



## Special Exhibit – *Amending America: The Bill of Rights* Resource Guide

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### Collection Items

Discover how events surrounding the assassination of President Kennedy relate to and help illustrate issues raised in the Bill of Rights. The Museum's curatorial team has connected each amendment to primary source artifacts from the Museum's collection, with the exception of Amendments 3 and 9. Follow the links to see the object in detail and learn more.

#### **First Amendment - Freedom of Religion, Speech, and the Press**

*Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press, or the right of the people peaceably to assemble and to petition the government for a redress of grievances.*

#### **Anti-Kennedy ad by the American Fact-Finding Committee**

<http://emuseum.jfk.org/view/objects/asitem/items@:27620>

This full-page ad titled "Welcome Mr. Kennedy" ran in *The Dallas Morning News* on the morning of Friday, November 22, 1963. Instead of welcoming the president, however, the ad asks a series of questions illustrating the authors' disagreement with many of President Kennedy's words and actions. At the beginning of the ad the authors refer to the first amendment, claiming their right to "address their grievances" and to question, criticize and disagree with their president.

The publication of this unwelcoming and accusatory ad in a prominent city newspaper the day the president was to visit Dallas is a clear demonstration of the exercise of freedom of speech.

#### **Wanted for Treason flyer**

<http://emuseum.jfk.org/view/objects/asitem/items@:19684>

This "Wanted for Treason" flyer was created by Robert Surrey, an associate of Major General Edwin Walker. This original flyer was one of about 5,000 distributed in downtown Dallas a day or two prior to President Kennedy's visit to Dallas. These handbills were placed on car windshields and tucked inside the racks of the two Dallas daily newspapers by anti-Kennedy propagandists, and is another example of citizens exercising their right to free speech.

## **Second Amendment – The Right to Bear Arms**

*A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.*

### **“American Rifleman” magazine, February 1963**

<http://emuseum.jfk.org/view/objects/asitem/items@:27376>

This *American Rifleman* magazine dated February 1963 includes a Klein's Sporting Goods ad and coupon like the ones Lee Harvey Oswald used to order a 6.5 Italian Carbine rifle in March 1963. Oswald ordered a 36" rifle but received a 40" rifle. He paid \$21.75 for a rifle with scope attached, plus \$1.50 shipping.

Oswald was free to purchase this rifle, later connected with the assassination of President Kennedy, because he and any other American reader of the magazine had the constitutionally-protected right to bear arms.

## **Third Amendment – Quartering of Troops**

*No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.*

No direct connection to the collections of The Sixth Floor Museum.

## **Fourth Amendment – Protection from Unreasonable Searches and Seizures**

*The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized.*

### **Affidavit for search warrant for Ruth Paine's home**

<http://emuseum.jfk.org/view/objects/asitem/items@:24757>

This affidavit for a search warrant for Ruth Paine's Irving, Texas home, was signed on November 23, 1963, by Justice of the Peace Joe B. Brown, Jr. Lee Harvey Oswald's wife and children lived with Paine at the time of the assassination. Oswald regularly visited his family at Paine's home and spent the night before the assassination there. Oswald was arrested on the 22<sup>nd</sup>, and this affidavit was filed the morning of November 23<sup>rd</sup> for "a private residence at 2515 West Fifth Street in the City of Irving, Texas"—the home of Ruth Paine—where evidence related to the murder of President Kennedy may be found.

Law enforcement officials may have believed there was evidence to be found against Oswald at Ruth Paine's home, but the fourth amendment prohibited them from searching there until an official warrant was issued.

### **Fifth Amendment – Protection of Rights to Life, Liberty, and Property**

*No person shall be held to answer for a capital or otherwise infamous crime unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property without due process of law; nor shall private property be taken for public use without just compensation.*

#### **Photograph of the Dallas County Grand Jury in October 1963**

<http://emuseum.jfk.org/view/objects/asitem/items@:45813>

Photograph of the grand jury that indicted Jack Ruby on November 26, 1963 on charges of murder with malice in the slaying of Lee Harvey Oswald, the man accused of assassinating President Kennedy. Ruby shot Oswald in front of a crowd of police, newsmen and a live television audience on Sunday, November 24, 1963.

