

TITLE 3.—THE PRESIDENT

Chapter 1.—PRESIDENTIAL ELECTIONS.

Section 5. Meeting and vote of electors.—[Superseded.]

This section has been superseded by § 5a which follows.

5a. Meeting and vote of electors.—The electors of President and Vice President of each State shall meet and give their votes on the first Wednesday in January next following their appointment at such place in each State as the legislature of such State shall direct.

New. This section constitutes § 1 of Act May 29, 1928, c. 859, 45 Stat. 945, entitled "An Act providing for the meeting of electors of President and Vice President and for the issuance and transmission of the certificates of their selection and of the result of their determination, and for other purposes."

7. Certificates of appointment of electors.—[Superseded.]

This section has been largely if not wholly superseded by § 7a which follows.

7a. Certificates by state executives of ascertainment of electors appointed and of determination of contests; transmission to Secretary of State and to Congress; public inspection of certificates.—It shall be the duty of the executives of each State, as soon as practicable after the conclusion of the appointment of the electors in such State by the final ascertainment, under and in pursuance of the laws of such State providing for such ascertainment, to communicate by registered mail under the seal of the State to the Secretary of State of the United States a certificate of such ascertainment of the electors appointed, setting forth the names of such electors and the canvass or other ascertainment under the laws of such State of the number of votes given or cast for each person for whose appointment any and all votes have been given or cast; and it shall also thereupon be the duty of the executive of each State to deliver to the electors of such State, on or before the day on which they are required by section 5a of this title to meet, six duplicates original of the same certificate under the seal of the State; and if there shall have been any final determination in a State in the manner provided for by law of a controversy or contest concerning the appointment of all or any of the electors of such State, it shall be the duty of the executive of such State, as soon as practicable after such determination, to communicate under the seal of the State to the Secretary of State of the United States a certificate of such determination in form and manner as the same shall have been made; and the certificate or certificates so received by the Secretary of State shall be preserved by him for one year and shall be a part of the public records of his office and shall be open to public inspection; and the Secretary of State of the United States at the first meeting of Congress thereafter shall transmit to the two Houses of Congress copies in full of each and every such certificate so received at the State Department.

New. This section constitutes § 2 of Act May 29, 1928, c. 859, 45 Stat. 946.

For title of Act see note to § 5a.

9. Making and signing certificates.—[Superseded.]

This section has been superseded by § 9a which follows.

9a. Certificates of electors of votes given by them for President and Vice President.—The electors shall make and sign six certificates of all the votes given by them, each of which certificates shall contain two distinct lists, one of the votes for President and the other of the votes for Vice President, and shall annex to each of the certificates one of the lists of the

electors which shall have been furnished to them by direction of the executive of the State.

New. This section constitutes § 3 of Act May 29, 1928, c. 859, 45 Stat. 946.

For title of Act see note to § 5a.

11. Transmission of certificates.—[Superseded.]

This section is superseded by § 11a which follows.

11a. Disposition of certificates of electors.—The electors shall dispose of the certificates so made by them and the lists attached thereto in the following manner:

First. They shall forthwith forward by registered mail one of the same to the President of the Senate at the seat of government.

Second. Two of the same shall be delivered to the secretary of state of the State, one of which shall be held subject to the order of the President of the Senate, the other to be preserved by him for one year and shall be a part of the public records of his office and shall be open to public inspection.

Third. On the day thereafter they shall forward by registered mail two of such certificates and lists to the Secretary of State at the seat of government, one of which shall be held subject to the order of the President of the Senate. The other shall be preserved by the Secretary of State for one year and shall be a part of the public records of his office and shall be open to public inspection.

Fourth. They shall forthwith cause the other of the certificates and lists to be delivered to the judge of the district in which the electors shall have assembled.

New. This section constitutes § 4 of Act May 29, 1928, c. 859, 45 Stat. 946.

For title of Act see note to § 5a.

11b. Failure of certificates of electors to reach President of Senate or Secretary of State; demand on Secretary of State for certificate.—When no certificate of vote and list mentioned in sections 9a and 11a of this title from any State shall have been received by the President of the Senate or by the Secretary of State by the third Wednesday in the month of January after the meeting of the electors shall have been held, the President of the Senate or, if he be absent from the seat of government, the Secretary of State shall request, by the most expeditious method available, the secretary of state of the State to send up the certificate and list lodged with him by the electors of such State; and it shall be his duty upon receipt of such request immediately to transmit same by registered mail to the President of the Senate at the seat of government.

