THE
"CLEARFIELD REPUBLICAN,"
PUBLISHED EVERY WEDNESDAY, AT
CLEARFIELD, PA.
ESTABLISHED IN 1827.

The largest Circulation of any Newspaper in North Central Pennsylvania.

Terms of Subscription.
If paid in advance, or within 3 months....$2 00
If paid after 3 and before 6 months..... 2 50
If paid after the expiration of 6 months... 3 00

Rates of Advertising.
Transient advertisements, per square of 10 lines or less, 3 times or less.....$1 50
For each subsequent insertion..... 50
Administrators' and Executors' notices..... 2 50
Auditors' notices..... 2 50
Cautions and Estrays..... 1 50
Dissolution notices..... 2 00
Professional Cards, 5 lines or less, 1 year.... 5 00
Local notices, per line..... 20

YEARLY ADVERTISEMENTS.
1 square.....$8 00 | ¼ column.....$50 00
2 squares.....15 00 | ½ column..... 70 00
3 squares.....20 00 | 1 column.....120 00
G. R. GOODLANDER,
Publisher.

CLEARFIELD REPUBLICAN.

GEO. B. GOODLANDER, Editor & Proprietor. PRINCIPLES, NOT MEN. TERMS—$2 per annum in Advance.

VOL. 55--WHOLE NO. 2,711. CLEARFIELD, PA., WEDNESDAY, MARCH 2, 1881. NEW SERIES--VOL. 22, NO. 9.

Lawyers' Cards.

H. W. SMITH,
ATTORNEY-AT-LAW,
Office 123 Clearfield, Pa.

J. J. LINGLE,
ATTORNEY-AT-LAW,
1119 Philipsburg, Centre Co., Pa. y.pd

ROLAND D. SWOOPE,
ATTORNEY AT LAW,
Curwensville, Clearfield county, Pa.
oct. 9, '78-tf.

OSCAR MITCHELL,
ATTORNEY AT LAW,
CLEARFIELD, PA.
Office in the Opera House. oct9, '78-tf.

G. R. & W. BARRETT,
ATTORNEYS AND COUNSELORS AT LAW,
CLEARFIELD, PA.
January 10, 1878.

ISRAEL TEST,
ATTORNEY AT LAW,
Clearfield, Pa.
Office one door east of Shaw House.
(jy11,'77

WM. M. McCULLOUGH,
ATTORNEY AT LAW,
CLEARFIELD, PA.
Office in Masonic building, Second street, opposite the Court House. je26,'78-tf.

W. C. ARNOLD,
LAW & COLLECTION OFFICE,
CURWENSVILLE,
Clearfield County, Penn'a. 7jy

S. T. BROCKBANK,
ATTORNEY AT LAW,
CLEARFIELD, PA.
Office in Opera House. ap 25,'77-1y

SMITH V. WILSON,
Attorney-at-Law,
CLEARFIELD, PENN'A.
Office in the Masonic Building, over the County National Bank. [mar24-80.

WALLACE & KREBS,
(Successors to Wallace & Fielding,)
ATTORNEYS-AT-LAW,
jan1'77 Clearfield, Pa.

J. P. SNYDER,
ATTORNEY AT LAW,
CLEARFIELD, PA.
Office over the County National Bank.
June 26, '78tf.

MURRAY & GORDON,
ATTORNEYS AT LAW,
CLEARFIELD, PA.
Office in Pie's Opera House, second floor. 63674

WILLIAM A. HAGERTY,
ATTORNEY-AT-LAW,
OFFICE over T. A. Fleck & Co.'s Store,
CLEARFIELD, PENN'A
Will attend to all legal business with promptness and fidelity. [feb11,'80-tf.

McENALLY & McCURDY
ATTORNEYS-AT-LAW,
Clearfield, Pa.
Legal business attended to promptly with fidelity. Office on Second street, above the First National Bank. jan1,'78

J. F. McKENRICK,
DISTRICT ATTORNEY,
CLEARFIELD, PA.
All legal business entrusted to his care will receive prompt attention.
Office in the Court House.
aug14,1878-1y.

A. G. KRAMER,
ATTORNEY-AT-LAW,
Real Estate and Collection Agent,
CLEARFIELD, PA.,
Will promptly attend to all legal business entrusted to his care.
Office in Pie's Opera House. jan1'78.

JOHN L. CUTTLE,
ATTORNEY AT LAW.
Real Estate Agent, Clearfield, Pa.
Office on Third street, bet. Cherry & Walnut.
Respectfully offers his services in selling and buying lands in Clearfield and adjoining counties; and with an experience of over twenty years as a surveyor, flatters himself that he can render satisfaction. [Feb. 28,'78tf.

Physicians' Cards.

DR. E. M. SCHEURER,
HOMŒOPATHIC PHYSICIAN.
Office in residence on First st.
April 24, 1872. Clearfield, Pa.

