



Name \_\_\_\_\_ ANSWER KEY

Date \_\_\_\_\_ Class \_\_\_\_\_

## SELECTIONS & QUESTIONS: 1776 Constitution

Whereas Allegiance and Protection are in their nature reciprocal, and the one should of right be refused, when the other is withdrawn,

And whereas George the third King of Great Britain, and late Sovereign of the British American Colonies, hath not only withdrawn from them his Protection, but by an Act of the British Legislature, declared the Inhabitants of these States out of the Protection of the British Crown... And the said George the third has also sent Fleets and Armies to prosecute a cruel war against them for the purpose reducing the Inhabitants of the said Colonies to a state of Abject Slavery...

And whereas the Continental Congress having considered the Premises and other previous Violations, of the rights of the good People of America have therefore declared, that the thirteen United Colonies are of right wholly absolved from all Allegiance to the British Crown or any other Foreign Jurisdiction whatsoever and that the said Colonies now are and forever shall be free and Independent States,

Wherefore in our present State in Order to prevent Anarchy and Confusion, it becomes necessary that a... Government should be established in this State. Therefore we the Representatives of the Freemen of North Carolina chosen and Assembled in Congress for the Express purpose of framing a Constitution under the Authority of the People most Conducive to their Happiness and Prosperity, do declare that a Government for this State shall be established in manner and form following, to wit.

Section the first. That the Legislative Authority shall be vested in two Distinct Branches, both dependent on the People, to wit, a Senate and house of Commons.

Section 2<sup>d</sup> That the Senate shall be composed of Representatives annually chosen by Ballot, one from each County in the State.

How had the King protected the colonists in the past?

The King waged war on American Indians who did not react kindly to colonists and sent armies to help control the Regulators, a rebel group

What rights had been violated by the Crown?

Answer should include taxation without representation.

What words in this paragraph and the next echo those in John Adams' letter to Hooper?

The idea that happiness is crucial to the American identity and creating a government with two branches of legislature

How many counties were there in 1776?

There were 35 counties in 1776

*Note: Spelling reflects the original document.*

Section 3<sup>d</sup> That the house of Commons shall be composed of Representatives, annually chosen by Ballot, two for each County, and one for each of the Towns of Edenton, New Bern, Wilmington Salisbury Hillsborough and Halifax

Section 4<sup>th</sup> That the Senate and house of Commons assembled for the purpose of Legislation, shall be denominated the General Assembly

Section 5<sup>th</sup> That each Member of the Senate, shall have usually resided in the County in which he is chosen for one year immediately preceding his Election, and for the same time shall have possessed and Continue to Possess in the County which he represents not less than three hundred Acres of Land in Fee

Section 6<sup>th</sup> That each Member of the house of Commons shall have usually resided in the County, in which he is chosen for one Year immediately preceeding his Election & for six months shall have possessed and continue to possess in the County which he Represents not less than one hundred Acres of Land in Fee or for the Term of his own Life

Section 7<sup>th</sup> That all Freemen of the Age of twenty one Years, who have been Inhabitants of any one County within the State twelve months immediately preceeding the day of any Election and possessed of a Freehold within the same County of Fifty Acres of Land for six months next before and at the day of Election shall be entitled to Vote for a member of the Senate

Section 8<sup>th</sup> That all Freemen of the Age of twenty one Years, who have been Inhabitants of any County within this State twelve months immediately preceeding the day of any Election and shall have paid Public Taxes shall be intitled to vote for members of the House of Commons for the County in which he resides

Section 9<sup>th</sup> That all persons possessed of a Freehold in any Town in this State having a right of Representation, and also all Freemen who have been Inhabitants of any such Town twelve mouths next before and at the day of Election, and shall have paid Public Taxes, shall be intitled to vote for a Member to represent such Town in the house of Commons; Provided always, That this Section shall not intitle any Inhabitant of such Town to vote for members of the House of Commons for the County in which he may reside, nor any Freeholder in such County who resides without or beyond the Limits of such Town to vote for a Member for said Town.

Why do you think these towns were chosen?

All of the chosen towns had dense populations and were closer to the coast, where the ports (and therefore the business transactions) were located.

Why do you think it was required for those running for office to own land in the county they want to represent?

To show that they had a personal stake in the community they wished to lead and not just interested in power.

What are the landowning requirements for voters?

To own at least fifty acres of land for at least six months before Election Day.

Why do you think it was required for voters to pay public taxes?

