## CONSTITUTION OF THE UNITED STATES <br> [ARTICLE VII]

§ 205-§ 207
Questions of sanity (I, 441) and loyalty (I, 448) seem to pertain to com§205. Sanity, loyalty, petency to take the oath as a question of qualifications, and incapacity as related to the oath. although there has been not a little debate on this subject (I, 479). In one case a Member-elect who had not taken the oath was excluded from the House because of disloyalty, in which the resolution of exclusion and the committee report thereon concluded that he was ineligible to take a seat as a Representative under the express provisions of section 3 of the 14 th amendment (VI, 5659). This action by the House was cited in the Supreme Court decision of Powell v. McCormack, 395 U.S. 486, 545 fn. 83 (1969), which denied the power of the House to exclude Members-elect by a majority vote for other than failure to meet the express qualifications stated in the Constitution. In Bond v. Floyd, 385 U.S. 116 (1966), the Supreme Court held that the exclusion by a State legislature of a member-elect of that body was unconstitutional, where the legislature had asserted the power to judge the sincerity with which the Member-elect could take the oath to support the Constitution of the United States. In the 97 th Congress, the House declared vacant by majority vote the seat of a Member-elect unable to take the oath because of illness, in which the medical prognosis showed no likelihood of improvement to permit the Member-elect to take the oath or assume the duties of a Representative (H. Res. 80, Feb. 24, 1981, pp. 2916-18).

Decisions of the Supreme Court of the United States: McCulloch v. Mary-

|  | land, 17 U.S. (4 Wheat.) 316 (1819); Ex parte Garlan |
| :---: | :---: |
| Court. | 71 U.S. (4 Wall.) 333 (1867); Davis v. Beason, 133 U. |
|  | 333 (1890); Mormon Church v. United States, 136 U.S |
|  | 1 (1890). |

ARTICLE VII.
The Ratification of the Conventions of nine 8207. Ratification of States, shall be sufficient for the the Constitution. Establishment of this Constitution between the States so ratifying the Same. Done in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty seven and of the Independence of the United States of

# America the Twelfth In Witness whereof We have hereunto subscribed our Names, Go WASHINGTON—Presidt. and Deputy from Virginia. 

[Signed also by the deputies of twelve States.]

## New Hampshire.

John LaNGDON,
Nicholas Gilman.
Massachusetts.
Nathaniel Gorham,
Rufus King.

Connecticut.
WM. SAML. Johnson,
Roger Sherman.
New York.
Alexander Hamilton.

New Jersey.

WIL: LIVINGSTON, David Brearley,

B Franklin, Rob ${ }^{\text {T. Morris, }}$ Thos. FitzSimons, James Wilson,

Geo. Read, John Dickinson, Jaco Broom,

Maryland.
James McHenry, Dan of ST Thos. Jenifer. DAN ${ }^{1}$ Carroll,

## Virginia.

JOHN BLAIR,
Wm. Paterson, Jona: Dayton.

## Pennsylvania.

Thomas Mifflin, Geo. Clymer, Jared Ingersoll, Gouv Morris.

Delaware.
Gunning Bedford Jun, Richard Bassett. Virgina

James Madison Jr.

CONSTITUTION OF THE UNITED STATES

North Carolina.

Wm. Blount, Hu Williamson,
J. Rutledge, Charles Pinckney,

William Few, Attest:

RICH'D. DobBS Spaight.

South Carolina.
Charles Cotesworth Pinckney, Pierce Butler.

Georgia.
Abr Baldwin.
William Jackson, Secretary

## AMENDMENT I.

Congress shall make no law respecting an es8208. Freedom of tablishment of religion, or prohibreligion, of speech, iting the free exercise thereof; or
and of peaceable assembly. abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

## AMENDMENT II.

A well regulated Militia being necessary to the 8209. The right to security of a free State, the right of bear arms. the people to keep and bear arms, shall not be infringed.

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[^0]:    ${ }^{1}$ The first 10 amendments to the Constitution of the United States were proposed to the legislatures of the several States by the First Congress on September 25, 1789 (this date and the date succeeding amendments were proposed is the date of final congressional action-signature by the presiding officer of the Senate-as is shown in the Senate Journals). They were ratified by the following States, on the dates shown, and the notifications by the governors thereof of ratification were communicated by the President to Congress: New Jersey, November 20, 1789; Maryland, December 19, 1789; North Carolina, December 22, 1789; South Carolina, January 19, 1790; New Hampshire, January 25, 1790; Delaware, January 28, 1790; New York, February 27, 1790; Pennsylvania, March 10, 1790; Rhode Island, June 7, 1790; Vermont, November 3, 1791; and Virginia, December 15, 1791. Ratification was completed on December 15,1791 . The amendments were subsequently ratified by Massachusetts, March 2, 1939; Georgia, March 18, 1939; Connecticut, April 19, 1939.

