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Primary Sources: United States Government and Civics

This sample includes the following:

- Teacher's Guide Cover** (1 page)
- Table of Contents** (1 page)
- How to Use This Product** (2 pages)
- Lesson Plan** (4 pages)
- Primary Source Document** (1 page)

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Children Love to Learn!

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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.

Article I

Section 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

Section 3. The Senate shall be composed of two Senators from each State, chosen by the Legislature of the State for which they are elected, nine Years shall be their Term; one third shall be chosen every second Year; and when Vacancies happen, the State Legislatures shall have Power to fill them for the unexpired Parts of the Term, but they shall never exceed six Years.

Section 4. The Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

Section 5. The Senate shall have the sole Power to try all Impeachments, when the House of Representatives shall have impeached; and no Officer of the United States shall be tried in their Absence, unless they shall have fled from the Country; and no Person shall be convicted without the Concurrence of two thirds of the Members present.

Section 6. The Senators and Representatives shall receive a Compensation for their Services, which shall not be diminished during their Continuance in Office.

Section 7. The Congress shall assemble every second Year on the first Monday in December, but they may adjourn to any other Day within the same Year, and may, by a Majority of both Houses, adjourn to any other City within the United States, on not more than sixty Days before they next meet.

Section 8. The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to regulate Commerce with foreign Nations, among the several States, and with the Indian Tribes; to borrow Money on the Credit of the United States, to emit and put to Pass, and to regulate the Value of Money, the Coinage and the Use of Bank Notes, and to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any of its Departments.

Section 9. The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

Section 10. No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; or emit Money.

Section 11. The President shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint and dismiss Ambassadors, Ministers, Consuls, Judges, and all other Officers of the United States, whose Appointments are in his Power; except such as the Congress may by Law vest in the Courts of Law, or in Officers appointed by the People.

Section 12. The President shall be elected for four Years, and shall have the Privilege of one Term; and immediately after they shall be assembled in each State, the Electors in each State shall meet in their respective States, and vote for President and Vice President, in the Manner prescribed in each State.

Section 13. The Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

Section 14. The Electors shall meet in Person in each State, and they shall vote by Ballot, and a Majority of all the Electors shall constitute the Electors.

Section 15. The Electors shall choose in each State one Elector, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