DR. W. A. MEANS,
PHYSICIAN & SURGEON,
DUBOIS CITY, PA.
Will attend professional calls promptly. aug16'79

DR. T. J. BOYER,
PHYSICIAN AND SURGEON,
Office on Market Street, Clearfield, Pa.
Office hours: 8 to 12 a. m., and 1 to 3 p. m.

DR. J. KAY WRIGLEY,
HOMŒOPATHIC PHYSICIAN,
Office adjoining the residence of James Wrigley, Esq., on Second St., Clearfield, Pa.
(dy21,'78 tf.

G. C. JENKINS, M. D.,
PHYSICIAN AND SURGEON,
CURWENSVILLE, PA.,
Office at residence, corner of State and Pine streets. Jan. 5th, 1881-tf.

DR. H. B. VAN VALZAH,
CLEARFIELD, PENN'A.
OFFICE IN RESIDENCE, CORNER OF FIRST AND PINE STREETS.
Office hours—From 12 to 2 P. M.
May 12, 1875.

DR. J. P. BURCHFIELD,
Late Surgeon of the 134 Regiment, Pennsylvania Volunteers, having returned from the Army, offers his professional services to the citizens of Clearfield county.
Professional calls promptly attended to. Office on Second street, formerly occupied by Dr. Wrode. (apr4,'66-tf

Cards.

JOB PRINTING OF EVERY DESCRIPTION neatly executed at this office.

JUSTICES' & CONSTABLES' FEES—We have printed a large number of the new FEE BILL, and will on the receipt of twenty-five cents, mail a copy to any address.

WILLIAM M. HENRY, JUSTICE OF THE PEACE AND SCRIVENER, LUMBER CITY. Collections made and money promptly paid over. Articles of agreement and deeds of conveyance neatly executed and warranted correct or no charge. 11ly'72

JOHN D. THOMPSON,
Justice of the Peace and Scrivener,
Curwensville, Pa.
Collections made and money promptly paid over. feb27'71tf

HENRY BRETH, (OFFICE F. R.)
JUSTICE OF THE PEACE
FOR BELL TOWNSHIP.
May 8, 1878-1y*

JAMES MITCHELL,
DEALER IN
Square Timber & Timber Lands,
je11'73 CLEARFIELD, PA.

A. V. HOYT,
Land Surveyor and Civil Enginee
PHILIPSBURG, PA
All business will be attended to promptly. Dec. 15, 1880-1y.

REUBEN HACKMAN,
House and Sign Painter and Paper Hanger,
Clearfield, Penn'a.
Will execute jobs in his line promptly and in a workmanlike manner. apr4,67

FRANK FIELDING
AND
WILLIAM D. BIGLER,
ATTORNEYS-AT-LAW,
CLEARFIELD, PA.
Nov. 12th, 1879 tf.

JOHN A. STADLER,
BAKER, Market St., Clearfield, Pa.
Fresh Bread, Buns, Rolls, Pies and Cakes on hand or made to order. A general assortment of Confectionaries, Fruits and Nuts in stock.—Ice Cream and Oysters in season. Saloon nearly opposite the Postoffice. Prices moderate. March 19,'75.

WEAVER & BETTS,
DEALERS IN
Real Estate, Square Timber, Saw Logs,
AND LUMBER OF ALL KINDS.
Office on Second street, in rear of store room of George Weaver & Co. [jan9, '78-tf.

RICHARD HUGHES,
JUSTICE OF THE PEACE
—FOR—
Decatur Township,
Osceola Mills P. O.
All official business entrusted to him will be promptly attended to. mch20, '76.

HARRY SNYDER,
BARBER AND HAIRDRESSER.
Shop on Market St., opposite Court House.
A clean towel for every customer.
Also dealer in
Best Brands of Tobacco and Cigars.
Clearfield, Pa. mar 19, '75.

JAMES H. TURNER,
JUSTICE OF THE PEACE,
Wallaceton, Pa.
He has prepared himself with all the necessary blank forms under the Pension and Bounty laws, as well as blank Deeds, etc. All legal matters entrusted to his care will receive prompt attention. May 7th, 1879-tf.

ANDREW HARWICK,
Market Street, Clearfield, Pa.,
MANUFACTURER AND DEALER IN
Harness, Bridles, Saddles, Collars, and Horse-Furnishing Goods.
All kinds of repairing promptly attended to. Saddlers' Hardware, Horse Brushes, Curry Combs, &c., always on hand and for sale at the lowest cash price. [March 19, 1879.

G. H. HALL,
PRACTICAL PUMP MAKER,
NEAR CLEARFIELD, PENN'A.
Pumps always on hand and made to order on short notice. Pipes bored on reasonable terms. All work warranted to render satisfaction, and delivered if desired. my25:1ypd

SHOEMAKING.—I hereby inform my patrons, and mankind in general, that I have removed my shoemaking shop to the room in Graham's row, over S. I. Snyder's jewelry store, and that I am prepared to do all kinds of work in my line cheaper than any other shop in town. All work warranted as good as can be done anywhere else. Positively this is the cheapest shop in Clearfield. JOS. H. DEERING.
Dec. 11, 1878-tf.

