Table Annexed to Article: Twenty-Five Votes That Made the Presidency

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TWENTY-FIVE VOTES THAT MADE THE PRESIDENCY
2 OCL 750_1
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TABLE 750_1A
TWENTY-FIVE VOTES: RECONCILIATION BY DATE

August 24:
355 356 357 358 359 361 = 6 ballots; 41 delegates

September 5:
446 447 448 449 450 451 452 = 7 ballots; 40 delegates

September 6:
453 454 455 456 458 461
464 465 469 471 472 466 = 12 ballots; 41 delegates
<table>
<thead>
<tr>
<th>Sect. 1.</th>
<th>The Executive Power of the United States shall be vested in a single person. His stile shall be “The President of the United States of America,” and his title shall be, “His Excellency”. He shall be elected by ballot by the Legislature. He shall hold his office during the term of seven years; but shall not be elected a second time.</th>
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These 61 words were first taken up on August 24; see Madison’s Notes, 2 Farrand 400 at 401; Jackson’s Journal 2 Farrand 396 at 397.
In narrative: this is the text of the Brearly Committee report which appears in Madison on 9.4 at 2 Farrand 496,497. Jackson’s Journal prints the report beginning at 2 Farrand 493-494.

The 315 words of the Brearly Report on Article II, Section 1, presidential title, office and selection appears below:

He shall hold his office during the term of four years, and together with the Vice President, chosen for the same term, be elected in the following manner.

Each State shall appoint in such manner as it’s Legislature may direct, a number of Electors equal to the whole number of Senators, and Members of the House of representatives to which the State may be entitled in the legislature.

The Electors shall meet in their respective States, and vote by ballot for two Persons, of whom one at least shall not be an inhabitant of the same State with themselves. — and they shall make a list of all the Persons voted for, and of the number of votes for each, which list they shall sign and certify, and transmit sealed to the seat of the general Government, directed to the President of the Senate.

The President of the Senate shall in that House open all the certificates, and the votes shall be then and there counted — The Person having the greatest number of votes shall be the President, if such number be a majority of 〈the whole number〉 of the Electors 〈appointed〉 and if there be more than One, who have such Majority, and have an equal number of votes, then the Senate shall 〈immediately〉 choose by ballot one of them for President: but if no Person have a majority, then from the five highest on the list, the Senate shall choose by ballot the President — and in every case after the choice of the President, the Person having the greatest number of votes shall be Vice President: but if there should remain two or more, who have equal votes, the Senate shall choose from them the Vice President.

The Legislature may determine the time of chusing and assembling the Electors, and the manner of certifying and transmitting their votes.
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.

The Electors shall meet in their respective states and vote by ballot for two Persons, one of whom at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of 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 shall be President, if such Number be a Majority of the Whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if not Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing 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 of Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice President.
Note: as used in these materials, the EXCEL coloring is retained.

A ‘no’ vote by a Not_Slave_Owner is treated BB for Brown Brown.  
A ‘yes’ vote by a Not_Slave_Owner is treated BG for Brown Green.  
A ‘yes’ vote by a Slave_Owner is treated GG for Green Green.  
A ‘no’ vote by a Slave_Owner is treated GB for Green Brown.

For example, on Vote 355, the entry which reads:

Calculation: BB 16, BG 9 GG 1 GB 15 = Total 41.

may be interpreted as:

16 Not_Slave_Owners voted no; 9 Not_Slave_Owners voted yes;  
1 Slave_Owner voted yes; 15 Slave_Owners voted no.
If a delegate has to vote ‘No’ to get a stronger candidate then 0 is the value for the categorical Variable ‘StrongWeak.’

This was a proposal to elect the President by the people.

2-9 DEFEATED
   PA and DE voted yes
   NH, MA, CT, NJ, MD, VA, NC, SC, GA voted no.

Reasoning: This vote gets electioneering out of the way; a President ‘runs’ for office in the settecento through his managers and agents; if they are out on the hustings promising that he will do this or not do that, then he is weaker on election; certainly weaker at reelection, if he is obliged to court voters, especially through proxies/managers/allies all of whom have their own expensive agendas.

General observation: everyone knows what Slave_Owners want; there is no confusion. More politics is bad for Slave_Owners because this jockeying offers opportunities for other, less cohesive, less articulate and less focused factions to get their voices heard. It’s not the balloting itself that counts, above all else; it’s the run-up to the balloting. And in the run-up every candidate will take care not to offend Slave_Owners and their potential key allies, small states and their parochial sensitivities.