#### **Handwritten note from Jack Ruby to his lawyer, Melvin Belli**

<http://emuseum.jfk.org/view/objects/asitem/items@:29029>

Jack Ruby wrote this note to his lawyer Melvin Belli during Ruby's trial for the murder of accused assassin Lee Harvey Oswald. In response to Detective Jim Leavelle's testimony during Ruby's 1964 trial for the murder of Oswald, Ruby passed this note to his attorneys, suggesting that the hat he had worn would have obscured his face. During the trial, Ruby exercised his fifth amendment right not to testify on his own behalf.

### **Sixth Amendment – Rights of Accused Persons in Criminal Cases**

*In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defense.*

#### **J. Waymon Rose's journal of the Ruby trial**

<http://emuseum.jfk.org/view/objects/asitem/items@:22420>

This notebook was used as a journal by Ruby trial juror, J. Waymon Rose. A salesman for a Dallas furniture manufacturer, Rose was selected as the tenth juror in the 1964 trial of Jack Ruby for the murder of Lee Harvey Oswald. At his wife's suggestion, Mr. Rose kept a detailed journal of his experiences during the course of the trial, detailing the living conditions and limited activities of himself and his fellow jurors as well as his personal thoughts on Jack Ruby, his attorneys and the trial as a whole.

His journal demonstrates the court's efforts to ensure that the jury for Ruby's trial was protected from media exposure throughout the trial in order to maintain their status as an impartial jury of Ruby's peers.

#### **Image of Lee Harvey Oswald during the midnight press showing**

<http://emuseum.jfk.org/view/objects/asitem/items@:3957>

This image taken by a *Dallas Times Herald* staff photographer shows suspect Lee Harvey Oswald during the midnight press showing at Dallas Police Headquarters, the evening after he was arrested on November 22, 1963. Oswald is surrounded by law enforcement and a large crowd of journalists.

During this press conference, Oswald spoke to the reporters.

**Oswald** – *Well I was questioned by a judge [unintelligible]. I was not allowed to have legal representation during that very short and sweet hearing. Uh, I really don't know what the situation is, nobody has told me anything except I am accused of murdering a policeman. I know nothing more than that. I request someone to come forward and give me a legal assistance.*

**Unidentified Reporter** – *Did you kill the President?*

**Oswald** – *No, I've not been charged with that, in fact nobody has said that to me yet. The first thing I heard about was when the newspaper reporters in the hall, uh, asked me that question.*

**Unidentified Reporter** – *How did you hurt your eye?*

**Oswald** – *A policeman hit me.*

This dialogue indicates that Oswald was aware of several of his rights as described in the sixth amendment, among them his right to counsel and his right to know what charges were being made against him.

### **Image of the jurors selected for the Jack Ruby trial**

<http://emuseum.jfk.org/view/objects/asitem/items@:28409>

This image shows the 12 jurors selected for the Jack Ruby trial and 2 bailiffs. Ruby's lawyers and the District Attorney examined potential jurors for ten days before selecting these twelve jurors. This demonstrates how the court met its responsibility to select an impartial jury of his peers.

### **Image of people awaiting jury selection for Jack Ruby change of venue hearing in 1964**

<http://emuseum.jfk.org/view/objects/asitem/items@:45991>

This photo shows potential jurors during the selection process for Ruby's February 1964 change of venue hearing. The size of the crowd demonstrates the court's efforts to ensure selection of an impartial jury of peers. The Dallas location also fulfills Ruby's right to a trial in the "state and district wherein the crime shall have been committed."

## **Seventh Amendment – Rights in Civil Cases**

*In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any Court of the United States, than according to the rules of the common law.*

### **Copy of transcripts of Jack Ruby (Rubenstein) Appellant Vs. the State of Texas Appellee**

<http://emuseum.jfk.org/view/objects/asitem/items@:41828>

This copy of transcripts of Jack Ruby (Rubenstein) Appellant Vs. the state of Texas Appellee is dated June 1966. The verdict from Jack Ruby's 1964 murder trial was overturned and in 1966 he was preparing to go to trial again. This was not double-jeopardy (a term that means going to trial twice for the same crime) but a re-trial because the first one had been declared void.

### **Eighth Amendment – Excessive Bail, Fines, and Punishments Forbidden**

*Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.*

#### **Color photograph of Lee Harvey Oswald under arrest at the Texas Theatre**

<http://emuseum.jfk.org/view/objects/asitem/items@:29102>

This color photograph was snapped as Lee Harvey Oswald was being taken out of the Texas Theatre in Oak Cliff after his arrest by members of the Dallas Police Department for the shooting of Officer J.D. Tippit.

