

Handout B: Bill of Rights, June 12, 1776 and The Constitution of Virginia, June 29, 1776 (Excerpts)

Directions:

Read the excerpt, underline examples of the rights of Englishmen and evidence of constitutional principles, and then complete the Review Activities as directed.

Text
SECTION 1. That all men are by nature equally free and independent, and have certain inherent rights, of which, when they enter into a state of society, they cannot, by any compact, deprive or divest their posterity, namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety.
SEC. 2. That all power is vested in, and consequently derived from, the people; that magistrates are their trustees and servants, and at all times amenable to them. . . .
SEC. 6. That elections of members to serve as representatives of the people, in assembly, ought to be free; and that all men, having sufficient evidence of permanent common interest with, and attachment to, the community, have the right of suffrage, and cannot be taxed or deprived of their property for public uses, without their own consent, or that of their representatives so elected, nor bound by any law to which they have not, in like manner, assembled, for the public good. . . .
SEC. 8. That in all capital or criminal prosecutions a man hath a right to demand the cause and nature of his accusation, to be confronted with the accusers and witnesses, to call for evidence in his favor, and to a speedy trial by an impartial jury of twelve men of his vicinage, without whose unanimous consent he cannot be found guilty; nor can he be compelled to give evidence against himself; that no man be deprived of his liberty, except by the law of the land or the judgment of his peers.
SEC. 9. That excessive bail ought not to be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted. . . .
SEC. 13. That a well-regulated militia, composed of the body of the people, trained to arms, is the proper, natural, and safe defence of a free State; that standing armies, in time of peace, should be avoided, as dangerous to liberty; and that in all cases the military should be under strict subordination to, and governed by, the civil power. . . .
THE CONSTITUTION OR FORM OF GOVERNMENT, AGREED TO AND RESOLVED UPON BY THE DELEGATES AND REPRESENTATIVES OF THE SEVERAL COUNTIES AND CORPORATIONS OF VIRGINIA . . .
[1] The legislative, executive, and judiciary department, shall be separate and distinct, so that neither exercise the powers properly belonging to the other. . . .
[2] The legislative shall be formed of two distinct branches, who, together, shall be a complete Legislature.

They shall meet once, or oftener, every year, and shall be called, The General Assembly of Virginia. One of these shall be called, The House of Delegates, and consist of two Representatives, to be chosen for each county . . . of such men as actually reside in, and are freeholders of the same, or duly qualified according to law [there were 61 counties by 1776]. . . .

[3] The other shall be called The Senate, and consist of twenty-four members . . . for whose election, the different counties shall be divided into twenty-four districts [which shall each elect] . . . one Senator, who is actually a resident and freeholder within the district, or duly qualified according to law, and is upwards of twenty-five years of age. . . .

[4] All laws shall originate in the House of Delegates, to be approved of or rejected by the Senate, or to be amended, with consent of the House of Delegates; except money-bills, which in no instance shall be altered by the Senate, but wholly approved or rejected.

[5] A Governor, or chief magistrate, shall be chosen annually by joint ballot of both Houses . . . who shall not continue in that office longer than three years successively, nor be eligible, until the expiration of four years after he shall have been out of that office. An adequate, but moderate salary shall be settled on him, during his continuance in office; and he shall, with the advice of a Council of State, exercise the executive powers of government. . . . He shall, with the advice of the Council of State, have the power of granting reprieves or pardons, except where the prosecution shall have been carried on by the House of Delegates. . . .

[6] The Governor may embody the militia, with the advice of the Privy Council; and when embodied, shall alone have the direction of the militia. . . .

[7] The two Houses of Assembly shall, by joint ballot, appoint Judges of the Supreme Court of Appeals, and General Court, [other judges] . . . , Secretary, and the Attorney-General, to be commissioned by the Governor, and continue in office during good behaviour. . . .

[8] The Governor, with the advice of the Privy Council, shall appoint Justices of the Peace for the counties; and in case of vacancies, or a necessity of increasing the number hereafter, such appointments to be made upon the recommendation of the respective County Courts.

Review Activities:

Having underlined the rights of Englishmen and evidence of the constitutional principles, now review the document and complete the following:

1. According to the document, what is the purpose of government?
2. According to the document, who has the right to vote?
3. Explain which branch of government has the most power and offer evidence from the document to prove your answer.
4. What position do the document's authors take regarding standing armies in peacetime?
5. Where you have underlined evidence of constitutional principles in the document, add the name of the specific principle in the **left margin**.
6. In the **right margin**, list the specific rights and responsibilities of citizens.
7. In the document, **circle** the following information regarding the governor:
 - a. How is he elected?
 - b. What are his specific powers?
 - c. How long is his term of office?
 - d. What specific limits are placed on the governor?
8. How are judges and other officers of state government appointed?