the resolution. It certainly cannot be necessary to adopt it precisely as it stands. If it must be sent to the state legislatures, I hope we shall so far respect the reputation of the House as at least to make the resolution intelligible.

Some gentlemen wish so to amend this resolution as to make it conform to that which passed this House, and of which gentlemen were, at that time, so tenacious.

I sincerely hope that two thirds of this House will never adopt the various alterations of the constitution contained in this resolution. If disappointed here, the state legislatures will, I trust, perceive, *that the important right guaranteed to them by this constitution once relinquished can never be regained*:—that by defacing the fairest feature of the constitution, they sacrifice the rights of other states, they hazard the peace, the existence of the union.

MR. THOMAS. A number of gentlemen opposed to the amendment, and particularly the gentleman last up from Massachusetts, (Mr. Thatcher) appear to lay great stress on exceptions to the phraseology of the resolution. In the first paragraph they contend, that it is absurd, because it reads, "which when ratified by three fourths of the legislatures of the several states."—I agree with the gentlemen that it would have read better to my mind, had it said, *which when ratified by the legislatures of three fourths of the several states*, and it would have been nigher the phrase made use of in the constitution;—but, as on all occasions like this, when there are precedents, as to form, we generally adopt them, the Senate appear to have done it in this instance; I wish gentlemen to examine a resolution of the first Congress under this constitution, proposing a number of amendments to the state legislatures; they will find in that resolution it is thus expressed, "which when ratified by three fourths of the legislatures of the said states." Now, I ask, what is the difference in the phraseology of these two resolutions? One says "when ratified by three fourths of the legislatures of the several states."—The other, which I have just read, says, "when ratified by three fourths of the legislatures of the said states." For my part, I can see no difference between these two; besides, in my opinion, it is altogether unimportant, whether any thing is said in the resolution about its being ratified by three fourths, all, or any of the state legislatures. I believe it sufficient that the bare proposition go out from Congress, and when it has received the ratification of the legislatures of three fourths of the states, the constitution itself, which is paramount to any thing we can say on the subject, declares it to be a part of that instrument. And I ask the gentleman from Massachusetts, or any other gentleman on this floor, whether this is not correct? Whether what is said in the resolution, or what we could say, in relation to its ratification by the state legislatures, can possibly affect its validity? It cannot; therefore, all that has been said about that part, goes for nothing.

With respect to the criticism of gentlemen as to the wording of the second paragraph, I wish they would read the exceptionable sentence, and then compare that, with the one on the same subject, in the constitution, (here Mr. T. read the two, and then said.) To my mind it appears plain and proper enough expressed, and I do consider, that the objections to the phraseology of this part are equally preposterous with the other.

Mr. Speaker, (said Mr. T.) I am in favor of the resolution as it now stands, and shall give it my decided support. I however, acknowledge, that I should like it better myself without the provision made by the Senate, that the Vice-President should act as President, in case no election should be made by the House of Representatives, previous to the 4th of March, when the choice devolves on them—and as several gentlemen have expressed a desire, that a trial should be made to effect this alteration, I wish the Speaker to inform me whether if this House should amend the resolution, and the Senate should not concur in the amendment, when it comes down again to this House, a majority cannot rescind the amendment, or whether it will require two thirds? Because, although I have heretofore voted against a recommitment, if the *Speaker* is of the opinion that a majority can rescind, I am willing to make the trial, and shall in that case, move to recommit the resolution to a committee of the whole House for that purpose.

The *Speaker* said he considered it improper to give an opinion on a question of order relating to a subject not immediately before the House. He said, on all incidental questions he considered a majority sufficient.

MR. R. GRISWOLD. I feel no disposition to protract the debate to any considerable length. Nor can I flatter myself, that any remarks which I shall make, will convince a single member of the House, whose opinions have been formed in favor of the resolution, of its pernicious tendency. But upon a question of so much importance, I must be permitted to state in a concise manner, some of those considerations, which will induce me to give my decided negative to the measure.

The election of a President is a transaction of vast importance to the United States. In the hands of this officer is deposited the executive power of the government. The constitution having expressly declared, "that the executive power shall be vested in a President of the United States of America." On the execution of this power, depends in a great measure the character and prosperity of the country. The President is entrusted with the execution of the laws. He appoints, with the consent of the Senate, the judicial and executive officers. He forms, and with the advice of the Senate concludes treaties, and in his hands is virtually lodged the peace and safety of the country. Even the right of declaring war, although nominally confided to the legislature, must be substantially controlled by the acts of the executive; because it must generally happen, that the necessity of war will depend on the management of our foreign relations by the President, and the power of terminating a war by treaty, rests with him. In a period of war, the President is the executive officer to conduct it, and in a time of peace, he is the guardian of our neutral rights. A power so important and extensive, must necessarily carry along with it vast patronage and influence; and a President may at all times become emphatically a blessing, or a scourge to the community.