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— PRIMARY SOURCES —

UNITED STATES

Government and Civics

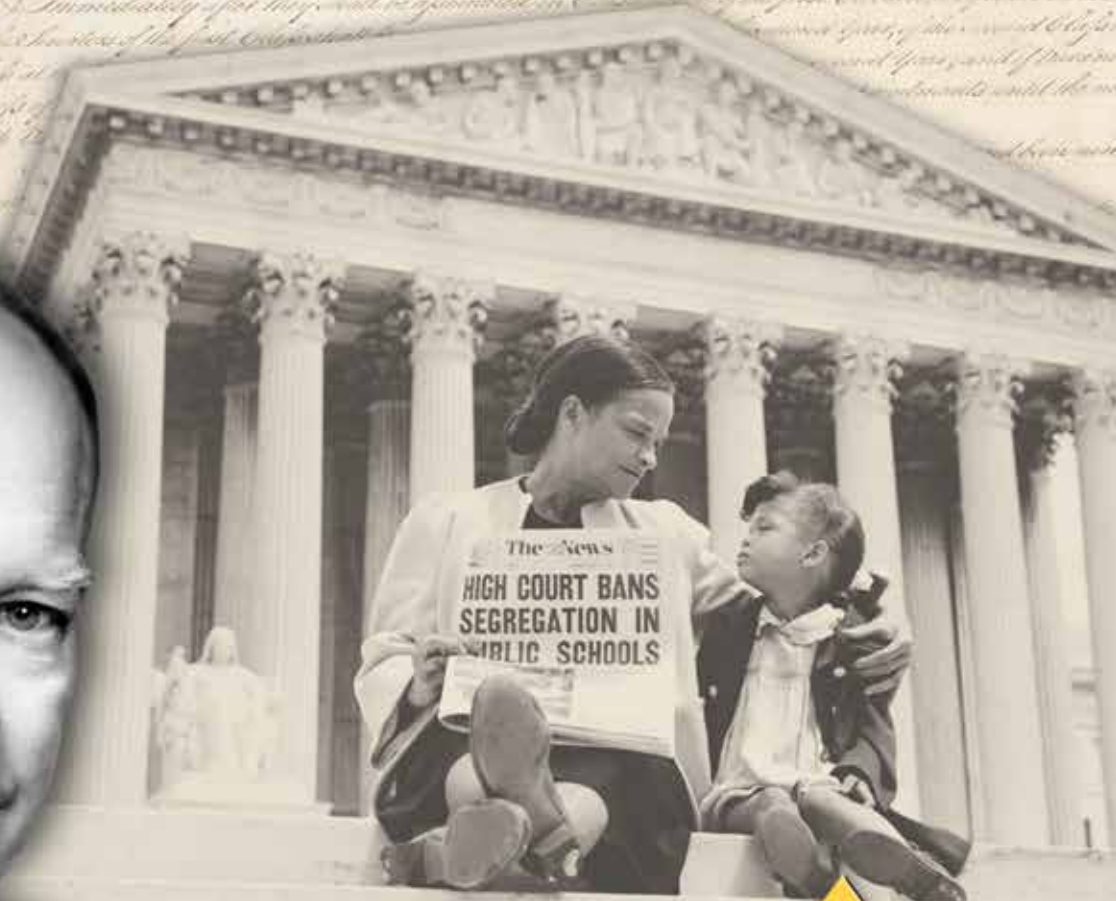


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How to Use This Product

This unit, with its primary documents, photographs, and support materials, will allow both teacher and student to expand their study of history beyond the textbook and classroom. The resources in this book assist the busy teacher in presenting innovative primary source lessons that meet state and national standards. Easy to follow, concise, and aligned to the curriculum standards, the teacher lesson plans and student activity pages are certain to become a great addition to any classroom.

Using primary sources offers students the opportunity to act and think as historians. Students will participate in the constructive process of history by studying primary documents and photographs. Viewing historic photographs, handling facsimiles of famous documents, and reading the comments and opinions of those in the past will bring history alive for students. Understanding the background of each primary source will help students to put historical events and attitudes into perspective, to think progressively, and to walk in the shoes of their ancestors.

The organization of the kit provides teachers with all they need to accomplish the lessons without additional research or planning. Teachers have the photographs and documents at their fingertips without scurrying to find such references. Activities are varied, interesting, challenging, and engaging.

The Book

The **teacher pages** provide lesson plans organized with objectives, materials, discussion questions, suggestions for using the primary sources, and extension ideas. **Historical background pages** are provided to give teachers and students information about each of the primary sources being studied. The coordinating **student activity pages** allow the flexibility for a class, individuals, or small groups of students to focus on a specific task and provide direction for a series of tasks to be completed during a time period.

The **standards** and **objectives** for the lessons are both process and content objectives to cover the full range of social studies skills. The standard listed for each lesson is a process standard taken from one of the ten strands of the National Council for Social Studies (NCSS, *Expectations of Excellence: Curriculum Standards for Social Studies*, <http://www.ncss.org>). The objective listed for each lesson is a content learning objective describing what students will learn and how they will show what they have learned. A complete chart listing each lesson in the book and the corresponding standards is available on the CD in the folder entitled *Lesson Support Files* (standard.pdf).

The **document-based assessment** section provides student preparation and practice on the document-based questions that appear on many standardized tests today. Students will be able to analyze for meanings, compare and contrast, compose short answers, and even respond to and reflect on topics with longer essay questions. The entire testing section will provide students with opportunities to prepare for a variety of testing situations.

The Photographs

Each photograph has four general areas on the back for teacher and student use. The top of the card has a brief **Historical Background Information** section. Along the left side of the card is the **Analyzing History** section. This includes questions and activities designed to make students analyze what they see and learn. In the **Historical Writing** section, students are given two writing assignments, one fiction and one nonfiction. Finally, the **History Challenge** section offers fun extension ideas for the students. The teacher lesson plans do not necessarily refer to each of the sections on the back of the card. These activities can be used by teachers in any way that fits their classroom needs (group work, individual work, learning center, etc.).

