

## Act 2

- Narrator:** After two months of daily debating, the delegates are exhausted. On July 23, 1787, they decide to take off 10 days to rest. Five delegates are elected to remain and write a draft of the Constitution.
- Washington:** Before we leave on our much-needed break, let us review what we do actually agree upon. Mr. Madison, before I ask you to begin, I would like John Russell to listen very closely. John, if anything we say is unclear, please let us know.
- Delegate:** Why should it matter what a boy thinks?
- Washington:** I'll tell you. John Russell, what is your father's business?
- John Russell:** He was a farmer, sir, before the war. He died in the battle of Yorktown.
- Washington:** A farmer and a patriot . . . My sympathies, son, to you and your family. Gentlemen, this young man's ability to understand this Constitution is critical. Through him, we will know if our words will be clear to all men, from farmers to lawyers.

- Narrator:** James Madison scans his notes. Before standing up to deliver the information, he hands the quill to the boy.
- Madison:** Do your best, John. I can always fill in the blanks later.
- Narrator:** James Madison steps in front of his table. He is dressed in knee-length trousers with white silk stockings. A crisp, white ruffled shirt with a bow tied at the neck peeks out between the lapels of his long suit coat.
- Madison:** Thank you, gentlemen. First, we have agreed that our United States of America must be just that—*united*. This will be accomplished by creating a stronger national government. The laws of the United States will be the supreme laws of the land. These laws will have power over and above the laws of any of the 13 individual states.
- Narrator:** Grumbling can be heard from around the room. James Madison clears his throat. John Russell's hand shakes slightly against the parchment as he tries to write.

**Madison:** In order to create and protect these laws, a system of three branches of the government will be established. The first will be the legislative branch, the second will be the executive branch, and the third will be the judicial branch.

**Delegate:** Let this point be very clear. The people of each state will elect members for the legislative branch. This branch will be made up of two houses of Congress. The House of Representatives will be based on the population of each state. The Senate will have just two elected officials from each state. Congress will make the laws for the government.

**Madison:** That is correct. Most importantly, there will be a system of checks and balances. For instance, both houses of Congress must approve a law by at least one-half of its members before it can go before the executive branch for final approval.

**Narrator:** John Russell leans over and whispers to Ben Franklin.

**John Russell:** What is the executive branch?

**Ben Franklin:** The executive branch will consist of the president of the United States, his vice president, and a cabinet of advisors. The president will either approve a law that Congress presents to him, or he will veto it.

**John Russell:** Veto? What does that mean?

**Ben Franklin:** That means that the president can always say “no.” However, if he does, the law will go back to Congress and it can still become a law if a two-thirds majority from each house votes in favor of it.

**John Russell:** So, no one man has absolute power? Like a king?

**Madison:** Yes. Each branch will check and balance the other.

**Ben Franklin:** And these representatives, these senators, and the president will have limited amounts of time that they can serve.

**Delegate:** Congress will propose the laws to protect our country. They will order the formation of a United States militia. This army and navy will govern the land and sea of all 13 states. Congress will be responsible for funding this militia.