Bill of Rights

Congress of the United States,

begun and held at the City of New York, on Wednesday, the fourth of March, one thousand seven hundred and eighty nine.

THE Conventions of a number of the States having, at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added: And as extending the ground of public confidence in the Government, will best insure the beneficent ends of its institution:

RESOLVED, by the SENATE and HOUSE of REPRESENTATIVES of the UNITED STATES of AMERICA in Congress assembled, two thirds of both Houses concurring. 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 more than one Representative for every fifty thousand persons. [Not Ratified]

Article the second .... No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened. [Not Ratified]

Article the third ..... Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or 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.

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

Article the fifth ..... No Soldier shall, in time of peace, be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

Article the sixth ..... The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Article the seventh ... No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or Naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in peopardy of life or limb; nor shall be compelled in any criminal case, to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

Article the eighth ..... In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defence.

Article the ninth ..... In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact, tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

Article the tenth ..... Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Article the eleventh .. The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Article the twelfth .... The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Frederick Augustus Muhlenberg Speaker of the House of Representatives.

John Adams, Vice-President of the United States, and President of the Senate.

ATTEST,

John Beckley, Clerk of the House of Representatives.

Sam. A. Otis Secretary of the Senate.

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The Origin and Myths of the Second Amendment

by Stephen D'Arrigo, Jr.

The basis for the Second Amendment to the United States Constitution is nearly 800 years old. That is right—800 years old. To understand this, let us review some history.

THE ORIGIN

Our militia system, and in fact all militia systems, has its roots in King Henry II's Assize of Arms in the year 1181 A.D. It was carried over into our colonial days and throughout history to the present day.

The Assize required that every freeman *provide himself* with arms and be available to the service of the King when called. It reaffirmed the right of having and using arms for self-preservation and defense that existed before the Assize and in the days of the Saxons. The following quote from the Assize sets forth the concept in its correct perspective:

"Moreover, let each and every (freeman) . . . swear that . . . he will *possess these arms* and will bear allegiance to the Lord King Henry . . . and that he will *bear* these arms in his service according to his order and in allegiance to the Lord King and his Realm. And let none of those who hold these arms sell them, or pledge them or offer them, or in any other way alienate them: neither let a Lord in any way deprive his men of them either by forfeiture or gift, or as surety or in any other manner." (Italics by author.)[1]

There we have it—a right to keep and bear arms recognized in the year 1181. From the Assize, there can be no doubt that this was a right distinct from privilege when King Henry specified in the Assize "Neither let a Lord *in any way* deprive his men of them . . ." (Italics by author.) Certainly, if the right to arms was considered to be a privilege, it would follow that a privilege can be withdrawn by any constituted authority.

The Assize was bold, unprecedented and unheard of. It was even foolhardy. In those days, as today in any society ruled by dictatorship, the king or ruler who allowed arms to every freeman was risking his crown or rule.

THE RE-AFFIRMATION

Not long after the death of Henry II, his successor arbitrarily and unilaterally revoked this right and freemen were no longer permitted arms, reserving them only to the nobility. King John had harrassed, persecuted and committed all sorts of cruelties upon all subjects of the realm, including the nobility. The Barons revolted.

It was the armored might of the nobility, reinforced by men of Wales and Scotland, armored Bishops and Archbishops, who demanded, under force of arms, for all of Britain, the Great Rights and Freedoms signed by King John in the year 1215 A.D. For reasons best known to the royal families, there has never been a second King John.

The Magna Carta was indeed a great document, although its future greatness and contribution was not yet recognized by the Barons. It spoke to the King, though in all appearance it was

from the King. It said to the King: These you must do and these you shall not do or allow others to do. The Barons in turn assured the King that as he shall do to those accountable to him, the Barons will do likewise to those below them, and they in turn to their subordinates. It spoke for all.

In 1285, Edward I issued the Statute of Winchester, a reaffirmation of the Militia of Henry II. In 1297 Edward I reissued the Magna Carta in its main essentials and from that time on, every King of England knew that there were limits to his power, knew that the people had inalienable rights and knew that the law was greater than the crown. Subsequent kings tried to violate the Magna Carta; some succeeded and some died for their transgressions.