During his arrest, Oswald struggled with police officers and received a cut above his right eye after punching, and attempting to shoot, Officer M.N. McDonald. Oswald later made numerous statements to the press that he was struck by police officers, perhaps attempting to imply cruel and usual punishment.

### **Ninth Amendment – Additional Rights**

*The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.*

No direct connection to the collections of The Sixth Floor Museum.

### **Tenth Amendment – Undelegated Powers Kept by the States and the People**

*The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.*

#### **Waggoner Carr oral history**

<http://emuseum.jfk.org/view/objects/asitem/items@:11785>

Videotaped oral history interview with Waggoner Carr. Mr. Carr served as Attorney General of Texas from 1963 to 1967 and was traveling throughout the state with the presidential party. After the assassination, he had begun to set up an investigation of the Kennedy assassination at the state level, when he was asked instead to serve as the Texas liaison to the Warren Commission (the federal investigation).

#### **Dr. Earl F. Rose oral history**

<http://emuseum.jfk.org/view/objects/asitem/items@:26147>

Audio recorded oral history interview with Dr. Earl F. Rose. A distinguished forensic pathologist, Rose served as Dallas County medical examiner from 1963 to 1968. In that capacity, he

performed autopsies on Officer J.D. Tippit, Lee Harvey Oswald, and Jack Ruby. Dr. Rose tried to keep President Kennedy's body at Parkland Hospital the day of the assassination, so that the autopsy required by Texas law could be performed, but Secret Service agents were under orders to take the president's remains, along with Mrs. Kennedy, directly to Air Force One at Dallas Love Field. Dr. Rose would have performed President Kennedy's autopsy had his body not been taken immediately back to Washington, D.C.

## Additional Recommended Resources

### Books

Berkin, Carol. *The Bill of Rights: The Fight to Secure America's Liberties*. New York: Simon & Schuster. 2015.

Krull, Kathleen. *A Kid's Guide to America's Bill of Rights* (rev. ed.). New York: Harper. 2015.

Marsh, Carole. *Bill of Rights: Common Core Lessons and Activities*. Peachtree City: Georgia Gallopade International. 2013. [This booklet contains reproducible activities for grades 3-8 that support skills in reading, writing, and primary source analysis.]

Monk, Linda R. *The Words We Live By: Your Annotated Guide to the Constitution*. New York: Stonesong Press, LLC. 2015.

### Apps

***Do I Have a Right?: Bill of Rights by iCivics. 2016. - Free on iTunes***

In this game you run your own law firm of attorneys specializing in the Bill of Rights. Students will identify rights guaranteed by the Bill of Rights, recall the specific amendment that guarantees a particular right, and recognize complaints not involving constitutional rights. See how many trials your team can win! Additional lessons and games can be found at <https://www.icivics.org/curriculum/constitution>

***Interactive Constitution by the National Constitution Center. 2016. – Free iTunes***

This non-partisan resource presents the full U.S. Constitution and amendments in full-text and includes essays by leading scholars that detail areas of agreement and disagreement across a range philosophical and legal perspectives. Great tool for helping students understand some of the controversies surrounding the first 10 amendments.

### Websites

**Bill of Rights by *National Archives***  
<https://www.archives.gov/founding-docs/bill-of-rights>

Did you know the Bill of Rights, along with the Declaration of Independence and the U.S. Constitution, is one of three American Charters of Freedom? The National Archives provides a full transcript and a public domain use image of the Bill of Rights. In addition, the site covers the history and the preservation efforts to save this historic document for future generations.

**The 225th anniversary of the Bill of Rights on DocsTeach by *National Archives***  
<https://www.docsteach.org/topics/amendments>

A special DocsTeach collection of primary sources and teaching activities on how we've attempted to form a more perfect union.

**The Center for Legislative Archives by *National Archives***  
<https://www.archives.gov/legislative/resources>

The Center for Legislative Archives preserves and makes available to researchers the historical records of the U.S. House of Representatives and the U.S. Senate. The Center also offers wonderful resources for educators on representative democracy, how Congress works, and the important role Congress has played throughout American history, including lesson plans on the creation of the Bill of Rights and the Congress Creates the Bill of Rights mobile app and eBook.

**DocsTeach by *National Archives***  
<https://www.docsteach.org/>

Access thousands of primary sources — letters, photographs, speeches, posters, maps, videos, and other document types — spanning the course of American history. We're always adding more! Borrow from an ever-expanding collection of document-based activities created by the National Archives, and teachers from around the world. Copy and modify activities for your students. Create your own activities using the online tools. It's as simple as: (1) selecting a tool, (2) choosing your primary sources, and (3) customizing instructions.

