

## **The election of the President of the United States of America. [s. 1., s. n.] 1936?.**

JAMES P. B. HYNDMAN 255 WEST END AVENUE NEW YORK

THE ELECTION OF THE PRESIDENT OF THE UNITED STATES OF AMERICA

### **To the Legislature State of**

#### **The Constitution of the United States of America has this to say:**

ARTICLE II; Executive Department; Section I. Clause 1. 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:

Clause 2. 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.

“Clause 3. (Amendment XII). The electors shall meet in their respective States, and vote by ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice President; and they shall make distinct lists of all persons voted for as Vice President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the president of the Senate:—the president of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted;—the person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. . . . The person having the greatest number of votes as Vice President, shall be the Vice President, if such number be a majority of the whole number of electors appointed. . . .”

There is no warrant in the Constitution for anyone having a right to participate in the election (including the nomination) of President and Vice President of the United States, but the electors.

The entire procedure is wholly and solely within the jurisdiction of these electors; and the names of the persons chosen as President and Vice President are first to be made known to the people of the United States, through their Congress, when the president of the Senate, in the presence of the Senate and House of Representatives, opens all the certificates, and the votes (of the electors) shall then be counted.

Any procedure, which does not conform strictly to the letter and spirit of the Constitution, is illegal. No warrant can be found in the Constitution for the so-called "party system," which is recognized by certain encyclopedic authorities as illegal. When one reads the deliberations of the fathers, before the Constitution was written, he is impressed with the conviction, that the choosing of the President and Vice President of the United States was intended by the fathers to be a duty entrusted only to trained and competent electors, unbiased, untrammelled, and unhampered by any other persons whomsoever. The Constitution, as it has come down to us from the time it was brought forth, is the work of God. It was born in an atmosphere of prayer to the "Father of lights," and was characterized thus by George Washington:

"Let us raise a standard to which the wise and the honest may repair. The event is in the hand of God."

That this mighty document points to a divine "event", we have this testimony of Washington. At a time of stress, like the present, when men are bewildered, and seem not to know where to look for guidance, it were well if they would look to that "Father of lights" to whom the patriots themselves appealed when writing our immortal Constitution.

While I present these facts to your honorable body in a spirit of due respect and sincerity, yet, as a citizen of the United States of America, I call upon you, and the electors whom you shall choose in accordance with the provisions of the Constitution, to carry out your prescribed functions and authority, under the Constitution, honestly and courageously, as your highest duty to God and to your fellow-citizens, and to your country.

June 9, 1936. JAMES P. B. HYNDMAN.

James P. B. Hyndman

---