Reconciliation: JM and WJ agree on the vote counts; see WJ Table at 2 F 399 and JM at 2 F 402.

Rollcall:
41 total delegates; 20 Slave_Owners – 4 absent = 16 Slave_Owners present and 25 Not_Slave_Owners present
41 total delegates: 31 no (for stronger) and 10 yes (for weaker).
15 Slave_Owners voted no or for a stronger candidate; 1 voted yes or for a weaker candidate.

Calculation: BB 16, BG 9 GG 1 GB 15 = Total 41.
Maker of the Motion: Carroll (SO)
Seconded by: Wilson (non-SO)
Speakers For:
Speakers Against:
If a delegate has to vote ‘Yes’ to get a stronger candidate then 1 is the value for the categorical Variable ‘StrongWeak.’

This was a proposal to elect the President by House and Senate acting in joint ballot.

7-4 PASSED
  NH, MA, PA, DE, VA, NC and SC voted yes.
  CT, NJ, MD and GA voted no.

Reasoning: Since the people aren’t going to elect the President, any given candidate is better off with an up or down vote in the Legislature; better just to vote him up or down and be done with it than have a legislative session awash in electioneering. At this stage, a joint ballot is the opposite, or antipode of popular election proposed.

An alternative to the foregoing: sure, the delegates just voted ‘the people’ out of the electoral process, as a matter of federal constitutional law. But until this vote the convention had not made clear its commitment to legislative election of the president. My thesis is that automated production of constitutional text (in units, words or topics) is facilitated by delegate exploitation of knowing their own hopes, wishes, fears from one proposition move to the floor to the next; if this is the case, then the purpose (no harm in putting it this way) of Vote _356 is to reveal to the delegates how substantial the margin for legislature election might be. If you were observing at The Second Vote you would be tempted to say that the delegates had a long way to go in sorting through the presidential selection procedures.

Reconciliation: The WJ Table at 2 F 399 matches up with JM Notes at 2 F 403.

Comments:
  Rollcall:
  41 total delegates; 20 Slave_Owners – 4 absent = 16 Slave_Owners present and 25 Not_Slave_Owners present
  41 total delegates: 33 no (for stronger) and 8 yes (for weaker).
  2 Slave_Owners vote yes or for a stronger candidate; 14 voted no or for a weaker candidate.

Calculation: BB 19 BG 6 GG 2 GB 14 = Total 41.
  Maker of the Motion: Rutledge (SO)
  Seconded by:
  Speakers For: Rutledge (SO), Gorham (non-SO), Wilson (non-SO), Langdon (non-SO), Madison (SO)
  Speakers Against: Sherman (non-SO), Dayton (non-SO), Brearly (non-SO)
If a delegate has to vote ‘Yes’ to get a stronger candidate then 1 is the value for the categorical Variable ‘StrongWeak.’

This proposal assigned each state one vote in the national legislature when the five candidates came out of the nominating process (which is morphing into the electoral college) to stand before the Legislature.

5–6 DEFEATED
CT, NJ, DE, MD and GA voted yes.

*Reasoning:* The candidate who could pander to low hanging or dissident politicians was weaker, because there would be a race among five candidates to pander to as many of these lesser chaff; so having to deal with the majority of each state simplified the candidates’ lives.

So candidates – or their managers – could maintain their distance from Representative Dogbreath who would trade his vote for a new post office or funding for a canal survey in his district.

*Reconciliation:* WJ Table at 2 F 399 matches up with JM Notes at 2 F 403.

*Comments:* Cite: 2 F 397

*Rollcall:*
41 total delegates; 20 Slave_Owners – 4 absent = 16 Slave_Owners present and 25 Not-Slave-Owners present.

41 total delegates: 28 no (for stronger) and 13 yes (for weaker).

14 Slave_Owners vote no or for a stronger candidate; 2 vote yes or for a weaker candidate.

*Calculation:* BB 14 BG 11 GG 2 GB 14 = Total 41.

*Maker of the Motion:* Dayton (non-SO)

*Seconded by:* Brearly (non-SO)

*Speakers For:*

*Speakers Against:*

*Additional Notes on the Above:*
358: THE FOURTH VOTE

If a delegate has to vote ‘Yes’ to get a stronger candidate then 1 is the value for the categorical Variable ‘StrongWeak.’