The Primary Sources

The documents, letters, maps, and other primary sources are provided in both an authentic-looking format as well as in the book for reproduction. The large copies of the primary sources should be shared with the students so that they can see and feel the facsimiles. The easy-to-read copies of the primary sources in the book can be reproduced for the students to use during student activities. If the text of a document is too long, only an excerpt of the text is included in the book. The entire text of the document is available on the CD.

The CD

The CD provided with the book has copies of the 16 main primary sources and photographs, additional documents and photographs from the time period, and activities to support and enrich the lessons in the book, including 16 student pages to support the introduction. See pages 75–76 for more information about using the CD.

Objectives of This Unit

By participating in the lessons provided in this book, students will:

- articulate their observations.
- analyze what they see.
- improve their vocabularies.
- be prompted by visual clues.
- compare their assumptions against others.
- expand their appreciation for other time periods.

By presenting the lessons in this book, teachers will:

- improve students' test scores and improve test-taking skills.
- meet curriculum standards.
- create a learning environment that extends beyond the classroom.
- encourage students to take an active role in learning history.
- develop critical-thinking skills in students.

The United States v. Capone

Standard/Objective

- Examine the origins and continuing influence of key ideals of the democratic republican form of government, such as individual human dignity, liberty, justice, equality, and the rule of law. (NCSS)
- Students will research famous jury trials and design presentations about the major aspects of the trials.

Materials

Copy of the *The United States v. Alphonse Capone* facsimile; Copies of the historical background information (page 32); Copies of the student activity sheet, *Famous Trial Presentation* (page 33); For optional use, copies of the *Al Capone Verdict* (page 34); Copies of the *List of Famous Trials* available on the CD (trials.pdf)

Discussion Questions

- How did the prohibition of alcohol contribute to the organized crime problem?
- Why did the prosecutors decide to try Al Capone on income tax evasion, rather than on the more serious charge of murder?
- Why is it important for all persons accused of a crime to have the right to a jury trial?
- Why was the Twenty-First Amendment passed? What improved because the Eighteenth Amendment was repealed? What were some new ways organized crime made money?

Using the Primary Source

Write the discussion questions on the overhead or board. Divide the class into groups. Provide each group a copy of the jury verdict facsimile or the *Al Capone Verdict* (page 34) and the historical background information (page 32). Have each group read the information provided and then discuss the questions listed above. Hold a class discussion about what they found out. Ask them what surprised them about the information that they read.

Assign the class a trial project in which they research famous trials and make presentations about what they learned. Divide the class into small groups. Each group will select a trial from the *List of Famous Trials* (trials.pdf). The questions on the *Famous Trial Presentation* serve as a framework for the presentations. Develop a scoring guide for the project as a class so students will have ownership in the evaluation process.

Extension Idea

Invite a lawyer or a judge to class to explain about the importance of juries in a democracy, the rules governing jury behavior, and how juries are selected.

The United States v. Capone *(cont.)*

Historical Background Information

According to the Constitution all citizens accused of a crime have the right to a trial by a jury of their peers. Even a “known criminal” is given that right. Everyone is to be assumed innocent until proven guilty.

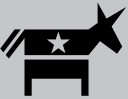
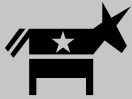
During the 1920s, alcohol was illegal, and organized crime was rampant. Large cities like Chicago and New York were run by political bosses with ties to organized criminals and their gangs. Crime organizations made money off bootleg (illegal) whiskey and underground speakeasies (bars). Selling illegal alcohol to satisfy the drinking habits of many Americans was a very profitable business. Al Capone was the boss of one of those crime organizations. He was known for violence and as the planner of the St. Valentine’s Day massacre. (That day, seven members of a rival organization were shot to death.) The only problem was that there was never enough evidence to convict him. Witnesses were bought off or were never found again.