From this hasty sketch may be perceived the deep interest which every state has in the Presidential election.

The election of the first magistrate of a nation has always been considered the most difficult part of the science of government. The authority which the office necessarily confers—the respect which it creates, and the patronage which it gives, must render it the great object of ambition to aspiring men. The journal of the general convention shews, that this subject created more difficulty than any other, which fell under the deliberations of that respectable body. To organize the election in such a manner, as to guard against popular cabals and corruption on the one hand, and to secure a proper dependence on the people, on the other, to prevent improper combinations of states, or of individuals, and at the same time to give each state its due weight and influence in the election, was no easy task; they formed, however, the great objects which engaged the attention of the convention; and after every project had received a deliberate consideration—that body agreed upon the plan, under which we have successfully practised for fourteen years. It is now proposed to introduce an essential and radical change in this plan, and we are called upon to decide whether we will recommend the change to the states. Under these circumstances it cannot be improper to caution gentlemen against precipitancy, and to request them to examine critically the nature of our government, and to be careful that they do not, under the pretext of amendment and reform, violate one of the first and most important principles of the union.

The government of the United States, is not a consolidated government, it is strictly federal, and its friends are of course federalists. It is true that this branch of the legislature (the House of Representatives) bears many marks of a consolidation. We are the representatives of the people of the respective states, and in this respect the principle of consolidation may be considered as existing in this House. But in the Senate, nothing but the federative principle is seen. In that body each state is not only represented as a sovereign state, but the representation is equal; nor can the size, population or wealth of a state increase, or diminish its rights, or its vote on that floor. In the election of a President, the federative principle is likewise discernable. That officer is elected by electors, chosen in such manner, as the state legislatures shall direct and to consist of a number of electors equal to the Senators and Representatives of each state. By this arrangement, the choice of President is controlled by the states, and although the large states have a greater influence in the election than the small states, yet this influence is not entirely regulated by population. The votes, to which each state is entitled for its Senators, encreases the influence of the small states, and it is in consequence of this, that the state of Rhode-Island now gives four votes for President, when upon the principle of consolidation, she would be entituled to no more than two—the votes of Delaware on the same principle would be reduced from three to one.

There is not a feature of our government more strongly marked than this of its confederation, nor any, to which the people are more strongly attached. And it would be impossible to submit any proposition, which could create more alarm, than a direct project of consolidating the states into one government. The states always have, and probably will continue, to preserve with jealousy, their sovereignty and independence.—The present government, it is well known grew out of the old confederation—under which form, the states were in every respect equal; each state having one vote in the national Congress. The innovation which was made on the pure federative principle by the present constitution was the result of necessity and compromise. But still, as has been already observed, the federative principle is distinctly preserved, and remains the great and leading feature of the constitution.

It has been often repeated, that the constitution of the United States was the result of compromise between the large and the small states. This is undoubtedly true, and the basis of this compromise ought to be considered as sacred, never to be shaken whilst the constitution endures. After mutual concessions by the large and small states, for both may be considered as conceding something, the principles, by which the influence of each state is balanced, in the legislative and executive departments, may be fairly considered, as constituting the basis of this compromise. It results from this, that every attempt to diminish the influence of large states, on the one hand, or to weaken that of the small states on the other, is sapping the foundation of our confederacy.—The power to amend the constitution was not given, to authorise the change of any radical principle, in which particular states might be interested. This power, it is well known, was given for very different purposes.

I have made these general observations, because it has appeared to me that every proposal to amend the constitution, ought to be first tested, by the nature and general scope of the Constitution itself; and if it shall be found to interfere with the rights of states, or with any fundamental principle of the compact, it ought to be rejected, although it may promise some temporary advantages in the eyes of speculative men. It cannot be too often repeated, that in considering projects for changing the constitution, we ought to consider what the Constitution is, and not what it ought to be, in the opinion of individuals. Our government is in fact a confederacy, & as such we are bound to respect the rights of each party to the compact.

In respect to the resolution under consideration, the first principle I assume is that it must necessarily diminish the influence of small states in the election of a first magistrate, and of course, that it is a direct violation of that spirit of compromise, which produced the constitution.

