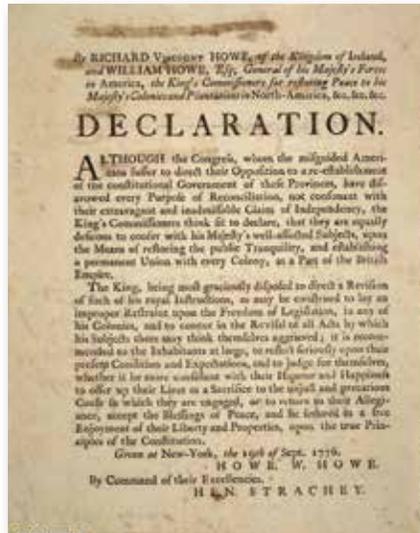


THE ESSAYS COMPRISING THE FEDERALIST were written pseudonymously by James Madison, Alexander Hamilton and John Jay to promote the U.S. Constitution then under consideration by the states. They are the most important comment on the Constitution contemporary with the origins of that document, though they represent only one side of the debate. Anti-federalists also published widely, and their arguments, for example in regard to the Electoral College, are still considered today—if not as broadly as those in *The Federalist*.





The Declaration of Independence
Philadelphia, Pa.
Printed by John Dunlap, 1776



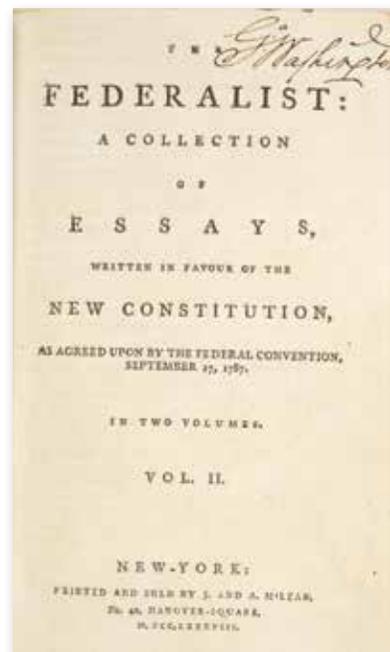
A Declaration
Probably New York, Sept. 11, 1776



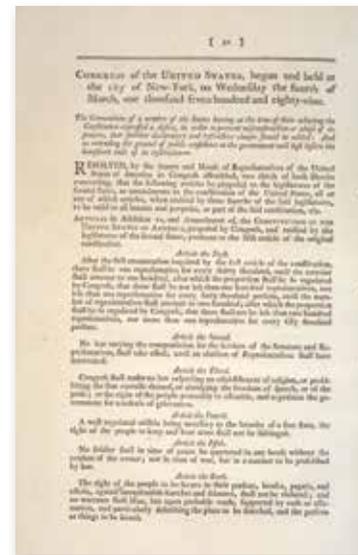
The Constitution of the United States
Philadelphia, Pa.
Printed by Dunlap & Claypoole, 1787



Articles of Confederation and Perpetual Union Between the States
Lancaster, Pa.
Printed by Francis Bailey, 1777



The Federalist
New York
Printed by J. & A. M'Lean, 1788



The Bill of Rights
House of Representatives first version, New York
Printed by Thomas Greenleaf, Aug. 24, 1789
Acts passed at a Congress of the United States of America, New York
Printed by Childs & Swaine, 1789



The documents described in this booklet are typically on view in the Chapin Gallery, room 406 of Sawyer Library at Williams College, during the regular hours of the Special Collections Department of the Williams Libraries. The gallery is open to the public, free of charge, and staff welcome visits by groups from schools and other organizations by advance arrangement. Many other historic items are also available in Special Collections, to be seen or consulted. For more information, please visit chapin.williams.edu.



Wayne G. Hammond
Chapin Librarian
Williams College