This proposal would require the winning candidate to obtain a “majority of the members” to be elected.

10-1 PASSED
   NJ voted no.

Reconciliation: JM and WJ agree on the vote counts; see WJ Table at 2 F 399 and JM Notes at 2 F 403.
   Rollcall:
   41 total delegates; 20 Slave_Owners – 4 absent = 16 Slave_Owners present and 25 Not_Slave_Owners present.
   41 delegates: 7 no (for stronger) and 34 yes (for weaker).
   5 Not_Slave_Owners vote no; 20 Not_Slave_Owners vote yes; 14 Slave_Owners vote yes; 21 Slave_Owners vote no.
   Calculation: BB 5 BG 20 GG 14 GB 2 = Total 41
   Maker of the Motion: Pinckney (SO)
   Seconded by:
   Speakers For:
   Speakers Against:
   Additional Notes on the Above:
If a delegate has to vote ‘No’ to get a stronger candidate then 0 is the value for the categorical Variable ‘StrongWeak.’

This was a proposal that the president be chosen by electors who were chosen by the people.

5 - 6 DEFEATED
CT, NJ, PA, DE and VA voted yes.

Reconciliation: JM and WJ agree on the vote counts. See WJ Table at 2 F 399 and JM Notes at 2 F 404.

Reasoning: At this point in the process, Congress (aka the legislature) is electing the President. Vote_355 had been defeated so in that vote the proponents of a popular role had lost. But now that balloting by states in the legislature was proving troublesome – the lesson learned from Vote_357, the proponents of a direct role for popular elections believe it’s time to reballet: This time PA and DE are joined by CT, NJ and VA. In short, is the tide starting to turn their way, because the nominating/final selection process under consideration is cratering on its own complexity?

True, eventually the nominating process will include nominations by electors chosen by the state legislatures. But at this stage, it still makes for a weaker presidential candidate to move directly from Congress to election by the people through electors.

Rollcall:
41 total delegates; 20 Slave_Owners – 4 absent = 16 Slave_Owners present and 25 Not_Slave_Owners present.
41 total delegates: 21 no (for stronger) and 20 yes (for weaker)
10 Not_Slave_Owners voted no; 15 Not_Slave_Owners voted yes;
5 Slave_Owners voted yes, 11 Slave_Owners voted no.
Calculation: BB 10 BG 15 GG 5 GB 11 = Total 41
Maker of the Motion: Read (non-SO)
Seconded by: Carroll (SO)
Speakers For:
Speakers Against: G. Morris (non-SO)
Additional Notes on the Above:
We skip over JM 404 in which Vote 360 is explained as a procedural vote:
If a delegate has to vote ‘No’ to get a stronger candidate then 0 is the value for the categorical Variable ‘StrongWeak.’

This was a proposal that the president be chosen by electors “as an abstract question.”

4–4–2–1 DEFEATED

NJ, PA, DE and VA voted yes
NH, NC, SC and GA voted no
CT and MD were divided
MA abstained

Reconciliation: Both WJ Table and JM Notes, at 2 F 399 and 2 F 404, show the same vote counts. Fn.9 on p. 404 refers to JM’s NJ vote which says “Taken from Journal.” Apparently JM omitted to include the NJ aye vote and Mr. Farrand inserted it for him.

Reasoning: At this point, it can be seen that the delegates are starting to be intrigued by the possibility of taking the election out of the hands of professional politicians, even if (a) they are voting by state, (b) they are not also voting per capita (individually) and (c) the vote has to meet a quorum requirement and (d) the vote has to meet an action requirement and (e) ties also go into the legislature.

In short, they’re starting to get to the point that all of these points, which require a great deal of intellectual effort to sort through, are merely background voting machinery and that, as they sort through the mechanics entailed in these five points they must keep the big picture and bigger picture in mind.

Big picture: there are six options possible: (a) election by the House of Representatives, (b) election by the Senate, (c) election by the House and Senate acting together or (d) separately, (e) electors chosen by the legislature or (f) electors chosen by the people.

These can be combined: what eventually came about was nomination by electors chosen by the legislature with final selection by the House from a short list named by the electors.