Livery Stable.
THE undersigned begs leave to inform the public that he is now fully prepared to accommodate all in the way of furnishing Horses, Buggies, Saddles and Harness, on the shortest notice and on reasonable terms. Residence on Locust street, between Third and Fourth.
GEO. W. GEARHART.
Clearfield Feb. 4, 1874.

THOMAS H. FORCEE,
DEALER IN
GENERAL MERCHANDISE,
GRAHAMTON, Pa.
Also, extensive manufacturer and dealer in Square Timber and Sawed Lumber of all kinds.
Orders solicited and all bills promptly filled. [*jy16'72

S. I. SNYDER,
PRACTICAL WATCHMAKER
AND DEALER IN
Watches, Clocks and Jewelry,
Graham's Row, Market Street,
CLEARFIELD, PA.
All kinds of repairing in my line promptly attended to. Jan. 1st, 1879.

Clearfield Insurance Agency.
JAMES KREBS. CARROLL S. BIDDLE.
KERR & BIDDLE, Agents,
Represent the following and other first-class Co's

Companies.	Assets.
Liverpool, London & Globe—U. S. Br.	$4,391,89[illegible]
Lycoming—on mutual & cash plans	5,000,000
Phœnix, of Hartford, Conn	2,624,083
Insurance Co. of North America	6,433,674
North British & Mercantile—U. S. Br.	1,792,863
Scottish Commercial—U. S. Branch	679,145
Waterdown	741,818
Travelers (Life & Accident)	4,505,434

Office on Market St., opp. Court House, Clearfield, Pa. June 4, '79-tf

West End Drug Store,
IN GRAHAM'S ROW,
(Half way between Mossop's and Fleck's stores.)
CLEARFIELD, PA.
THE undersigned has opened up a Drug Store, with a full supply of perfectly pure and fresh Drugs, Medicines, Chemicals and Toilet Articles. These Drugs have been selected with great care and are guaranteed to be perfectly pure and reliable. I will give my personal attention to this department, and will cheerfully give any advice and information in regard to medicines free of charge. DR. T. J. BOYER.
Clearfield, Pa., Dec. 1, 1880-tf.

ELECTION OF PRESIDENT AND VICE PRESIDENT.

SPEECH
OF
Hon. William A. Wallace,
SENATOR FROM PENN'A,
In The Senate of the United States, February 11th, 1881.

Mr. President: On the 28th of January last I had the honor to submit for the consideration of the Senate joint resolution No. 148, proposing an amendment to the Constitution of the United States, which is in these words:

That hereafter the President and Vice President of the United States shall be chosen by the people of the respective States in the manner following:

Each State shall be divided by the Legislature thereof into districts, equal in number to the whole number of Senators and Representatives to which such State may be entitled in the Congress of the United States, the said districts to be composed of contiguous territory, and to contain, as nearly as may be, an equal number of persons entitled to be represented under the Constitution, and to be laid off for the first time immediately after the ratification of this amendment, and afterward at the session of the Legislature next succeeding the apportionment of Representatives by the Congress of the United States; but no alteration after the first or after each decennial formation of districts shall take effect at the next ensuing election after such alteration is made. That on the first Tuesday in the month of November in the year 1882 and on the same day in every fourth year thereafter, the citizens of every State who possess the qualifications requisite for electors of the most numerous branch of the State Legislature shall meet at the places provided by State law within their respective districts and vote by secret ballot for a President and Vice President of the United States, one of whom at least shall not be an inhabitant of the same State with the voter; and the person receiving the greatest number of votes for President and the one receiving the greatest number of votes for Vice President in each district shall each be holden to have received one vote, which fact shall be immediately certified to the Board of Canvassers of the State by each of the Senators in Congress from such State, and to the President of the Senate. The votes shall be canvassed and the result in each district ascertained from the returns by the Governor, the Chief Justice of the highest Court of law, and the Secretary of State of the proper State, who shall constitute the Board of State Canvassers, and they shall certify the result in said State to the Speaker of the House of Representatives of the United States within sixty days after the election, and their certificate shall be conclusive proof of such result. The Congress of the United States shall be in session on the second Monday in February, in the year 1885, and on the same day in every fourth year thereafter; and the Speaker of the House of Representatives, in the presence of the Senate and House of Representatives, shall open all the certificates, and the votes shall then be counted by the two Houses in joint convention met. The person having the greatest number of votes for President shall be President, and the person having the greatest number of votes for Vice President shall be Vice President of the United States.