The Magna Carta did not apply solely to King John but also bound the nobility in their relationship to those beneath them, and they likewise to those under them. This is found in Clause 60 and shows its concern for the common people. Clause 60 as translated from Latin is as follows: "Also all these customs and liberties aforesaid, which We have granted to be held in Our Kingdom, for so much of it as belongs to Us, all Our subjects, as well clergy as laity, shall observe towards their tenants as far as concerns them."

The Magna Carta was not a bill of rights only for the nobility but a grant and a confirmation of rights for everyone by virtue of Clause 60. It was the basis for the English common law and reiterated the absolute rights of the individual which included arms for their defense. The basis for that goes beyond the Magna Carta and common law to the natural law of self-preservation and the right to resistance whenever societal laws and sanctions are found deficient in their ability to restrain the violence of oppression. This is found in Blackstone's definitive work on common law, *Commentaries* (1765).[2]

Twenty-one of the sixty-three clauses are concerned with the preservation of property rights. The Magna Carta did not pretend to originate any one of those rights but instead it

recognized and confirmed their existence and preserved them from infringement by a central government. While the rights were elemental, they were the rights to food, clothing, shelter and the means of obtaining them and providing for their future protection. Clause 9 is very clear in its protection of the sanctity of the home and property. Clauses 29, 37 and 51 reaffirmed the militia system of King Henry II's Assize of Arms.

Of the ten parts of the Bill of Rights of our constitution, all but the 9th and 10th are derived directly from the Magna Carta and the 9th and 10th are derived by extension. Most of our constitution is also derived directly from the Magna Carta.

The right to arms was recognized under the Assize of Arms and had it not existed, King John could have crushed the revolt by the use of foreign mercenaries if need be.

We are, therefore, addressing ourselves to inalienable and natural rights recognized *de facto* in 1181 and *de jure* since 1215.

CODIFICATION IN 1689

It would be another 474 years before the rights recognized in 1215 would be codified in 1689 into the English Bill of Rights after the Revolt of 1688 when the English sent James II packing into exile.

In the interim, successive kings abrogated, or restated for the purpose of circumvention, the rights laid down in the Magna Carta. Clause 39, which prohibited the dispossession of a man of his freehold, was circumvented, as were most of the twentyone Clauses that were concerned with the preservation of property rights. This, amongst other reasons, led to the Revolt of 1688 and the codification of the rights into the English Bill of Rights.

Included in the English Bill of Rights was the right of the people to have arms for self-protection and defense, which was applicable to every freeman—not the militia, which was *dependent* upon the freeman for the existence of the militia and not vice versa.

THE AMERICAN BILL OF RIGHTS

Two hundred years were to pass subsequent to the English Bill of Rights before the rights contained in the Assize of Arms and the Magna Carta would be included within another bill of rights—the first ten amendments to the U.S. Constitution.

During the controversy on the issues contained in the amendments, it is clear that the debates did not question the rights as inalienable or whether they existed at all, but whether rights already recognized from the Magna Carta, and later codified in 1689 and carried over from English common law, as argued by the Federalists, should be included in the Constitution as the Anti-Federalists insisted. The great Alexander Hamilton, arguing for the cause of the Federalists, makes this abundantly clear in his Letter No. 84: "It is evident, therefore, that according to their primitive signification, they have no application to constitutions, professedly founded upon the power of the people: and executed by their immediate representatives and servants. Here, in strictness, the people surrender nothing: and as they retain everything, they have no need of particular reservations."[3] He then cites the Preamble, followed with a statement that this is a better recognition of popular rights than any bill of rights could possibly express. This is a re-affirmation that the rights are deeply rooted in history and are inalienable.

Further reading of the Federalist Papers, and in particular Hamilton No. 25, Hamilton No. 26 and Madison No. 41, is very instructive as to the debate over the question of a Bill of Rights between Federalists (Hamilton, Jay and Madison) and Anti-Federalists (Jefferson, Mason and Lamb).