Possibly to prove that voters are actively contributing to their community and government

Section 13<sup>th</sup> That the General Assembly shall by joint Ballot of both Houses appoint Judges of the Supreme Courts of Law and Equity Judges of Admiralty and Attorney General who shall be commissioned by the Governor and hold their Offices during good behavior

Section 15<sup>th</sup> That the Senate and house of Commons jointly at their first meeting after each Annual Election shall by Ballot Elect a Governor for one year, who shall not be Eligible to that Office longer than three Years in six successive Years. That no person under thirty years of Age, and who has not been a resident in this State above five Years, and having in the State a Freehold in Lands and Tenements above the value of One thousand pounds shall be Eligible as Governor

Section 17<sup>th</sup> That there shall be a Seal of this State which shall be kept by the Governor, and used by him as occasion may require and shall be called the Great Seal of the State of North Carolina and be affixed to all Grants and Commissions

Section 25<sup>th</sup> That no persons who heretofore have been or hereafter maybe receivers of the Public Monies shall have a Seat in either house of General Assembly or be Eligible to any Office in this State, until such person shall have fully accounted for and paid into the Treasury all sums for which they may be accountable and liable

Section 27<sup>th</sup> That no Officer in the Regular Army or Navy in the service and pay of the United States of this or any other State nor any Contractor or Agent for supplying such Army or Navy with Cloathing or Provisions shall have a Seat in either the Senate, house of Commons or Council of State or be Eligible there to, and any Member of the Senate house of Commons or Council of State being appointed to and accepting of such Office shall thereby Vacate his Seat

Section 31<sup>st</sup> That no Clergyman, or Preacher of the Gospels of any Denomination, shall be capable of being a member of either the Senate, house of Commons or Council of State while he Continues in the exercise of the Pastoral Function.

Section 32<sup>d</sup> That no person who shall deny the being of God or the truth of the Protestant Religion, or the divine Authority either of the old or new Testament, or who shall hold Religious Principles incompatible with the freedom and safety of the State, shall be capable of holding any Office or place of Trust or Profit in the Civil department within this State

Who could vote for judges?

The General Assembly

Note the requirements for governor. How was the officeholder determined?

By General Assembly vote

Why is it important to talk about the seal in the Constitution?

It is important to solidify the symbol of the state's identity

Why would those paid with federal funds be ineligible for a state office?

To prevent those in power from funding themselves and supporting legislation that coincides with their self-interests.

Why would clergy be ineligible?

To avoid conflict of interest with religious authority and avoid a religious leader like the one in England

What groups are left out here?

To name a few: Jewish people, Catholics, atheists, etc.

Section 34<sup>th</sup> That there shall be no Establishment of any one Religious Church or denomination in this State in preference to any other neither shall any Person on any Pretence whatsoever be compelled to attend any place of worship contrary to his own Faith or Judgment, nor be obliged to pay for the purchase of any Glebe or the Building of any house of Worship or for the maintenance of any Minister or Ministry, contrary to what he believes right, or has voluntarily and personally engaged to Perform, but all persons shall be at Liberty to exercise their own mode of worship, provided that nothing herein contained shall be construed to exempt Preachers of Treasonable or Seditious discourses from Legal Trial and punishment

Section 41<sup>st</sup> That a School or Schools shall be established by the Legislature, for the convenient instruction of Youth, with such Salaries to the Masters paid by the Public as may enable them to instruct at Low Prices: and all useful learning shall be duly encouraged and promoted in one or more universities

Section 42<sup>d</sup> That no purchase of Lands shall be made of the Indian natives, but on behalf of the Public, by authority of the General Assembly

Section 44<sup>th</sup> That the declaration of Rights is hereby declared to be part of the Constitution of this State, and ought never to be violated on any pretence whatever

before prescribed  
President

R Caswell

December the Eighteenth One Thousand Seven Hundred and Seventy Six, Read the third time and ratified in open Congress.

What denominations were prevalent in North Carolina at this time?

The main denominations were Anglican and Presbyterian, with others being Quaker, Baptist, Lutheran, and Moravian.

Do you know the first school that was established?

The first public school was founded in New Bern in 1749, and UNC-Chapel Hill was the first public university founded in 1789. Answers will vary based on knowledge.

Did this provision protect American Indians? Why or why not? How many counties were there in 1776?

It technically protected American Indian lands from private buyers, but not from the government. This provision did little to protect American Indian rights.