

Rhode Island & Providence Plantations Ratification

Ratification of the Constitution by the State of Rhode Island, May 29, 1790. Rhode Island was the thirteenth state to do so. Rhode Island's ratification message is lengthy, with a list similar to that of New York's, listing a bill of rights and listing several proposed amendments. Most of the amendments were not original, having been suggested in prior ratification documents. Rhode Island was the last of the original thirteen states to ratify the Constitution. The following text is taken from the Library of Congress's copy of Elliot's Debates.

A copy of the [Constitution](#) was included in the ratification document.

Ratification of the Constitution by the Convention of the State of Rhode Island and Providence Plantations.

We, the delegates of the people of the state of Rhode Island and Providence Plantations, duly elected and met in Convention, having maturely considered the Constitution for the United States of America, agreed to on the seventeenth day of September, in the year one thousand seven hundred and eighty-seven, by the Convention then assembled at Philadelphia, in the commonwealth of Pennsylvania, (a copy whereof precedes these presents,) and having also seriously and deliberately considered the present situation of this state, do declare and make known,—

I. That there are certain natural rights of which men, when they form a social compact, cannot deprive or divest their posterity,—among which are the enjoyment of life and liberty, with the means of acquiring, possessing, and protecting property, and pursuing and obtaining happiness and safety.

II. That all power is naturally vested in, and consequently derived from, the people; that magistrates, therefore, are their trustees and agents, and at all times amenable to them.

III. That the powers of government may be reassumed by the people whensoever it shall become necessary to their happiness. That the rights of the states respectively to nominate and appoint all state officers, and every other power, jurisdiction, and right, which is not by the said Constitution clearly delegated to the Congress of the United States, or to the departments of government thereof, remain to the people of the several states, or their respective state governments, to whom they may have granted the same; and that those clauses in the Constitution which declare that Congress shall not have or exercise certain powers, do not imply that Congress is entitled to any powers not given by the said Constitution; but such clauses are to be construed as exceptions to certain specified powers, or as inserted merely for greater caution.

IV. That religion, or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, and not by force and violence; and therefore all men have a natural, equal, and unalienable right to the exercise of religion according to the dictates of conscience; and that no particular religious sect or society ought to be favored or established, by law, in preference to others.

V. That the legislative, executive, and judiciary powers of government should be separate and distinct; and, that the members of the two first may be restrained from oppression, by feeling and participating the public burdens, they should, at fixed periods, be reduced to a private station, returned into the mass of the people, and the vacancies be supplied by certain and regular elections, in which all or any part of the former members to be eligible or ineligible, as the rules of the constitution of government and the laws shall direct.

VI. That elections of representatives in legislature ought to be free and frequent; and all men having sufficient evidence of permanent common interest with, and attachment to, the community, ought to have the right of suffrage; and no aid, charge, tax, or fee, can be set, rated, or levied, upon the people without their own consent, or that of their representatives so elected, nor can they be bound by any law to which they have not in like manner consented for the public good.

VII. That all power of suspending laws, or the execution of laws, by any authority, without the consent of the representatives of the people in the legislature, is injurious to their rights, and ought not to be exercised.

VIII. That, in all capital and criminal prosecutions, a man hath the right to demand the cause and nature of his accusation, to be confronted with the accusers and witnesses, to call for evidence, and be allowed counsel in his favor, and to a fair and speedy trial by an impartial jury in his vicinage, without whose unanimous consent he cannot be found guilty, (except in the government of the land and naval forces,) nor can he be compelled to give evidence against himself.

IX. That no freeman ought to be taken, imprisoned, or disseized of his freehold, liberties, privileges, or franchises, or outlawed, or exiled, or in any manner destroyed or deprived of his life, liberty or property, but by the trial by jury, or by the law of the land.

X. That every freeman restrained of his liberty is entitled to a remedy, to inquire into the lawfulness thereof, and to remove the same if unlawful, and that such remedy ought not to be denied or delayed.

XI. That in controversies respecting property, and in suits between man and man, the ancient trial by jury, as hath been exercised by us and our ancestors, from the time whereof the memory of man is not to the contrary, is one of the greatest securities to the rights of the people, and ought to remain sacred and inviolable.