This amendment contemplates a change in that provision of the Constitution of the United States which regulates the election of President and Vice President by substituting for the electoral colleges a direct vote of the people for the candidates themselves. The electoral college has failed to answer the purposes for which those who originated it intended it. It was thought at the time of the formation of the Constitution that the substitution of a body of intelligent and leading citizens between the people and the candidates would enable the country, in the event of difficulty, to depend upon their judgment, integrity, and high position for the solution of those difficulties. The reverse of this has proved to be the fact in practice. Party discipline, party caucus, and the recognized will of party control, compel the electors to vote for the candidates named in their party caucus. It is the purpose of this resolution to substitute the will of the people directly expressed for this system. I submit it now with no hope of its immediate adoption, but as a contribution to the agitation from which alone a change can come.

The features of the system are:

First. The division by the Legislature of each State into districts, equal in number to the whole number of Senators and Representatives to which such State is entitled in Congress, Delaware, for instance, would be entitled to 3 votes, and would be divided by its own Legislature into three districts.

Second. The people are to vote in these districts, at an uniform time, directly for their candidate for President and Vice President, one of whom, as at present, shall not be a citizen of the State in which the voter resides.

Third. The person having the highest number of votes in each district (a plurality being sufficient) to be entitled to one vote out of the whole number to which the State is entitled. Pennsylvania having 29 votes would have probably cast 10 democratic and 19 republican votes at the recent election.

Fourth. The returns of these votes to be made to the governor, chief justice, and secretary of state, who shall canvass and return the same, which shall be conclusive proof of how the State voted.

Fifth. The votes thus returned to be counted by the two Houses in joint convention met.

Sixth. The person having the highest number of votes from all of the districts voting (a plurality being sufficient) to be elected.

Seventh. The qualifications of voters, the division of the State into districts, and the canvass of individual votes to be under control of the State and the mode of voting to be the secret ballot.

The districts are to be formed after each census of the United States has been taken, and are first to be formed immediately after the adoption of the amendment. No change in the districts can take effect at the first election after such change.

The qualifications of electors, as now prescribed by the Constitution of the United States for members of Congress, are preserved, and the universality of a secret ballot is enforced. The votes cast in each district by the electors, when computed by the election officers, are to be returned to the State canvassing board, and whoever shall have received the highest number of votes in such district shall be held to have received one vote. The whole number of votes cast for each candidate in all the districts in any State are to be ascertained by a canvassing board, composed of the governor, chief justice, and secretary of state, and they are within sixty days after the election to certify the number of votes by districts received by each candidate in each State to the Speaker of the House of Representatives. This return is to be the only and conclusive proof of the result in that State. The returns thus made to the Speaker of the House are to be laid before the two Houses in joint convention met, at the usual time, and they are authorized and empowered there to count the vote and determine the result. The candidate for President and Vice President, respectively, receiving the highest number of votes out of the whole number of districts voting, shall be declared elected President and Vice President of the United States, thus substituting the plurality vote both in the districts and of the districts for the majority rule of the States or of the electoral colleges which is now in operation.

It will be noted that this system changes, first, the electoral college to a direct vote by the people in districts; second, the plurality or majority in each district contribute one vote to the election of President and Vice President directly; third, the State has entire control of the elections and the certificate thereof to Congress; fourth, the two Houses, acting together, are given sole power to count the votes; fifth, the necessity for a majority of the electoral college and for action in any event by the House of Representatives voting by States is dispensed with, and the plurality rule by districts adopted.

The district system is no new thought in the politics of this country. It found its origin in the constitutional convention of 1787, on the motion of Judge Wilson, of Pennsylvania, and it was initiated in Congress in the very early days of our history. It has been elaborated and enforced from time to time by leading Senators and members of the House, as an abstract of our history, which I give herewith, will prove:

This is not a process of entire and absolute consolidation by a direct vote of the whole people of all the States, but it is a vote by the people, in the districts made by the State, directly for the candidates, which votes are to be returned to State authority and conclusively certified thereby as the result of State action. In this respect it is as different from an universal vote throughout the whole country ascertaining results by its aggregate as is the present system from a direct vote by the people.

One of the leading purposes to be attained by this amendment is representation of the minority in each State, and as a consequence the destruction and absolute eradication of sectionalism. Under this system in the last election Pennsylvania would have probably chosen nineteen electors for Garfield and ten for Hancock, while Virginia would have given eight for Hancock and three for Garfield. It is simple and direct, but it professes to contain no new thought. It is the mere application of what we have come to recognize as the American system of elections to the practical working of the Federal Constitution in the election of President and Vice President.

"In the elections of our county and State officials as well as in the election of members of Congress, the person having the highest number of votes, whether he have a majority or a minority, is the chosen candidate, but at present under the Federal system a majority of the whole electoral vote, or of the States in the House of Representatives, is required. I can see no sufficient reason now for this difference, if the just voice of each State can be preserved. Our experience teaches us that there is no longer any necessity for the continuance of the rigid majority rule. State equality in the Senate and State independence in its vote are, by the district system as herein embodied, fully preserved.

I can see no practical reason for compelling a majority of all the States, as such, to be obtained either by the useless processes of the electoral colleges or, failing that, of the vote by the House of Representatives by States, with all its dangers of civil war, corruption, and anarchy. The preservation and recognition of the equal and independent voice of each State and of the minority as well as of the majority of its people is to my mind the vital thought, and although a plurality elects, my judgment is that we will as frequently elect a majority President under the district system as under the system now in operation.