**Teaching American History by *Ashbrook Center at Ashland University***  
[http://teachingamericanhistory.org/bor/ratification\\_of\\_amendments2/#](http://teachingamericanhistory.org/bor/ratification_of_amendments2/#)

This online resource provides a wide range of primary and secondary sources curated by renowned history and political science professor Gordon Lloyd, Ph.D. It covers the major themes of the adoption, origin, ratification, and political impact of the Bill of Rights. Essays, an interactive module, and video lectures by Dr. Lloyd help students understand the significance of these first 10 amendments.

**Voices of History by *Bill of Rights Institute***  
<http://voicesofhistory.org/>

Free-online registration to the site provides access to 50 min lesson plans that include a review of founding principles, quotes, critical engagement questions, lesson objectives, and applicable common core standards. Each lesson has a warm-up, activities, handouts, wrap-up, homework, and a resource list.

### eBooks

***Amending America: An Interactive eBook* by The National Archives Museum. 2016. – *Free on iTunes or download at National Archives***

This is the exhibition catalog for the National Archives exhibit “Amending America.” Discover the remarkable story of how our founders amended, or attempted to amend, the Constitution in order to form a more perfect union. Includes discussions about flag burning, school prayer, dueling, drunkenness, voting rights, equality, and electing the President by lot.

***Congress Creates the Bill of Rights: Completing the Constitution*** by The National Archives and Center for Legislative Archives. 2014. – [Free on iTunes or download at National Archives](#)

This remarkable story focuses on James Madison’s leadership role in creating the Bill of Rights, effectively completing the U.S. Constitution. Starting with the crises facing the nation in the 1780s, the narrative traces the call for constitutional amendments from the state ratification conventions. Through close examination of the featured document, “Senate Revisions to the House Proposed Amendments to the U.S. Constitution,” the reader goes inside the First Congress, as Madison and the leaders of rival political factions worked in the House and Senate to formulate amendments to change the recently ratified Constitution.

***Putting the Bill of Rights to the Test: A Primary Source-Based Workbook Exploring Protections Found in the Bill of Rights\**** by The National Archives. 2016. – [Free on iTunes or download at National Archives](#)

This workbook includes primary sources to help students explore some of the core concepts, or protections, found in the Bill of Rights, and how they’ve been tested throughout American history. Each chapter leads you to consider the implications of one core concept and includes:

- Background Information
- A key question or questions to frame your thinking
- Questions to help you analyze the document
- A primary source document or documents
- Discussion questions to help you consider the impact or importance of the concept

### Online Exhibits

***Records of Rights by National Archives***

The online version of the permanent exhibit in Washington, DC. Explore records of the National Archives documenting the ongoing struggle of Americans to define, attain, and protect their rights.

### Podcasts

***Electoral College by Jason Goff and Ben Smith***

*The Bill of Rights - The Backstory.* Episode #122

Goff and Smith take fun and informative look at the history of, necessity for and the influencers behind the nation’s most well-known first 10 amendments. These amateur historians are good at sparking curiosity and a passion for history.

***The Bill of Rights - The Amendments.*** Episode #123

Goff and Smith take an in-depth look at each of the 10 amendments that form the Bill of Rights. The discussion addresses common misconceptions and controversies.

***We the People*** by The National Constitution Center with Jeffrey Rosen

*The Bill of Rights at 225.* December 15, 2016.

Historians Carol Berkin and David O. Stewart reflect on the history and legacy of the first 10 amendments to the Constitution.

## YouTube

### ***A 3-minute Guide to the Bill of Rights* by Belinda Stutzman, TED-Ed**

An animated refresher-course on exactly what the first ten amendments grant each American citizen.

### ***Amending America: How Do We Amend?* by U.S. National Archives and HISTORY**

An animated video showing the story of how we amend, through the proposal and ratification process. It also illustrates why our Founders made it possible to amend, through Article V of the Constitution.

### ***The Constitution for Dummies Series* by Keith Hughes, Hip Hughes History**

Funky, fun and hip video lectures designed to give students the basics to understanding the Bill of Rights. Each amendment video ranges from 5 – 10 minutes, covering the intent of the Founding Fathers, historical court cases that further define the amendment, current-event issues and controversies which are still debated today.

*This Resource Guide has been developed by The Sixth Floor Museum at Dealey Plaza in conjunction with the special exhibition Amending America: The Bill of Rights, on display January 24 – March 16, 2017.*

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