THE GOVERNMENT CLASS BOOK: A YOUTH'S MANUAL OF INSTRUCTION IN THE PRINCIPLES OF CONSTITUTIONAL GOVERNMENT AND LAW, PART I, II

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649220137

The government class book: a youth's manual of instruction in the principles of constitutional government and law, Part I, II by Andrew W. Young & Salter S. Clark

Except for use in any review, the reproduction or utilisation of this work in whole or in part in any form by any electronic, mechanical or other means, now known or hereafter invented, including xerography, photocopying and recording, or in any information storage or retrieval system, is forbidden without the permission of the publisher, Trieste Publishing Pty Ltd, PO Box 1576 Collingwood, Victoria 3066 Australia.

All rights reserved.

Edited by Trieste Publishing Pty Ltd. Cover @ 2017

This book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, re-sold, hired out, or otherwise circulated without the publisher's prior consent in any form or binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser.

www.triestepublishing.com

ANDREW W. YOUNG & SALTER S. CLARK

THE GOVERNMENT CLASS BOOK: A YOUTH'S MANUAL OF INSTRUCTION IN THE PRINCIPLES OF CONSTITUTIONAL GOVERNMENT AND LAW, PART I, II



Edit / Fandayne.

GOVERNMENT CLASS BOOK.

A Youth's Manual of Instruction in the Principles of Constitutional Government and Law.

PART I. PRINCIPLES OF GOVERNMENT;

- L GENERAL PRINCIPLES OF GOVERNMENT.
- II. GOVERNMENT IN THE STATE.
- III. THE UNITED STATES GOVERNMENT.

PART II. PRINCIPLES OF LAW;

- L. COMMON AND STATUTORY LAW (OR MUNICIPAL LAW),
- II. INTERNATIONAL LAW.

BY ANDREW W. YOUNG,

Arthor of "American Statesman," "Citizen's Manual of Government and Law," etc., etc.

NEW EDITION,

THOROUGHLY REVISED

BY SALTER S. CLARK.

Counsellor at Law.

NEW YORK:

EFFINGHAM MAYNARD & Co.,

SUCCESSORS TO

CLARK & MAYNARD, Publishers,

771 BROADWAY AND 67 & 69 NINTH ST.

1889.

JK 251 Y 63 1889 Educ. Lieb.

PREFACE.

There is probably none to deny that the study of the principles of political science is a necessary part of a liberal education. But in a country where the people govern themselves we believe it is more than this: it is a necessary part of a common-school education. In the United States there is the strongest reason for this, for here not only do high and low alike elect their own law-makers and rulers, but they also establish their own constitutions and determine even the fundamental principles upon which they shall be governed. The danger of entrusting such power to the ignorant has not failed of illustration here, and lately. But having universal suffrage—for good or evil—there is but one resource, to teach the people how to govern themselves.

Nor is a knowledge of the principles of legal science less necessary to every person. The laws of man know as little of mercy as the laws of nature, in that they never admit ignorance as an excuse for wrong. It is a proof of the essential justice of our system of jurisprudence, that so many pass safely through life, totally ignorant of the law, and relying merely upon their own sense of what should be. And yet every day gives proof that ignorance is always dangerous. The study of such a work will not make a youth a lawyer, but it will fix in his mind a system of broad principles, which cannot fail to be useful practically.

Though these facts are self-evident, this study has been heretofore strangely neglected. The aim of this book, in supplying a want believed to exist, is to present, in such form as to be used chiefly as a text-book for schools, a broad and comprehensive view of the principles of government and law in the United States (which are substantially the same throughout the country), and thus to teach the young the varied rights and duties of a citizen in relation to his government and his fellow-citizens.

The book is divided into two parts.

Part I., Principles of Government, is devoted (after a few chapters upon general principles), first, to government by the State, and second, to government by the Nation. It is here that the book is believed to have its chief advantage over others of its kind. In all that we have examined, either one or the other of these subjects has been neglected. Many youth have grown to manhood with so little appreciation of the political importance of the State, as to believe it nothing more than a geographical division; others have placed the State too high and failed to realize the power and dignity of the Nation. In reality, the National Government, on the one hand, is of far greater historic interest and permanent political importance, as really governing the future freedom or serfdom of the race. the other hand, the State, which says whether the particular individual shall vote, what rights of property he shall have, and what shall be the punishment for his crimes, enters far more into the daily affairs of the single citizen, touches him at more points, and is therefore of greater temporary in-Both subjects should be studied, and it is of especial importance at this time that their relation to each other should be clearly presented to the youth of the land, for State rights and National rights have not yet finished their conflict.