THE SECOND AMENDMENT

"A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed."[4]

To understand its meaning, we must first clear up some definitions. What is meant by the term "militia?" A reading of the Constitution itself reveals that Article I, Section 8, already provided for both the army and the militia and the arming thereof. Are we to then assume that the Second Amendment is superfluous, redundant and repetitious? To the contrary, the simplicity of the Constitution indicates that each article had its specific purpose for inclusion. Each article of the Bill of Rights likewise had its specific purpose for inclusion and to arbitrarily regulate the Second Amendment to obscurity is to set it aside as having no purpose. To hold this position is absurdity in its best form. An examination of the purpose of the Second Amendment must necessarily address itself to the myths surrounding the Amendment.

THE MYTHS

To hold that "militia" refers only to the National Guard is to ignore Article I, Section 8, while dismissing the concept of the unorganized militia of the Saxons before the Assize of 1181 A.D. to the present day.

Definitely, "people" and "militia" are not synonymous, nor are they used interchangeably. "People" can exist without a "militia" but nowhere is it recorded that a militia ever existed without people. To the contrary, the militia exists by virtue of the body of the people and is legally defined at common law as all male freemen between the ages of 16 and 65. The Militia Act of 8 May 1792 established two militia—the organized and the enrolled or unorganized militia. It required that each free, white, able-bodied male between the ages of 18 and 45 enroll in the citizens' militia and *equip himself*, including arms, within six months (italics by author). This is the unorganized militia—independent of the organized militia.

The National Guard is the lineal descendant of the organized militia composed of the voluntary companies and all other organized volunteer forces originating from the Assize of Arms. Article II, Section 2, of the Constitution gives the President authority to call out the militia for federal service. Only the unorganized militia—the whole body of the people—was not subject to federal call. To claim that the Second Amendment applies only to the National Guard is to deny the purpose of the Amendment. As Elbridge Gerry pointed out, the people's right to keep and bear arms must not be dependent upon an organized militia since Congress could terminate any formal body of armed troops. This again reflected the fear of standing armies.

In 1903, Congress brought the Guard under the jurisdiction of the Nation Guard Bureau of the United States Army to which Article I, Section 8, is applicable. There can be no doubt that Article I, Section 8, applies to the *organized* militia while the Second Amendment applies to the *unorganized* militia or the "body of the people" (italics by author).

To "keep" and to "bear" are not synonymous, and neither are they used interchangeably. Certainly one can bear arms without keeping arms. Weapons issued to the regular armed forces, the reserves or National Guard are owned and controlled by the federal government. Those of the unorganized "body of the people" are owned by the individuals. The unorganized militia were required to supply their own arms and equipment. This, of course, requires ownership by the individual vis a vis issuance as provided under Article I, Section 8. This is an important distinction, particularly in the light of the debates between Federalists and Anti-Federalists. The AntiFederalists, always mindful of the parliamentary or executive armies of England, believed that the best defense against such armies was arms in the hands of citizens—the people. This is abundantly clear.

HISTORICAL DEVELOPMENT

We have seen where there was never any question as to whether the Bill of Rights were inalienable. The question was whether that which was recognized in the preamble as inalienable should be included separately within the Constitution.

Thomas Jefferson and George Mason were the architects of the Bill of Rights. Mason made his position quite clear in his draft of the Fairfax County militia plan for embodying the people, 6 February 1775. He wrote, "We do each of us, for ourselves respectively, promise to engage a good fire-lock in proper order, and to furnish ourselves as soon as possible with, and always keep by us, one pound of gunpowder, four pounds of lead, one dozen gun-flints, and a pair of bullet-moulds, with a cartouch box, or powder horn and bag for balls."[5] A careful reading of the draft reveals that it was an individual right and not a collective or militia right.