When the Chicago Crime Commission published its first public enemies list, Al “Scarface” Capone was the first name on the list. The young Federal Bureau of Investigation (FBI) tried unsuccessfully to bring Capone to trial. Finally, a 1913 amendment to the Constitution provided the loophole needed to bring Capone to trial. The Sixteenth Amendment requires Americans to pay income taxes. Capone did not report his income to the government since the money he earned was illegal. Therefore, Capone did not pay his taxes and could be tried for this offense.

On October 6, 1931, Capone was escorted to his tax evasion trial by 14 FBI men. He was confident that he would be found innocent. His legal team had the list of the jury and he knew that the jurors had been either threatened or bribed. The United States attorney had learned of this jury tampering and told the judge about this serious problem. The judge calmly told the prosecutor to not worry and to leave everything to him.

On the day of the trial, the judge came into the court. He explained that the scheduled jury was being sent to another case and that the jury from the other courtroom would be coming in to listen to the Capone trial. Capone was shocked. His bribery scheme had not worked. To keep the jury safe from Capone’s men, the judge ordered the jurors confined until the trial was finished. After nine hours of discussion, the jury found Capone guilty of three felonies and two misdemeanors, relating to his failure to pay or file his income taxes between 1925 and 1929. The judge sentenced Capone to serve 11 years in prison and to pay \$80,000 in fines and court costs.

Capone served his term with some comfort until he was sent to Alcatraz where he could no longer bribe the guards. When he was released, he was very ill and died at the age of 48.



Name _____

Famous Trial Presentation

Background Information

Legal shows on television are quite popular with all age groups. People are fascinated with the law, with the workings of criminal minds, with the lawyers who prosecute or defend cases, with forensic evidence, and with the rights of people who have been accused of crimes. Many special cases have grabbed a lot of attention. Some of these cases are criminal cases, while others are civil cases. When one person sues another person or corporation, it is called a civil case.

Activity

Directions: Your group assignment is to research a famous trial and report on the charges and the proceedings. You will need to answer the questions listed below and then present your findings to the class in a unique and interesting way. Use multimedia tools or other visual aids to keep your audience interested and informed.

What is the name of your trial? _____

Is this a civil or criminal case? _____

Criminal Case

Who was on trial? What were the charges?

How long did it take to select a jury? Where was the trial held?

Who were the attorneys? Who was the judge?

What was the main evidence in the case on the prosecutor's side?

What was the main evidence in the case on the defendant's side?

How long did the trial last?

Was the trial filmed? How did the press cover the trial?

Do you believe the defendant was guilty or innocent? Explain why.

What was the final verdict?

Civil Case

Who was the plaintiff and who was the defendant?

What was the complaint?

How long did it take to select a jury? Where was the trial held?

Who were the attorneys? Who was the judge?

What was the main evidence in the case on the plaintiff's side?

What was the main evidence in the case on the defendant's side?

How long did the trial last?

How did the press cover the trial?

Did you believe the defendant's or the plaintiff's side? Explain why.

What was the final verdict?

Al Capone Verdict

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION.

UNITED STATES
VS
ALPHONSE CAPONE

NOS. 22852 }
23232 } Consolidated.

We, the Jury find the Defendant NOT
GUILTY as charged in Indictment No. 22852 and we find the
Defendant GUILTY on Counts one-five-nine-thirteen^{also} eighteen
and NOT GUILTY on Counts 2-3-4-6-7-8-10-11-12-14-15-16-17-19
Indictment No. 23232. 20-21-22

J. Walter
L. P. Weidling
Clifford G. Maetha
A. C. Smart
Burr Dugan
Ambrose Merchant
W. J. Henrichs
W. F. McParrick
George W. Larsen
Nate. C. Brown
Louis G. Horefski
Arthur A. Prochno

Source: The National Archives

IN THE DISTRICT COURT OF THE UNITED STATES
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Indictment No. 23232.

J. Walter
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A. C. Smart
Burr Dugan
Amrose Merchant
W. J. Henrichs
W. F. McCormick
George W. Larsen
Nate. C. Brown
Louis G. Norquist
Arthur C. Froehno