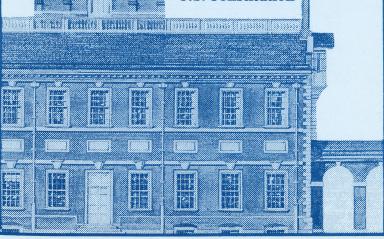


Bicentennial
Joint Session
September 18, 1987
1:00 P.M.

The Old State House Philadelphia, Pennsylvania

200th Anniversary
First Reading of the
U.S. Constitution



# **PREAMBLE**

### **CONSTITUTION OF THE UNITED STATES**

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.



# Agenda

PROCESSION Indiana University of Pennsylvania
Marching Band
Dr. Charles Casavant, Director

CALL TO ORDER Honorable K. Leroy Irvis

Speaker
House of Representatives

RESOLUTION Honorable James J. Manderino

Benjamin Franklin's Speech
Regarding Prayer in Session
Majority Leader
House of Representatives

Honorable Robert W. O'Donnell Majority Whip

House of Representatives

**PRAYER** Rabbi Ira Samuel Grussgott Guest Senate Chaplain

FOR HONORABLE
ROBERT P. CASEY

Representative Frank L. Oliver,
Chairman
Representative Marvin E. Miller, Jr.

ROBERT P. CASEY
Governor
Commonwealth of Pennsylvania
Governor
Commonwealth of Pennsylvania
Governor
Senator Noah W. Wenger
Senator H. Craig Lewis

FOR HONORABLE
ROBERT N. C. NIX, JR.
Chief Justice

Senator Frank A. Salvatore,
Chairman
Senator Eugene F. Scanlon
Representative Gerard A. Ko

Chief Justice Representative Gerard A. Kosinski Representative June N. Honaman

FOR HONORABLE
WARREN E. BURGER

Representative H. William DeWeese,
Chairman
Representative Nicholas B. Moehlmann

Chairman, Federal Commission on the Bicentennial of the U.S. Constitution Chief Justice, U.S. Supreme Court,

Retired

RESOLUTION Honorable Matthew J. Ryan
Abraham Lincoln's Speech at
Independence Hall House of Representatives

Honorable Samuel E. Hayes, Jr. Minority Whip House of Representatives

PLEDGE OF ALLEGIANCE Honorable Matthew J. Ryan

PREAMBLE OF THE U.S. CONSTITUTION Honorable K. Leroy Irvis

NATIONAL ANTHEM Indiana University of Pennsylvania Marching Band

INTRODUCTION OF KEYNOTE SPEAKER Honorable Joseph R. Pitts Chairman, Legislative Bicentennial Subcommittee

BICENTENNIAL ADDRESS Honorable Warren E. Burger

PRESENTATION Pennsylvania General Assembly

**REMARKS** Honorable Robert C. Jubelirer President Pro Tempore Senate

Franklin Speeches in the stitutional Convention and Senate

RESOLUTION Honorable John Stauffer Majority Leader Senate

Constitutional Convention and in the Pennsylvania Assembly

Honorable F. Joseph Loeper Majority Whip

Senate

INTRODUCTION OF Honorable Mark S. Singel Lieutenant Governor

President of the Senate

**COMMEMORATIVE GREETINGS** Governor Robert P. Casey

**RESOLUTION** Honorable Edward P. Zemprelli George Washington's Letter to Minority Leader

the Pennsylvania Assembly

Senate

Honorable J. William Lincoln Minority Whip Senate

"AMERICA THE BEAUTIFUL" Indiana University of Pennsylvania Marching Band

ADJOURNMENT

**CLOSING REMARKS** Speaker K. Leroy Irvis

**BENEDICTION** Reverend David Hoover House Chaplain

CEREMONIAL RINGING Independence Hall
OF THE BELL

# **Historical Notes**

### BENJAMIN FRANKLIN'S SPEECH REGARDING PRAYER IN SESSION JUNE 28, 1787

The tradition of beginning each day's session with prayer has been practiced in the halls of the United States Congress as well as in our State Legislatures for 200 years. Benjamin Franklin's statement, on the need for prayer during the 1787 Constitutional Convention, originated with a practice common to the Continental Congress. In mid-summer of 1787, Convention debate had virtually ground to a standstill. In that crisis, Benjamin Franklin, 81, as a respected elder statesman and author of many compromises, took the floor and made the following speech.