Jefferson embodied the principle of the Second Amendment in a draft of the Virginia Constitution of 1776 when he stated: "No freeman shall ever be debarred the use of arms." In two subsequent drafts, he wrote that "No freeman shall ever be debarred the use of arms within his own lands or tenements."[6]

That Jefferson believed that all ten amendments were in fact rights is found in his letter to Federalist James Madison dated 15 March, 1789, in which he concludes, "I am much pleased with the prospect that a Declaration of Rights will be added; and I hope it will be done in that way, which will not endanger the whole frame of government, or any essential part of it."[7] This is quite clear. Jefferson was willing to place this Declaration of Rights above all else, even at the risk of the "whole frame of government." He did not consider them privileges.

On 9 June, 1788, Mason sent to John Lamb a draft of the "Proposed Amendments Agreed Upon by the Anti-Federal Committee of Richmond." Mason described it as a "Declaration or Bill of Rights, asserting and securing from encroachment the essential and inalienable rights of the people in some such manner as the following . . ." Included therein was a draft of the Second Amendment. It stated, "That the people have a right to keep and bear arms; that a well-regulated militia, *composed of the body of the people,* trained to arms, is the proper, natural and safe defense of a free state."[8] (Italicized by author.) This is unmistakenly clear.

As finally introduced before the Special Committee on Amendments, the proposed amendment read as follows, "A well-regulated militia, composed of the body of the people, being the best security of a free state, the right of the people to keep and bear arms shall not be infringed: but no person religiously scrupulous shall be compelled to bear arms."[9]

This reflected the fear of a legislative army like the Parliamentary Army under Cromwell or of an executive army like the Royal Army under Charles I. It was Elbridge Gerry who provided a clear insight into the intent and meaning of the Second Amendment when he objected to that portion referring to the "religiously scrupulous." He claimed that those in power might use that portion of the amendment to destroy the Constitution. Said Gerry, "They can declare who are those religiously scrupulous, and prevent them from bearing arms."[10] It was felt by the Anti-Federalists that people who kept arms were also able to bear arms in defense of the state against encroachment by a central government and that they were the best security against parliamentary or executive armies.

Over two hundred amendments were submitted to the Special Committee and only twenty-two were considered. That the Second Amendment was included for consideration is testimony of its importance. It is not likely that they would retain for consideration an amendment that would be repetitious and redundant. In 1789, Federalist James Madison, with whom Anti-Federalist Mason corresponded, introduced to the First Congress a fourteen article Bill of Rights. The First Congress reduced them to twelve, of which ten were adopted and ratified by the states, the Second Amendment being among the ten ratified. As finally presented by Madison, it read as follows: "The right of the people to keep and bear arms shall not be infringed: a well regulated militia being the best security of a free country."[11] Again, the meaning and intent is absolutely clear. From this, the Amendment emerged in its present form.

OUR MILITARY HISTORY

The history of the United States Army and the military structure during the Colonial and Revolutionary days gives us further insight into the meaning of "militia."

There has always been a historical distinction between the standing army, the organized militia and the unorganized militia. As noted earlier in this article, the organized militia has its origin from the Assize of Arms. Similarly, the ancestory of the unorganized militia is also traced to the Assize and beyond to the Saxons. It must be recalled that there was no such thing a a standing army of citizen soldiers. Reliance was placed upon mercenaries to fight foreign wars.

It was the question of a standing army or reliance upon the militia for defense that brought about the debates between the Federalists and the Anti-Federalists.

On 14 June, 1775, the United States Army was born. On this

date, the Continental Army (regulars) was authorized under the sponsorship of, and was responsible to, the Continental Congress. The units were given Continental designations, e.g., "First Continental Regiment." They were to be recruited from volunteers from the organized militia units and dependent upon the militia units for support and re-enforcement much in the same manner as the National Guard is called upon today into federal service. It should also be noted that even before the Declaration of Independence, the Continental Congress made the distinction between these troops and other militia by designating them not by their provincial military force but by a continental nomenclature.

Reliance was then placed upon the unorganized militia when the organized militia units were called into service. This system was employed in the United States during the Civil War and as recently as World War II.