There can be no good reason, as I see it, why a plurality of the American people should not control when they have fair opportunities and free suffrage in the selection of their rulers; nor can I conceive any reason why it is essential now to preserve the old thought that a majority of the States should cast their electoral votes for any candidate before there is an election, in face of the fact that he is often in a minority of the whole people. Under the present system there are many instances in which while the candidate elected has a majority of the electoral colleges he has a minority of the people. This was notably the case in 1876, as it was in 1860 and is in the recent election to a smaller extent. It seems to me better to err in the other direction if we must err at all. For all purposes needed to effect Federal results, the thought that is embodied in our every day practice in electing township, city, county, and State officials and Congressmen can now well and profitably be embodied in the Federal Constitution.

The lesson of the election just completed in the count by the House this week is full of instruction. There are 369 electoral votes. Garfield received 214, Hancock, without Georgia, 144. If New York had cast her 35 votes for Hancock, the vote of Georgia would have been required to decide the contest, or the House would have been compelled to elect, for with New York voting for Hancock there would have been a tie at 179 votes, and a tie in the House voting by States would probably have resulted; and thus the peace of the country might have been broken by the tremendous convulsions consequent on such a condition of affairs. The plurality rule would obviate all this.

By this amendment the States are not divided into districts upon the ratio on which their representation in the lower House of Congress would be fixed, but there is given to each State as such, in addition to its representation in the Lower House, he equal representation in the Senate. So that while New York has thirty-three members of the lower House, she has 35 votes for President; and while Rhode Island has but two members of the lower House, she has 4 votes for President. By this is preserved State individuality and State control, and to my mind sufficient of the Federal system, if we stand by the plain reading of the Constitution in other respects.

The correction of the vicious system of marked ballots is provided for also by prescribing a secret ballot, and although this enters the domain of State control, its wisdom as well as its necessity seem to me to be apparent.

The danger so apparent to us all in recent years of anarchy and confusion from the doubts as to the true method of counting the votes for President and Vice President, and from disputes as to who shall control and declare them, is provided for by the return of the State being made conclusive proof and by Congress being made the controlling power when in joint convention met.

These are some of the thoughts to which this amendment gives force. I shall endeavor now to elaborate them further and to meet some of the objections to this system toward which I have no doubt the minds of Senators are tending.

The present system of choosing electors is based upon the constitutional provision that "each State shall appoint, in such manner as the Legislature thereof may direct," its electors for President and Vice President. The power of the State Legislatures to appoint electors themselves, to authorize the people to choose them by ballot upon general ticket, and also to choose them in districts, is given by this provision. In practice and as a result of popular opinion, they are now chosen by the people in every State upon general ticket; but our history has seen all three of these modes of choice in operation at one time. Instability and opportunity for chicane and management, therefore, exist, which, in so grave a matter, are dangerous in the extreme, and an uniform system of universal application, and under whatever control, is manifestly better under existing conditions than this complex arrangement. An uniform system is better than a triple system, as popular will is better than either electoral or legislative will. The power of party and the sectional line have made the electoral system an utter failure, and our people will not tolerate the choice of their rulers by the Legislatures. We are left, then, to but the two systems, the universal direct vote of the whole people or a direct vote of the people under State control by districts. The first and greatest difficulty is the way of an universal direct vote of the whole people of all the States is that it is utter destruction of the federative system and produces practical consolidation. By it, State lines are obliterated and State independence and equality are lost sight of. Under it a few populous States voting for a candidate popular there, would overwhelm the remainder, or by the division of their people a small State giving a large majority for one candidate would outweigh the voice of many larger ones. In the late election the majority in Texas for one candidate was greater than the aggregate majorities in New York, Pennsylvania, and Ohio for the other.

The preservation of the federative system utterly forbids the universal direct vote. It would not aid in the destruction of sectional feeling, but the very reverse, for the tendency of majorities is always to grow, and when based upon passion or interest, sectional majorities invariably increase. Such a rule would perpetuate bitterness, for the result would demonstrate that there was a nearly equal division of the people of one section and a decided preponderance of those of the other which would overcome the former. An universal direct vote can never be had, except under a new compact in which the smaller States will agree to surrender their equality and independence, and this is neither desired nor desirable.

Under the system of a direct vote by districts, each State has precisely the same relative weight as now. Pennsylvania would cast twenty-nine votes; she has now twenty-nine electors and twenty-nine members of Congress. Rhode Island would cast four votes; she has now four electors and four members of Congress. It is true that in the election by the people in districts a part of the districts would vote for one person and a part for another, so that the result would be to some extent national more than State; but this is the case with members of the House of Representatives now, and the small States have due and full weight and power in the fact that the large States are nearly all closely divided in politics, and the votes of the districts will follow in nearly the same proportion. A gerrymander is the only argument against this, but even the worst of gerrymanders is preferable to the dangers and evils of the present system.

