

## Powers of Congress Notes

### The United States Constitution (Article 1, Section 8 & 9)

**Article 1, Section 8, Clause 1:** The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

**Article 1, Section 8, Clause 5:** To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;

**Article 1, Section 8, Clause 11:** To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

**Article 1, Section 8, Clause 16:** To provide for organizing, arming, and disciplining, the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the states respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress;

\* **Article 1, Section 8, Clause 18:** 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 department or officer thereof.

- Known as the Elastic Clause because the text implies that the Congress can change its mind and make "necessary & proper laws"

**Article 1, Section 9, Clause 2:** 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.

	Literal meaning	Practical meaning
Habeas Corpus (comes from English law)	You may have the body	requires a person to be brought before a judge or court - <u>prevent illegal imprisonment</u>

- Lincoln suspended the Writ of Habeas Corpus during the Civil War. Is this constitutional?