We therefore find, at this point in our history, there were three distinct military groups; the Continental Army or Continental Line as they were known (regulars), those of the states, and the local militia who were largely unorganized. Then there was the militia composed of the "Body of the People." It is, therefore, probable that the average American Revolutionary soldier saw service in all three during his career due to the short periods of enlistment.

THE STANDING ARMY vs MILITIA

The fear of a standing army, with the possibility of an executive army or a legislative army was uppermost in their minds and the lessons of Cromwell, Charles I and George III were not lost.

The issue evolved over a strong federal government as advocated by the Federalists and a less powerful federal government advocated by the Anti-Federalists. The question of defense and how to best provide it was a great issue and the Second Amendment was a solution.

A compromise resulted in the division of responsibility by making the army responsible to and dependent upon both Congress and the President. Congress retained control over the purse string and confirming its officers. The President would be the Commander-in-Chief and appoint the officers.

But this was not sufficient to overcome the fears that power could be seized by either Congress or the President. They further divided military power between the states (militia—both organized and unorganized) and the federal government (the standing army). The states retained the right to appoint its officers. Then to further insure the freedom of the people, they provided the Second Amendment as a further guarantee of the sovereignty of the States and the status of the militia, organized and unorganized, and of the right of the people to keep and bear arms. The Anti-Federalists were attempting to preserve the citizen militia concept and opposed dependency upon a regular army as the primary source of defense.

It was Jefferson who insisted that "None but an armed nation can dispense with a standing army . . . to keep ours armed and disciplined is, therefore, at all times important . . ."[12] Neither the Anti-Federalists nor the Federalists wanted a large standing army. However, the Federalists preferred it rather than a weak federal government. The Federalists saw it as a means of insuring adequate defense. The Anti-Federalists saw the militia as the best means of insuring both liberty and an adequate defense. In the end, they provided for both through Article I and the Second Amendment. However, there can be no doubt that both sides were determined that the citizens' right to possess arms would be inviolate.

THE FINAL MYTH

That the U.S. Supreme Court has ruled many times that the Second Amendment refers solely to the National Guard is utterly without foundation. Only four cases involving the Amendment have ever been decided by the Supreme Court since the Ten Amendments were adopted. The Court has never ruled that the Second Amendment applies only to the National Guard or militia.

To rule that it applies only to the militia would be in conflict with Article I, Section 8, which already provided for the arming and equipping of both the army and the militia. It would admit that the Amendment is a duplication of Article I, Section 8 which is absurd. It would be very difficult to conclude that it is a duplication when we consider that Article I, Section 8, predates the Second Amendment by two years and that the Amendment was the second of the Ten Amendments that survived out of the more than two hundred originally proposed.

In none of the Ten Amendments is it stated that the rights are given to the people: only that they shall not be infringed. They are prohibitionary clauses spelling out in clear language what the Federal Government or Congress *cannot do*. On the other hand, the Constitution spells out limits to what the Federal Government, the Legislative, Executive and Judicial branches *may do*. These are powers derived *from* the people. The powers not enumerated therein are reserved to the states and the people.

Certainly, if the right did not exist, it would be quite impossible for Congress to infringe upon that which did not exist, and therefore would not require prohibition. It cannot be said that there was no purpose to the Second Amendment. To hold otherwise could only follow the course of twisted and bizarre logic. I am not ready to concede that the framers of the Constitution were of that mentality.

The first case to come before the Court was in 1876, U.S. vs Cruickshank.[13] This decision held that the Second Amendment guarantees each state the right to maintain its own militia system and that Congress may not infringe upon the right of the citizen to keep and bear arms. The Court did not rule against the individual right to keep and bear arms.