It has been well said that—

Under the present system, the State voting solidly, there is great temptation to fraud. Where the condition of parties is nearly balanced in a State, a successful fraud may determine the vote of the whole State. The pots the whole votes of States in the hands of the large cities. The material with which to perpetuate frauds predominates especially in large cities, such as New York, Philadelphia, Boston, Baltimore, Cincinnati, St. Louis and New Orleans. Under the district system the frauds in the large cities would only affect the vote in the district in which they occurred, and could not, in their consequences, extend to the vote of the whole State. But under the present system the successful city fraud may determine the vote of the whole State.

Where the fraud will only affect the vote of a single district, the temptations to commit it are greatly diminished. Men will not take the risks and incur the expense of committing a great fraud to carry the vote of a single district, which they would do if the result of the fraud was to determine the vote of the whole State, and perhaps secure the election of a President.

The electoral system is an election by States and not by the people, and in effect prevents the voter from expressing his choice for President unless he follows party caucus or convention, and even then he cannot vote directly for the man of his choice. This rule works results which are more aristocratic than republican. Sectional lines will be broken up by the district system, and "a promiscuous division of sentiment extending over the whole nation and not capable of being delineated by State lines or the course of rivers" will take the place of a solid North and a solid South. Geographical locality will not so completely identify the political character of the voter as now, for each candidate will find votes in every section.

Mr. Pickens said in the House in 1814:

By any mode of giving an *entire vote* to each State the will of the majority of the people of the Union is not certain to prevail. A State however divided will give the same united vote with a State however unanimous.

A reason against any mode of giving the undivided vote of the States, of all others the most important, and most affecting the vital interests of the Union, is its tendency toward a *geographical severance of parties.* By the principle of self-defense all the States must adopt such a mode, unless a uniform plan is established; indeed, they have nearly all so acted at the late election as to give unanimous votes; and by this means a whole section of the Union, with a small exception, voted for one individual while the opposite section supported his opponent, and these sections are divided by regular *State lines.* Now, does a Chief Magistrate so elected appear to represent the whole Union? And will not a small number of repetitions of such events naturally draw the opposite parties in looking toward their opposite sections to look directly across this divisional line?

A direct vote of the people for the candidate of their choice is their right, and the electoral system was a device of those who did not trust the people, to deprive them of this right. The electoral plan was regarded with suspicion and aversion by the adherents of Jefferson. Alexander Hamilton, the father of the Federal party, who desired the establishment of a strong national government, and who favored a life tenure for the President, subject only to impeachment, was the author of the electoral system. The historical fact is that the electoral college is simply a relic of the aristocratic theory of government insisted upon by the old time Federalists. It was accepted by the earlier Democrats because they were obliged to take the Constitution as a whole and could not accept or reject it in part.

Mr. Hamilton writing in the Federalist (paper No. 68) refers to the manner of choosing the President provided for in the Constitution in the following language:

It was desirable that the sense of the people should operate in the choice of the person to whom so important a trust was to be confided. This end will be answered by committing the right of making it not to any pre-established body, but to men chosen by the people for the special purpose and at the particular conjuncture. It was equally desirable that the immediate election should be made by men *most capable of analyzing the qualities adapted to the station,* and acting under circumstances favorable to deliberation and to a judicious combination of all the reasons and inducements that were proper to govern *their choice. A small number of persons selected by their fellow-citizens from the general mass will be most likely to possess the information and discernment requisite to so complicated an investigation.*

Distrust of the popular will cannot be more clearly expressed than in the language just quoted. The advocates of a strong government had no faith in the ability of the people to govern themselves. Their constant aim was to concentrate the powers of government in the hands of a select few. Among other instrumentalities employed by them to carry out their purposes was the electoral college. They desired that the power to select the President should be vested in "a small number of citizens." They believed the popular mass incapable of making an intelligent choice, and therefore they devised a plan by which, to quote the language of Hamilton, the immediate election would be "made by men capable of analyzing the qualities adapted to the station." But the design of the Federalists was frustrated by the democratic influences, which have finally made the electors mere agents for the registry of the popular will. Instead of exercising their own choice, as they are empowered to do by the Constitution, they simply cast their votes as they are directed by that portion of the people who choose them at the ballot-box. Nevertheless the electoral machinery itself is the same old aristocratic contrivance which now by common consent has become useless for any purpose save to thwart the people in expressing their choice, and, as we all know, is dangerous in its execution.

In the convention of 1787 Pennsylvania was the only State voting for the election of President by popular vote, and her sons, Wilson and Morris, advocated with power and eloquence the system of election in districts by the popular vote. This proposition received but the votes of Pennsylvania and Maryland. Her sons believe now, as Franklin, Morris, Wilson, Jackson, and Benton taught, "the State is the people," and the expression of their voice by their direct vote under the Federative and not the national system is, I believe, their wish now. In the debate in the Virginia convention on the adoption of the Constitution, James Monroe, afterward President of the United States, said, referring to the mode of electing the President contained in the Constitution:

The President might be elected by the people, dependent upon them and responsible for maladministration. As this is not the case I must disapprove of this clause in its present form.