"Mr. President

The small Progress we have made after 4 or five Weeks close Attendance and continual Reasonings with each other - our different Sentiments on almost every Question, several of the last producing as many Noes as Ayes, is methinks a melancholy Proof of the Imperfection of the Human understanding.

We indeed seem to feel our own Want of political Wisdom, since we have been running about in search of it. We have gone back to ancient History for Models of Government, and examined the different Forms of those Republic's which having been form'd with the Seeds of their own Dissolution, now no longer exist. And we have view'd modern States all around Europe, but find none of their Constitutions suitable at our Circumstances.

In this Situation of this Assembly, groping, as it were, in the dark, to find Political Truth, and scarce able to distinguish it when presented to us, how has it happened, Sir, that we have not hitherto once thought of humbly applying to the Father of Lights to illuminate our Understandings?

In the Beginning of the Contest with Britain, when we were sensible of Danger, we had daily Prayer in this Room for the 'Divine Protection' – Our Prayers, Sir, were heard and they were graciously answered. All of us who were engaged in the Struggle, must have observed frequent Instances of a Superintending Providence in our Favour. To that Kind Providence we owe this happy Opportunity of Consulting in Peace on the Means of establishing our future national Felicity.

And have we now forgotten that powerful Friend? - or do we imagine that we no longer need its (His) Assistance?

I have lived, Sir, a long time; and the longer I live, the more convincing Proofs I see of this Truth, — that God governs in the Affairs of Men! And if a Sparrow cannot fall to the Ground without his Notice, is it probable that an Empire can rise without his Aid? — We have been assured, Sir, in the Sacred Writings, that 'except the Lord build the house, they labour in vain that build it.'I firmly believe this; —and I also believe that without his concurring Aid we shall succeed in this political Building no better than the Builders of Babel: We shall be divided by our little partial local Interests, our Projects will be confounded and we ourselves shall become a Reproach and Byword down to future Ages. And what is worse, Mankind may hereafter, from this unfortunate Instance, despair of establishing Government by human Wisdom, and leave it to Chance, War and Conquest.

I therefore beg leave to move, That henceforth Prayers, imploring the Assistance of Heaven, and its Blessings on our Deliberations, be held in this Assembly every Morning before we proceed to Business; and that one or more of the Clergy of this City be requested to officiate in that Service."

Benjamin Franklin

### ABRAHAM LINCOLN'S FLAG SPEECH AT INDEPENDENCE HALL FEBRUARY 22, 1861

On February 22, 1861, Abraham Lincoln gave a speech at Independence Hall in Philadelphia in commemoration of the enduring contribution of the framers of the United States Constitution in creating a government structure, seventy-four years before, which had served this Nation well, and the raising of a new flag with an additional star upon it.

"Fellow-Citizens: - I have been invited and called before you to participate in the raising above Independence Hall, the flag of our country, with the additional star upon it. I propose to say in advance of the performance of this pleasant and complimentary duty, a few words. When our flag was first raised upon that hall there were but thirteen stars upon it, and I wish to call your attention to the additional stars, and also the addition to the prosperity of the country. The future is in your hands. It is here, at a time like this, and on such an occasion, that we show reason together and reaffirm our devotion to our country, and the principles of the Declaration of Independence and the Constitution under which we have lived like a happy family for more than 3/4 of a century, and my friends let us make up our minds that, whenever we do put a new star upon our banner, that it shall be a fixed one, never to be diminished by the horrors of war, but brightened by contentment, prosperity, and peace. Let us go on and extend the area of usefulness until we shall add star upon star, and make our country great. Their light shall shine over five hundred millions of free and happy people. With these few remarks, my fellowcitizens, allow me to say that I thank your constituted authorities for the compliment they bestowed me, and I am now ready to discharge the duty assigned me."

**Abraham Lincoln** 

# FRANKLIN'S SPEECHES IN THE CONSTITUTIONAL CONVENTION SEPTEMBER 17, 1787

On Monday, September 17, 1787, Benjamin Franklin summed up his support of the newly adopted Constitution to his fellow delegates:

"Mr. President

I confess that there are several parts of this constitution which I do not at present approve, but I am not sure I shall never approve them:For having lived long, I have experienced many instances of being obliged by better information or fuller consideration, to change opinions even on important subjects, which I once thought right, but found to be otherwise. It is therefore that the older I grow, the more apt I am to doubt my own judgment, and to pay more respect to the judgment of others.