The second case before the Supreme Court was Presser vs Illinois, 1886. The case involved a parade consisting of a paramilitary group of 400 armed men. Illinois charged Presser with unlawfully assembling a military company and parading, under arms, without a license. The Supreme Court held that states could regulate such parades without violation of the Second Amendment. The Court did not rule against the individual right to keep and bear arms.[14]

The third case, Miller vs Texas, 1894, reaffirmed that only the federal government was prohibited from encroachment upon the Second Amendment and did not rule against the individual right to keep and bear arms.[15]

The three cases previously noted dealt only with its applicability to the states and not to its meaning. But later decisions based upon the Fourteenth Amendment declared that any of the provisions of the Bill of Rights—including the first—were individual rights, limiting both Congress and the states.[16]

The fourth and last case before the Supreme Court, and the one most often cited, was a test of the 1934 National Firearms Act (the so-called "Machine Gun Act"). It is U.S. vs Miller, 1939.[17] In Miller, the Supreme Court again made no ruling against the individual right or the collective right to keep and bear arms. It merely decided whether or not a sawed off shotgun could be viewed as a militia type weapon. The Court ruled against Miller and said that sawed off shotguns are not militia weapons and, therefore, not protected from regulation under the Second Amendment.

There are two major flaws in the Miller case. First, the defendants did not appear; nor were they represented by counsel before the Supreme Court.[18] Second, the Court was apparently unaware, and the defendants presented no arguments or briefs or evidence in the lower courts or the Supreme Court, that such weapons were indeed procured by the U.S. Government and used by U.S. troops in the trenches in World War I.

In Cases vs U.S., 1942, the U.S. Circuit Court of Appeals said: "The rule of the Miller case, if intended to be comprehensive and complete would seem already outdated . . . because of the well known fact in the so-called 'commando units' some sort of military use seems to have been found for almost any modern lethal weapon." The Supreme Court chose not to review.[19]

With all these Supreme Court "myths" the anti-gun crowd have been circulating, it appears that with very little effort and scrutiny, our free press could have demolished all such myths had they chose. While we may excuse the leaders of the antigun movement as idealists and oblivious of rights rooted in history, there is no such defense for the free press whose code demands truth if it is to remain free.

With the attacks against the Second Amendment by the news media, it is indeed ironic that in their abuse of the First Amendment, they have brought down upon themselves two U.S. Supreme Court decisions limiting "free speech and press." I take no satisfaction in those decisions because, first, I would prefer a responsible free press and second, there but for the grace of God would be our Second Amendment. We here, and the entire gun collecting fraternity, should take a lesson from the errors of the news media, lest we wind up with Supreme Court decisions against the Second Amendment.

The right of a free press, speech, religion, etc. is not an absolute right in the sense that they have the right of suppression of views contrary to theirs. Nor does the Second Amendment give us an unbridled right to spray the landscape. The key ingredient in both amendments is *responsibility*. My rights end where the other fellow's begins.

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[1]*The Assize of Arms*, David C. Douglas and Charles W. Greenaway
[2]*The Right to Keep and Bear Arms . . . An Analysis of the Second Amendment*, National Rifle Association
[3]*The Federalists*, Hamilton, Jay, Madison
[4]The Bill of Rights of the Constitution of the United States
[5]Open reply to Fr. Weber, John M. Snyder, *American Rifleman*, August 1974
[6]Ibid.
[7]*A Jefferson Profile*, Saul K. Padover, Pg. 70-71
[8]Open reply to Fr. Weber, John M. Snyder, *American Rifleman*, August 1974
[9]*The Biography of the Constitution of the United States*, Brodus Mitchell and Louise Pearson Mitchell, Pg. 204
[10]Ibid.
[11]Ibid.
[12]*History of the U.S. Army*, Weigley, Pg. 104
[13]*U.S. vs Cruickshank*, U.S. Supreme Court, 1876, 92 US 542
[14]*The Right to Keep and Bear Arms . . . An Analysis of the Second Amendment* National Rifle Association
[15]Ibid.
[16]Ibid.
[17]*U.S. vs Miller*, U.S. Supreme Court, 1939, 307 US 174
[18]*The Right to Keep and Bear Arms . . . An Analysis of the Second Amendment* National Rifle Association
[19]Ibid.