Part II., Principles of Law, contains also two divisions, the first one presenting the main principles which govern the rights and duties of man to man in his every-day life, his varied rights connected with personal security, liberty, and property; and the second giving the rules by which the relations of nations to each other are regulated.

Thus the volume presents a general view of the position of the citizen in all the relations he may sustain in this country: to his fellow-citizen, to his State, to his Nation, and to foreign nations. Throughout the book the purpose has been to omit all details, so as not to injure the effect of the principle, even where a small untruth is implied for the sake of a larger truth.

The present revision has, it is thought, made extensive improvement, by changes and additions which the great events of the last few years have rendered necessary, by pursuing a more natural and logical order, with proper subordination of topics, by confining each paragraph of the chapter to a single subject and supplying it with a title, and by the addition of schemes, where appropriate, to be used as blackboard exercises, and of review questions for the use of both pupil and teacher. It is confidently hoped that the book in this revision may find as much favor as has been kindly shown it in the past.

S S. C.

NEW YORK, June 21, 1880.

ANALYSIS OF CONTENTS.

PART I.—PRINCIPLES OF GOVERNMENT; Div. I.—General Principles; Div. II.—State Governments; Sec. I.—Introductory, Sec. II.—Legislative Department, Sec. IV.—Judicial Department. Div. III.—The National Government; Sec. II.—Legislative Department, Sec. II.—Legislative Department, Sec. II.—Legislative Department, Sec. IV.—Judicial Department, Sec. IV.—Judicial Department, Sec. IV.—Judicial Department, Sec. V.—Miscellaneous Provisions. PART II.—PRINCIPLES OF LAW;

```
Div. I.—Municipal Law;

Sec. I.—Civil Rights in General,
Sec. II.—Contracts,
Sec. III.—Real Estate,
Sec. IV.—Criminal Law.

Div. II.—International Law.
```

Div. II.—International Law;

Sec. I.—Peaceful Relations of Nations, Sec. II.—Relations of Nations in War.

CONTENTS.

PART I.

PRINCIPLES OF GOVERNMENT.

DIVISION I. General Principles.

			PAGE
Chapter	I.	Mankind fitted for Society, Government, and Law.	11
Chapter	II.	Rights, Liberty, and Law, classified	13
Chapter	III.	Different Forms of Government	19
		-	
		DIVISION II.	
		STATE GOVERNMENTS.	
		SECTION I.—INTRODUCTORY.	
THEIR B	ASIS-	THE CONSTITUTION: ELECTIONS: THREE DEPARTMENT	NTS.
Chapter	IV.	Constitutions: Their Nature, Object, and Estab-	
		lishment	23
Chapter	V.	Qualifications of Electors	26
		Elections	28
		Division of Powers of Government	
		SECTION II.	-
		LEGISLATIVE DEPARTMENT.	
Chapter	VIII	Legislature: how constituted	34
		Meetings and Organization	87
Chapter		Manner of Enacting Laws	

SECTION III.

		EXECUTIVE DEPARTMENT.	
E 10	-2.2	5.1 (21) - (20)	PAGE
Chapter		State Officers	45
Chapter	XII.	County Officers	40
Chapter		Town Officers	54
Chapter		Cities and Villages	56
Chapter		Taxes	60
Chapter	XVI.	Education	65
Chapter		Public Institutions	69
Chapter	XVIII.	Militia	72
		SECTION IV.	
		JUDICIAL DEPARTMENT,	
Chapter	XIX.	Courts	75
Chapter	XX.	Legal Proceedings	79
		DIVISION III.	
	т	HE NATIONAL GOVERNMENT.	
38			
		SECTION I.	
		ITS ORIGIN AND NATURE.	
Chapter	XXI.	Government before the Revolution	90
Chapter		12.2.2 (a) 2.2 (b) 1.2 (c) 1.2 (d) 1.2	93
Chapter	XXIII,	The Union under the Constitution	97
Chapter	XXIV.	Constitution of the United States	100
		SECTION II.	
		LEGISLATIVE DEPARTMENT.	
Chapter	XXV.	House of Representatives	124
Chapter	XXVI,	Senate	128
Chapter	XXVII.	General Legislative Regulations	131
Chapter	XXVIII.	Powers of Taxation	133
Chapter	XXIX,	Power to Regulate Commerce	136
Chapter		Other Powers relating to Peace	
Chapter	XXXI.	Powers relating to War	147
Chapter	XXXII.	Prohibitions on the United States	152
Chapter	XXXIII.	Prohibitions on the States	155