New. This section constitutes § 5 of Act May 29, 1928, c. 859, 45 Stat. 946.

For title of Act see note to § 5a.

11c. Same; demand on district judge for certificate.—When no certificates of votes from any State shall have been received at the seat of government on the fourth Wednesday of the month of January, after the meeting of the electors shall have been held, the President of the Senate or, if he be absent from the seat of government, the Secretary of State shall send a special messenger to the district judge in whose custody one certificate of votes from that State has been lodged, and such judge shall forthwith transmit that list by the hand of such messenger to the seat of government.

New. This section constitutes § 6 of Act May 29, 1928, c. 859, 45 Stat. 947.

For title of Act see note to § 5a.

12. Time for transmission of certificates to President of Senate.—

This section is probably superseded by §§ 11a and 11h which precede it.

13. District judge's list.—[Superseded.]

This section is superseded by § 11c which precedes it.

Chapter 2.—OFFICE AND COMPENSATION OF PRESIDENT.**Section 43. President's traveling expenses.—**

The statutory provision constituting § 43 of this title was saved from repeal or modification by § 10 of Act June 3, 1926, c. 457, 44 Stat. 680, constituting § 830 of Title 5, EXECUTIVE DEPARTMENTS AND GOVERNMENT OFFICERS AND EMPLOYEES.

45. Salary of Secretary to President.—On and after July 1, 1926, the compensation for the position of Secretary to the President shall be at the rate of \$10,000 per annum.

The statutory provision constituting § 45 of this title was superseded by a provision in the Executive, etc., Appropriation Act of Apr. 22, 1926, c. 171, 44 Stat. 305, set out above.

46. Detail of employees of executive departments to office of President.—

The statutory provision constituting § 46 of this title was repeated in the Executive, etc., Appropriation Acts of Apr. 22, 1926, c. 171, § 1, 44 Stat. 305, Feb. 11, 1927, c. 104, § 1, 44 Stat. 1069, and May 10, 1928, c. 580, § 1, 45 Stat. 573.

★48. Public property in and belonging to Executive Mansion.—

The words "Secretary of War" in line 9 of this section should read "Director of Public Buildings and Public Parks of the Na-

tional Capital," the authority for the substitution being § 4 of Title 40, PUBLIC BUILDINGS, PROPERTY, AND WORKS. The second citation should be changed in part to read "c. 330, §§ 1, 3, 43 Stat. 983."

The words "officer in charge of public buildings and grounds" in lines 11 and 12 of this section should be changed to read "Director of Public Buildings and Public Parks of the National Capital," on authority of § 2 of Title 40, PUBLIC BUILDINGS, PROPERTY, AND WORKS.

The words "of the Director" in line 16 should be eliminated, on authority of said § 2 of Title 40.

★49. Furniture for White House.—

The words "officer in charge of public buildings and grounds" in line 7 of this section should read "Director of Public Buildings and Public Parks of the National Capital."

As authority for the change there should be added to the list of citations "Act Feb. 26, 1925, c. 330, § 1, 43 Stat. 983." Section 1 of Act Feb. 26, 1925, constitutes § 2 of Title 40, PUBLIC BUILDINGS, PROPERTY, AND WORKS."

53. Protection of the President.—

The statutory provision constituting § 53 of this title was repeated in the Treasury and Post Office Departments Appropriation Acts of Mar. 2, 1926, c. 43, Title I, § 1, 44 Stat. 116, Jan. 20, 1927, c. 58, Title I, § 1, 44 Stat. 1037, and Mar. 5, 1928, c. 126, Title I, § 1, 45 Stat. 173.

Chapter 3.—WHITE HOUSE POLICE.**★Section 67. Disbursement of funds.—**

"officer in charge of public buildings and grounds" in line 4 of this section should read "Director of Public Buildings and Public Parks of the National Capital" on authority of § 2 of Title 40, PUBLIC BUILDINGS, PROPERTY, AND WORKS.