I doubt too whether any other Convention we can obtain may be able to make a better Constitution. For when you assemble a number of men to have the advantage of their joint wisdom, you inevitably assemble with those men, all their prejudices, their passions, their errors of opinion, their local interests, and their selfish views. From such an assembly can a perfect production be expected? It therefore astonishes me, Sir, to find this system approaching so near to perfection as it does; and I think it will astonish our enemies, who are waiting with confidence to hear that our councils are confounded like those of the Builders of Babel; and that our States are on the point of separation, only to meet hereafter for the purpose of cutting one another's throats. Thus I consent, Sir, to this Constitution because I expect no better, and because I am not sure, that it is not the best.

Much of the strength and efficiency of any Government in procuring and securing happiness to the people, depends, on opinion, on the general opinion of the goodness of the Government, as well as of the wisdom and integrity of its Governors. I hope therefore that for our own sakes as a part of the people, and for the sake of posterity, we shall act heartily and unanimously in recommending this Constitution (if approved by Congress and confirmed by the Conventions) wherever our influence may extend, and turn our future thoughts and endeavors to the means of having it well administered.

On the whole, Sir, I cannot help expressing a wish that every member of the Convention who may still have objections to it, would with me, on this occasion doubt a little of his own infallibility, and to make manifest our unanimity, put his name to this instrument."

Benjamin Franklin then moved that the Constitution be signed by the members. While the last members were signing the Constitution, Franklin looking towards the President's Chair, made the following observation.

"I have often and often in the course of the Session, and the vicissitudes of my hopes and fears as to its issue, looked at that behind the President without being able to tell whether it was rising or setting: But now at length I have the happiness to know that it is a rising and not a setting Sun."

## FRANKLIN'S SPEECHES IN THE PENNSYLVANIA ASSEMBLY SEPTEMBER 18, 1787

On Tuesday, September 18, 1787, Benjamin Franklin, as head of the Pennsylvania Convention delegation (as well as being President of the Supreme Executive Council of the Pennsylvania General Assembly) led the other Pennsylvania delegates into the quarters of the State House used, until the day before, by the Constitutional Convention and said:

"Sir: We have now the honor to present to this House the plan of government for the United States, which has been determined upon by the Federal Convention. We sincerely hope and believe that the result of the labors of that honorable body will tend to promote the happiness and prosperity of this Commonwealth in particular, and of the United States in general."

After the Convention Report and the newly adopted Constitution were read to the Pennsylvania Assembly, Benjamin Franklin rose again and addressed the Speaker:

"Sir: Your delegates in Convention conceive it their duty, to submit in a more particular manner to the consideration of this House, that part of the Constitution just now read, which confers on the Congress exclusive legislation over such district as may become the seat of government of the United States. Perhaps it would be advisable to pass a law, granting the jurisdiction over any place in Pennsylvania, not exceeding ten miles square, which, with the consent of the inhabitants, the Congress might choose for their residence. We think, sir, that such a measure might possibly tend to fix their choice within the bounds of this Commonwealth, and thereby essentially benefit the citizens of Pennsylvania."

By this recommendation, Benjamin Franklin expressed his belief that the Constitution would be ratified and that Pennsylvania should be the state ceding its land for the new capital of the United States.

# GEORGE WASHINGTON'S LETTER TO THE PENNSYLVANIA ASSEMBLY SEPTEMBER 18, 1787

As elected President of the Constitutional Convention of 1787, George Washington submitted this letter to all the State Legislatures in furtherance of the new Constitution's ratification. It was read to the Pennsylvania Assembly on September 18, 1787.

"Sir: We have now the honor to submit to the consideration of the United States in Congress assembled, that Constitution which has appeared to us the most adviseable.

The friends of our country have long seen and desired that the power of making war, peace and treaties, that of levying money and regulating commerce, and the correspondent executive and judicial authorities, should be fully and effectually vested in the general government of the Union; but the impropriety of delegating such extensive trust to one body of men is evident. Hence results the necessity of a different organization.