XII. That every freeman ought to obtain right and justice, freely and without sale completely and without denial, promptly and without delay; and that all establishments or regulations contravening these rights are oppressive and unjust.

XIII. That excessive bail ought not to be required, nor excessive fines imposed, nor cruel or unusual punishments inflicted.

XIV. That every person has a right to be secure from all unreasonable searches and seizures of his person his papers, or his property; and therefore, that all warrants to search suspected places, to seize any person, his papers, or his property, without information upon oath or affirmation of sufficient cause, are grievous and oppressive; and that all general warrants (or such in which the place or person suspected are not particularly designated) are dangerous, and ought not to be granted.

XV. That the people have a right peaceably to assemble together to consult for their common good, or to instruct their representatives; and that every person has a right to petition or apply to the legislature for redress of grievances.

XVI. That the people have a right to freedom of speech, and of writing and publishing their sentiments. That freedom of the press is one of the greatest bulwarks of liberty, and ought not to be violated.

XVII. That the people have a right to keep and bear arms; that a well- regulated militia, including the body of the people capable of bearing arms, is the proper, natural, and safe defence of a free state; that the militia shall not be subject to martial law, except in time of war, rebellion, or insurrection; that standing armies, in time of peace, are dangerous to liberty, and ought not to be kept up, except in cases of necessity; and that, at all times, the military should be under strict subordination to the civil power; that, in time of peace, no soldier ought to be quartered in any house without the consent of the owner, and in time of war only by the civil magistrates, in such manner as the law directs.

XVIII. That any person religiously scrupulous of bearing arms ought to be exempted upon payment of an equivalent to employ another to bear arms in his stead.

Under these impressions, and declaring that the rights aforesaid cannot be abridged or violated, and that the explanations aforesaid are consistent with the said Constitution, and in confidence that the amendments hereafter mentioned will receive an early and mature consideration, and, conformably to the fifth article of said Constitution, speedily become a part thereof,—We, the said delegates, in the name and in the behalf of the people of the state of Rhode Island and Providence Plantations, do, by these presents, assent to and ratify the said Constitution. In full confidence, nevertheless, that, until the amendments hereafter proposed and undermentioned shall be agreed to and ratified, pursuant to the aforesaid fifth article, the militia of this state will not be continued in service out of this state, for a longer term than six weeks, without the consent of the legislature thereof; that the Congress will not make or alter any regulation in this state respecting the times, places, and manner, of holding elections for senators or representatives, unless the legislature of this state shall neglect or refuse to make laws or regulations for the

purpose, or, from any circumstance, be incapable of making the same; and that, in those cases, such power will only be exercised until the legislature of this state shall make provision in the premises; that the Congress will not lay direct taxes within this state, but when the moneys arising from impost, tonnage, and excise, shall be insufficient for the public exigencies, nor until the Congress shall have first made a requisition upon this state to assess, levy, and pay, the amount of such requisition made agreeable to the census fixed in the said Constitution, in such way and manner as the legislature of this state shall judge best; and that Congress will not lay any capitation or poll tax.

Done in Convention, at Newport, in the county of Newport, in the state of Rhode Island and Providence Plantations, the twenty-ninth day of May, in the year of our Lord one thousand seven hundred and ninety, and in the fourteenth year of the independence of the United States of America.

By order of the Convention.

DANIEL OWEN, President.

Attest. Daniel Updike, Secretary.

And the Convention do, in the name and behalf of the people of the state of Rhode Island and Providence Plantations, enjoin it upon the senators and representative or representatives, which may be elected to represent this state in Congress, to exert all their influence, and use all reasonable means, to obtain a ratification of the following amendments to the said Constitution, in the manner prescribed therein; and in all laws to be passed by the Congress in the mean time, to conform to the spirit of the said amendments, as far as the Constitution will admit.

(B) Amendments.

I. The United States shall guaranty to each state its sovereignty, freedom, and independence, and every power, jurisdiction, and right, which is not by this Constitution expressly delegated to the United States.