The effect of the proposed amendment, upon the influence of small states, in the presidential election, has scarcely been denied, on the floor of the House. Indeed, after the very able and lucid exposition of this part of the subject, by the gentleman from South-Carolina, (Mr. Huger) some days ago, it appears to be generally understood and admitted, that the power of the small states, in this great point of electing a President, must be diminished. Under such circumstances, it can scarcely be necessary to repeat arguments, or to support a position, which has been so clearly sustained in the debate. But as this is a point of great magnitude, and (if well understood) must be felt in every small state, I will take the liberty of adverting again to some of the proofs, on which the assertion rests.

If the proposed amendment is adopted, it will remain in the power of five large states to combine, and with perfect certainty to give a President and Vice President to the Union: As the electoral votes were distributed, under the last census, this power may be exercised by Virginia, North-Carolina, Pennsylvania, New-York and Massachusetts. To say that no such combination can be formed, is speaking without a knowledge of the human character. And although a combination of the particular states which I have named cannot at this time be formed, yet it is certain that a combination of large states, equally effectual, may at this moment be produced. Gentlemen deceive themselves, if they imagine, that the large states can have no interest or inducement to form these combinations. We ought not to forget that our government is a confederacy of states, that the office of President is vastly important, and that the state which can possess the executive power, in the person of one of its own citizens, is necessarily elevated above the other members of the confederacy. Nor can we forget our own feelings as men.—There is not a member of this House, who does not feel particularly attached to the state to which he belongs—whose pride would not be gratified, by seeing the state which he represents, giving a President to the Union, and a tone to the government—who does not believe that the interests of those with whom he is particularly connected, would on many occasions better, and on every occasion, be as well secured under the administration of a president from his own states as from any other quarter.—Whenever communities, or individuals, are stimulated by the powerful inducements of interest and ambition to form combinations, they will necessarily be created. And although at this time, there is no state, which can openly claim the exclusive right of giving a President to the Union, yet this right may be enjoyed in rotation by a few large states, in defiance of any combination which can be formed against them. We have already seen upon one occasion, some evidence of a combination of large states, in a Presidential election, and we have seen that combination crumbling to pieces by the jealousies which the present, peculiar mode of election has excited.

It might appear to a cursory observer, that the same combinations may be formed under the existing mode of election—it being equally in the power of the large states to give a President and Vice-President to the union. But a critical attention to the subject will satisfy gentlemen, that the present mode of election must necessarily create so much jealousy, among the large states, as to render all lasting combinations impracticable. As the election is now regulated, each elector must give his vote for two candidates, for the office of President, one of whom must be the citizen of a state, to which the elector does not belong. Under such circumstances, if the large states should combine, for the purpose of securing to themselves the two offices, they must give to each of their candidates nearly an equal number of votes; in which case, it will be left in the power of a small state to decide the election in favor of the least objectionable candidate. The effect of which must often be, to defeat the plan of rotation agreed upon by the large states, and to create suspicions, that the votes of a small state thus given to the successful candidate, have been obtained, by a secret combination with the state to which the candidate belongs, or with the candidate himself. In the same manner the views of any particular state may be forever defeated by the small states; and such views will be defeated, if any one of the states, from its local situation, its great extent, and its population, should arrogate to itself the right of giving a President. Gentlemen must be sensible, that no combination formed under such circumstances can be lasting. Political combinations can only be lasting, where the object for which they are formed, is obtained with certainty, and where no jealousies are excited. But where the object is defeated, where jealousies arise, and more especially where the views of the most powerful and ambitious member of the combination, are forever defeated, the combination can never endure.

The advantages resulting to the small states, from the present mode of election, is not confined to the power of defeating the combination of large states. It is certainly important to possess the power of selecting the least objectionable of two candidates. Although neither candidate may be the particular object of our choice, there may still exist, in our opinion, a wide difference in their respective qualifications for office. Whenever a candidate has been preferred to his rival, by the suffrages of his political opponents, he will entertain those sentiments towards them, which every liberal mind must feel towards those, who have granted a favour. He will be conscious that he is indebted to them for office. He will feel bound to treat them with respect, and to promote their interests. Such are the sentiments which must be entertained by every man, under similar circumstances,—such are the sentiments which the presiding officer of this House must always feel, when promoted to the chair, in consequence of the division of his own party, by his political opponents. This influence of the small states, in the Presidential election, will promote the harmony of the union. The power of the small states, although circumscribed, may under certain circumstances, become effectual. And as public bodies and individuals, in all political transactions are caressed, and respected in proportion to their power, the small states will be courted and respected by the large states, and the mutual dependence, which they feel on each other, must soften their passions, and in a great measure diminish those state animosities which endanger our domestic tranquility. And will gentlemen tell me that these advantages are of no importance? In my opinion, they are advantages which only tend to harmonize the union, but they form the strongest barrier for the small states, in one of the most important transactions of the nation, against the overwhelming power of the large states. It is this peculiar mode of election, which can render the votes of small states truly efficient, in the choice of a President. Strip the constitution of this feature—introduce the discriminating principle, and you transfer the whole power to the large states. Their combinations can never be defeated, and whilst they give you a President and Vice-President with perfect certainty, and in perpetual rotation, they will laugh at our interference, and deride our impotency.