In President Jackson's first annual message he earnestly pressed upon Congress the importance of so amending the Constitution as to dispense with all intermediate agencies in the election of President and Vice President. Said he:

To the people belongs the right of electing their Chief Magistrate; it was never designed that their choice should in any case be defeated, either by the intervention of the electoral colleges, or by the agency confided, in certain contingencies, to the House of Representatives.

* * * * * * *

I would therefore recommend such an amendment of the Constitution as may remove all intermediate agency in the election of President and Vice President. The mode may be so regulated as to preserve to each State its present relative weight in the election; and a failure in the first attempt may be provided for by confining the second to a choice between the two highest candidates.

He recommended also a limitation of the Presidential service to a single term of four or six years.

General Jackson renewed the above recommendation in each of his seven annual messages following; and he was especially earnest in his desire to prevent any election for President ever being determined by the House of Representatives.

The arguments in behalf of the popular vote by districts which have been made by statesmen of the past are so full and convincing that it is only necessary to read them to be convinced. Jackson, Van Buren, Benton, Calhoun, Dickerson of New Jersey, McDuffie, Pickens, Johnson, Morton, and scores of others are on record in its advocacy, and my argument is complete when I bring to the notice of the Senate and the country their reasons for their belief through an abstract of the history of their measures for its accomplishment.

ELECTION OF PRESIDENT AND VICE PRESIDENT—PLANS PROPOSED IN THE FEDERAL CONVENTION.

1. By Edmund Randolph of Virginia:

That a national executive be instituted, to be chosen by the National Legislature.—5 Elliot's Debates, 128.

Adopted—eight States against two. (*Ibid.*, 144.)

Adopted unanimously. (*Ibid.*, 324.)

2. By James Wilson, of Pennsylvania:

That the State be divided into —— *districts,* and that the persons qualified to vote in each district for members of the first branch of the national legislature elect —— members for their respective districts to be electors of the executive magistracy; that the said electors of the executive magistracy meet at —— and they, or any —— of them, so met, shall proceed to elect by ballot, but not out of their own body, —— person — in whom the executive authority of the national government shall be vested.—*Ibid.*, 143.

Negatived 2 to 8. (*Ibid.*, 144.)

3. By Elbridge Gerry, of Massachusetts:

That the national executive should be elected by the *executives of the States.*—5 Elliot's Debates, 174.

Rejected—nayes 9, Delaware divided. (*Ibid.*, 174.)

4. The original draught of article 2, section 1 of the Constitution, as finally adopted, provided that in case there was no choice by the electors "the *Senate* shall choose by ballot the President" from the five highest on the list. Reported by committee of eleven. (*Ibid.*, 507.)

5. John Rutledge, of South Carolina, proposed election of President by joint ballot of the two House of Congress. (*Ibid.*, 472.)

6. Governeur Morris, of Pennsylvania, moved to strike out "national legislature" from Randolph's proposition and insert "*citizens of the United States.*" Lost—yea (Pennsylvania) 1, nays 9. (*Ibid.*, 322-324.)

7. By Alexander Hamilton: "The supreme executive authority of the United States to be vested in a Governor, to be elected to serve during good behavior, the election to be made by electors, chosen by electors, chosen by the people in the election districts aforesaid," (*i. e.* by districts into which he proposed the States should be divided for the election of Senators.) (5 Elliot's Debates, 205.)

8. By Oliver Ellsworth, of Connecticut:

To be chosen by electors, appointed by the legislatures of the States in the following ratio, to wit: one for each State not exceeding 200,000 inhabitants; two for each above that number and not exceeding 500,000; and three for each State exceeding 500,000.

The question being divided on the first part, "shall the President be chosen by electors?" Carried—yeas 6, nays 3. On second part, "shall electors be chosen by the State legislature?" Carried—yeas 8, nays 2. (*Ibid.*, 338.)

9. By Mr. Wilson, of Pennsylvania, (as a compromise:)

That the executive be chosen by electors to be taken by lot from the national legislature.—5 Elliot's Debates, 382.

10. The plan finally adopted (section 1, article 2, of the Constitution) agreed to by a vote of 10 to 1 on Sherman's motion to strike out "Senate shall immediately close" and insert "the House of Representatives shall immediately choose by ballot one of them for President, the members from each State having one vote." (*Ibid.*, 519-520.)

[NOTE.—It was the almost unanimous opinion of members of the Federal Convention, that it the executive should be chosen by the national legislature he should be ineligible a second time. (*Ibid.*, 337.)

As a compromise and to guard against evils incident to election by Congress, Governeur Morris moved that choice be made "by electors chosen by the people of the several States." (*Ibid.*, 473.)