It is obviously impracticable in the federal government of these States, to secure all rights of independent sovereignty to each and yet provide for the interest and safety of all. Individuals entering into society must give up a share of liberty to preserve the rest. The magnitude of the sacrifice must depend as well on situation and circumstances, as on the object to be obtained. It is at all times difficult to draw with precision the line between those rights which must be surrendered and those which may be reserved; and on the present occasion this difficulty was increased by a difference among the several States as to their situation, extent, habits and particular interests. In all our deliberations on this subject we kept steadily in our view that which appears to us the greatest interest of every true American, the consolidation of our Union, in which is involved our prosperity, felicity, safety, perhaps our national existence. This important consideration, seriously and deeply impressed on our minds, led each State in the convention to be less rigid on points of inferior magnitude than might have otherwise been expected, and thus the Constitution which we now present is the result of a spirit of amity, and of that mutual deference and concession which the peculiarity of our political situation rendered indispensable.

That it will meet the full and entire approbation of every State is not, perhaps, to be expected; but each doubtless consider that, had her interests been alone consulted, the consequences might have been particularly disagreeable or injurious to others; that it is liable to as few exceptions as could reasonably have been expected, we hope and believe; that it may promote the lasting welfare of that country so dear to us all, and secure her freedom and happiness, is our most ardent wish. With great respect, we have the honor to be, Sir.

Your Excellency's most obedient humble servants."

George Washington, President, By the unanimous Order of Convention.

### WARREN E. BURGER

Warren E. Burger was Chief Justice of the United States from June 1969 until September 1986. By statute, the Chief Justice serves as Chairman of the Judicial Conference of the United States and Chairman of the Federal Judicial Center; by tradition, the Chief Justice serves as Chancellor of the Smithsonian Institution, and Trustee and Chairman of the National Gallery of Art. In August 1986, he was elected Chancellor of the College of William and Mary in Williamsburg, Virginia. Upon his retirement, he was elected the first Chancellor Emeritus of the Smithsonian. He is a life Trustee of the National Geographic Society, and Honorary Chairman of the National Judicial College at the University of Nevada, of the Institute of Judicial Administration, and of the Supreme Court Historical Society. He is also Honorary Bencher of the Middle Temple, London, and Kings Inn, Dublin.

Chief Justice Burger was born September 17, 1907, in St. Paul, Minnesota, and spent his early years on a farm at Stacy, Minnesota, and later in St. Paul, Minnesota. After high school, he attended night classes at the University of Minnesota and was graduated from the St. Paul (now William Mitchell) College of Law, magna cum laude, in 1931. He entered practice with the firm of Boyesen, Otis, Brill and Faricy and was appointed to the faculty of his law school in 1931. In 1933, he became a full partner in Boyesen, Otis and Faricy. His experience there for 21 years of private practice covered civil and administrative practice. In 1953, President Eisenhower appointed him Assistant Attorney General of the United States as Chief of the Civil Litigation Division in the Department of Justice. Three years later, he was appointed to the United States Court of Appeals for the District of Columbia Circuit, where he served until his appointment as Chief Justice of the United States in 1969. He has received honorary degrees as doctor of laws and doctor of humanities from Columbia University, New York; from American University, Georgetown University, Howard University, and The George Washington University, in Washington, D.C.; and from the College of William and Mary, Macalester College and others.

Chief Justice Burger now devotes full time as Chairman of the Commission on the Bicentennial of the United States Constitution.

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# STAR SPANGLED BANNER (THE NATIONAL ANTHEM)

O say can you see By the dawn's early light What so proudly we hail By the twilights last gleaming Whose bright stripes and bright stars Thro' the perilous fight Ore the ramparts we watched Were so gallantly streaming And the rockets red glare The bombs bursting in air Gave proof thro' the night That our flag was still there O say does that star spangled Banner yet wave O'er the land of the free And the home of the brave

**Francis Scott Key** 

# AMERICA THE BEAUTIFUL

O beautiful for spacious skies,
For amber waves of grain
For purple mountain majesties
Above the fruited plain!
America! America!
God shed His grace on thee,
And crown thy good with brotherhood
From sea to shining sea.

**Kathleen Lee Bates** 

The Pennsylvania General Assembly expresses sincere appreciation to those who contributed to and participated in the Special Bicentennial Joint Session and events commemorating the first reading of the U.S. Constitution to the Pennsylvania Assembly.

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