Permit me on this point, to appeal to those gentlemen who represent the large states, for the correctness of the opinions which I have expressed, and to ask them, whether it is consistent with their characters, as guardians of the constitution, to avail themselves of the present moment of party violence, to pursue this serious and radical change, and to aggrandize the states which they represent, at the expense of those with whom they are connected. To those gentlemen who represent small states, it would not be necessary, under any other circumstances to make an appeal. The interests of the states to which they belong would not be forgotten. But this is a moment, when every object appears to be forgotten, but the temporary views of party; and I must be permitted to remind those gentlemen, that if they suffer themselves to be carried along by the torrent; and consent to abandon the interests of the states to which they belong, their votes can never be recalled. If they agree to the resolution, and the amendment should be engrafted upon the constitution, the rights thus sacrificed, are lost forever. For myself, I should be as well satisfied, to see an amendment, which should in express terms, confine the choice of President to certain large states, as to see the resolution on your table. The effect must be precisely the same. But as it is not my intention to consume much of the time of the House, I will wave all further remarks upon this part of the subject.

There is another view of this subject, which furnishes to my mind, a conclusive argument against the proposed amendment. In all governments which have hitherto existed, in which the elective principle has extended to the executive Magistrate, it has been impossible, for any length of time, to guard against corruption in the elections. The danger is not an imaginary one, in this country. The office of President is at this time, the great object of ambition, and as the wealth, and population of the country increases, the powers and patronage of the President must necessarily be extended. We cannot expect to escape the fate of other Republics. Candidates for the office of President, will arise, who, under the assumed garb of patriotism, and disinterested benevolence, will disguise the most unprincipled ambition. Corruption will be practised by such candidates, whenever it can be done with success.

It is therefore an object of the first importance, to regulate the election in such a manner as to remove, as far as possible, both the temptation and the means of corruption. If gentlemen will attend to the proposed amendment, with a reference to this point, they will find that the means and the temptation to corruption must be increased. As the constitution now stands, the man who aspires to the office of President, can at best, but run the race on equal terms with some individual of his own party. In order to succeed, he must not only obtain for himself and his associate, a greater number of votes than his political opponents, but he must obtain more votes than the associate himself. The chances of success are by those means rendered more remote, and however desirable the office may be, the temptation to enter the list, or to make individual exertions are diminished. The means of corruption must generally be found in the offices at the disposal of the President; and these, it is well known, constitute a fund of great extent, and where the election is brought to such a point, as to rest with two candidates only, this fund may be used with great success. One office may be promised to this elector as the price of his vote, whilst other offices are promised to other electors, on the same corrupt consideration, and the aspiring candidate may thus mount to the first office in the government. But so long as your elections remain on their present footing, the means of corruption are diminished;—because the aspiring candidate can only promise this corrupt distribution of office upon eventually succeeding to the Presidency, and as his chances of success are diminished by the mode of election, his promises are of less value to the elector, and of course, will be less frequently made, and more generally rejected.

So far as I can understand the objections which are made to the present mode of election, they are brought within a narrow compass. They consist principally of a general and loose assertion, that it is reasonable and proper electors should on all occasions, designate the man they intend for a particular office; and secondly, that the experience of the last Presidential election shews the necessity of a designation in this particular case.

If it was true, that one man only could be found within the United States, qualified to fill the office of President, there would be force in the first objection. But such is not the fact. There are men to be found in every state, eminently qualified for this important trust. Where then can be the necessity of confining the votes of electors to a single candidate? Is it an hardship upon an elector to be compelled to vote for two candidates when two may so easily be found? And are there not advantages arising from this mode, of a serious and decisive nature? I have already mentioned the interest which the small states have in the arrangement, and I have alluded to the door of corruption which the change will open, and it is not necessary at this time to repeat those opinions. But I must be