2. ARGUMENTS IN THE FEDERAL CONVENTION.

Governeur Morris, of Pennsylvania, opposed a choice by Congress; was in favor of election "by the people at large, by the freeholders of the country," on the ground that there can be no "combination of populous States;" that the people at large will always be well informed as to "the great and illustrious characters who merit their esteem and confidence," and that "if chosen by the national legislature he will not be independent of it;" and if not independent, "usurpation and tyranny will be the consequence." (5 Elliot's Debates, 322, 323, 334.)

Mr. Wilson, Pennsylvania, favored the *district system,* and opposed election by national legislature, on the ground that "the executive in that case would be too dependent to stand the mediator between the intrigues and sinister views of the representatives and the general liberties and interests of the people." (*Ibid.*, 323.)

Mr. Madison, in favoring a choice by electors, said:

If it be a fundamental principle of free government that the legislative, executive, and judiciary powers should be *separately* exercised, it is equally so that they be *independently* exercised. There is the same, and perhaps greater, reason why the executive should be independent of the legislature than why the judiciary should. A coalition of the two former powers would be more immediately and certainly dangerous to public liberty. * * * He was disposed, for these reasons, to refer the appointment to some other source. *The people at large* was, in his opinion, the fittest in itself. The people generally could only know and vote for some citizen whose merits had rendered him an object of general attention and esteem. There was one difficulty, however, of a serious nature attending an immediate choice by the people. The right of suffrage was much more diffusive in the Northern than the Southern States, and the latter could have no influence in the election, on the score of negroes. The substitution of electors obviated this difficulty, and seemed, on the whole, to be liable to fewest objections.—5 Elliot's Debates, 357.

ARTICLE II, SECTION 1, CLAUSE 1 AND 2 OF CONSTITUTION—OUR PRESENT ELECTORAL SYSTEM.

The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and together with the Vice President, chosen for the same term, be elected as follows:

Each State shall appoint, in such manner as the *Legislature thereof* may *direct,* a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

(See twelfth amendment, which supersedes and annuls clause 3 of article 2, section 1.)

ARTICLE II, SECTION 1—THE TWELFTH AMENDMENT.

1. *The old system.*—The difficulties attending the election of Jefferson and Burr were anticipated as early as 1797. The mode of election provided in section 1 of article 2 was regarded as fatally defective. The election of a Chief Magistrate had provoked more discussion in the Federal Convention than any other feature of the Constitution, and the ill-digested compromise finally effected was the least satisfactory to the members of that body. As the electoral system was regarded in Congress with less favor than any other part of the Constitution its reform was the subject of the first important amendment proposed. The statesmen of that period foresaw the dangers that would result from uncertainty in the mode of electing a Chief Magistrate, and accordingly William Smith, of South Carolina, in the House, January 6, 1797, proposed an amendment to the effect that "the electors of President and Vice President be directed to designate whom they vote for as President, and for whom as Vice President." (Annals, Fourth Congress, page 1824.)

The same proposition was renewed in the House by Mr. Foster, of New Hampshire, February 16, 1799. (Annals, Fifth Congress, page 2919.)

And in the Senate, by Humphrey Marshall, of Kentucky, January 24, 1798, in Fifth Congress, requiring electors to write on their ballots the names of persons voted for as President and Vice President. (*Ibid.*, page 493.)

January 24, 1800, a committee of five was appointed by the Senate to consider "what provision ought to be made by law for deciding disputed elections of President and Vice President, and for determining the legality or illegality of the votes given for those officers in the different States." (*Ibid.*, Sixth Congress, page 29.)

February 4, 1800, an amendment was proposed in the House requiring electors to designate persons voted for as President and Vice President. (*Ibid.*, 510.)

The district system.—In the House, March 4, 1800, John Nicholas, of Virginia, submitted the following amendment:

That, after the third day of March, 1801, the choice of electors of President and Vice President shall be made by dividing each State into a number of districts, equal to the number of electors to be chosen in such States, and by the persons in each of those districts, who shall have the qualifications requisite for electors of the most numerous branch of the Legislature of such State, choosing one elector in the manner which the Legislature thereof shall prescribe.

Then follows a clause directing the choice of Representatives in the same manner. (Annals, Sixth Congress, page 629.)

Referred to committee of five. (*Ibid.*, 785.)

January 22, 1801, the committee of five submitted an elaborate report to the House, describing the *variety of modes* practiced in different States under article 2, section 1, declaring that "a mode of electing the President and Vice President which might at once combine the expression of the public sentiments of the people of the respective States, with a perfect assurance of the due appointment of the electors for that important purpose, is a discovery greatly to be desired," but that it was inexpedient to change the Constitution in the manner proposed by Mr. Nicholas. (*Ibid.*, 941-946.)

January 30, 1801, James A. Bayard, of Delaware, submitted a joint resolution to the House providing that when two persons have an equal number of electoral votes the *House* shall immediately choose one of them for President. (*Ibid.*, page 987.)

Referred to committee of fifte