II. That Congress shall not alter, modify, or interfere in, the times, places, or manner, of holding elections for senators and representatives, or either of them, except when the legislature of any state shall neglect, refuse, or be disabled, by invasion or rebellion, to prescribe the same, or in case when the provision made by the state is so imperfect as that no consequent election is had, and then only until the legislature of such state shall make provision in the premises.

III. It is declared by the Convention, that the judicial power of the United States, in cases in which a state may be a party, does not extend to criminal prosecutions, or to authorize any suit by any person against a state; but, to remove all doubts or controversies respecting the same, that it be especially expressed, as a part of the Constitution of the United States, that Congress shall not, directly or indirectly, either by themselves or through the judiciary, interfere with any one of the states, in the redemption of paper money already emitted, and now in circulation, or in

liquidating and discharging the public securities of any one state; that each and every state shall have the exclusive right of making such laws and regulations for the before-mentioned purpose as they shall think proper.

IV. That no amendments to the Constitution of the United States, hereafter to be made, pursuant to the fifth article, shall take effect, or become a part of the Constitution of the United States, after the year one thousand seven hundred and ninety-three, without the consent of eleven of the states heretofore united under the Confederation.

V. That the judicial powers of the United States shall extend to no possible case where the cause of action shall have originated before the ratification of this Constitution, except in disputes between states about their territory, disputes between persons claiming lands under grants of different states, and debts due to the United States.

VI. That no person shall be compelled to do military duty otherwise than by voluntary enlistment, except in cases of general invasion; any thing in the second paragraph of the sixth article of the Constitution, or any law made under the Constitution, to the contrary notwithstanding.

VII. That no capitation or poll tax shall ever be laid by Congress.

VIII. In cases of direct taxes, Congress shall first make requisitions on the several states to assess, levy, and pay, their respective proportions of such requisitions, in such way and manner as the legislatures of the several states shall judge best; and in case any state shall neglect or refuse to pay its proportion, pursuant to such requisition, then Congress may assess and levy such state's proportion, together with interest, at the rate of six per cent. per annum, from the time prescribed in such requisition.

IX. That Congress shall lay no direct taxes without the consent of the legislatures of three fourths of the states in the Union.

X. That the Journal of the proceedings of the Senate and House of Representatives shall be published as soon as conveniently may be, at least once in every year; except such parts thereof relating to treaties, alliances, or military operations, as in their judgment require secrecy.

XI. That regular statements of the receipts and expenditures of all public moneys shall be published at least once a year.

XII. As standing armies, in time of peace, are dangerous to liberty, and ought not to be kept up, except in cases of necessity, and as, at all times, the military should be under strict subordination to the civil power, that, therefore, no standing army or regular troops shall be raised or kept up in time of peace.

XIII. That no moneys be borrowed, on the credit of the United States, without the assent of two thirds of the senators and representatives present in each house.

XIV. That the Congress shall not declare war without the concurrence of two thirds of the senators and representatives present in each house.

XV. That the words "without the consent of Congress," in the seventh clause in the ninth section of the first article of the Constitution, be expunged.

XVI. That no judge of the Supreme Court of the United States shall hold any other office under the United States, or any of them; nor shall any officer appointed by Congress, or by the President and Senate of the United States, be permitted to hold any office under the appointment of any of the states.

XVII. As a traffic tending to establish or continue the slavery of any part of the human species is disgraceful to the cause of liberty and humanity, that Congress shall, as soon as may be, promote and establish such laws and regulations as may effectually prevent the importation of slaves of every description into the United States.

XVIII. That the state legislatures have power to recall, when they think it expedient, their federal senators, and to send others in their stead.

XIX. That Congress have power to establish a uniform rule of inhabitancy or settlement of the poor of the different states throughout the United States.

XX. That Congress erect no company with exclusive advantages of commerce.

XXI. That when two members shall move and call for the ayes and nays on any question, they shall be entered on the Journals of the houses respectively.

Done in Convention, at Newport, in the county of Newport, in the state of Rhode Island and Providence Plantations, the twenty-ninth day of May, in the year of our Lord one thousand seven hundred and ninety, and the 14th year of the independence of the United States of America.

By order of the Convention.

DANIEL OWEN, President.

Attest. Daniel Updike, Secretary.