Bigger picture: (a) do the delegates want a ‘one shot’ stop, with only one body having one shot at election or do they want a combination of one two or three bodies and (b) do they want to permit expression of preferences through individual and collective action or muffle these voices through corporate action?

Rolcall:

41 total delegates; 20 Slave_Owners – 4 absent = 16 Slave_Owners present and 25 Not_Slave_Owners present.

41 total delegates: 23 no (for stronger) and 18 yes (for weaker).
12 Not_Slave_Owners voted no; 13 Not_Slave_Owners voted yes;
5 Slave_Owners voted yes, 11 Slave_Owners voted no.

Calculation: BB 12 BG 13 GG 5 GB 11 = Total 41
Maker of the Motion: G. Morris (non-SO)
Seconded by: Carroll (SO)
Speakers For:
Speakers Against:
446: The Seventh Vote

If a delegate has to vote ‘No’ to get a stronger candidate then 0 is the value for the categorical Variable ‘StrongWeak.’

This was the proposal by Mason to expand the ‘short list’ concept so that a single majority-obtaining candidate doesn’t ‘shut down’ the election process.

2-9 DEFEATED
NC and MD voted in favor.

Reconciliation: WJ Table, 2 F 508, shows 10-1 against, showing only NC voting yes; JM Notes, 2 F 513, show both NC and MD voting in favor.

Reasoning: Imagine that the delegates are talking about what happens after Washington serves his two terms. If the delegates believe in the electoral process in its ‘lateral extension’ then they like the idea of candidates being nominated by the electors but then voted up or down by the House or the Senate or the House and Senate. So Mason was hoping that the more popular ‘out of the electoral college’ candidate would still have competition in any of these three options.

“Mr Sherman reminded the opponents of the new mode proposed that if the Small States had the advantage in the Senate’s deciding among the five highest candidates, the Large States would have in fact the nomination of these candidates.” 2 F 512-513.

The point is that a known tension presented itself: if there is a nominating process at all, then that will be dominated by large states. The reader will see that the solution might well be to take the Senate out of the process and put the legislature back in; “He shall be elected by ballot by the Legislature,” is the message of the Rutledge report.

Rollcall:
40 total delegates; 20 Slave_Owners – 6 absent = 14 Slave_Owners present and 26 Not_Slave_Owners present.
40 total delegates: 34 no (for stronger) and 6 yes (for weaker).
24 Not_Slave_Owners voted no, 2 Not_Slave_Owners voted yes;
4 Slave_Owners voted yes, 10 Slave_Owners voted no.
Calculation: BB 24 BG 2 GG 4 GB 10 = Total 40
Maker of the Motion: Mason (non-SO)
Seconded by: Williamson (non-SO)
Speakers For:
Speakers Against: G. Morris (non-SO), Sherman (non-SO)
THE EIGHTH VOTE

If a delegate has to vote ‘No’ to get a stronger candidate then 0 is the value for the categorical Variable ‘StrongWeak.’

This was a proposal to strike out Senate and insert legislature.

3-7-1 DEFEATED
PA, VA and SC voted yes.
NH was divided.

Reasoning: At this stage the Senate seems the better choice for Slave_Owners. They are elected by state legislatures; the Senators over-represent smaller states who understand that if slave states are targeted for rough treatment, they’re next.

Reasoning: This was the vote on Mason’s motion to deprive the Senate of its role in the election, 2 F 512, which went down to defeat. Remember that we are dealing with the text of Clause 4 of the Brearly committee report, the best text of which appears at 2 F 497 in Madison’s 9.4 entry.

If a delegate was a conspiracy theorist, this is his moment. This is the place where the Slave_Owners caucus starts to break up. It can’t deliver even 10 of 14 votes so from 447 to 454 it can get 10 votes only once at vote 451.

There’s nothing wrong here from an unsophisticated point of view. Congress acting instead of the Senate alone does not seem to make a difference. Put it down as a ‘no’ vote for stronger candidates because it just seems like tinkering. More likely the mediocre multiple hurdle jumper is the winner of this marathon.

Comments: WJ 2 F 508; JM 2 F 512-513. We can go with WJ on this one. To strike out senate and insert legislature is just as straightforward as it sounds. All seven others vote ‘no’, except for NH which divided. I think this was tactical ploy to put a stake in the heart of having both houses having a role in electing the President.

Reconciliation: WJ Table, 2 F 508, and JM Notes, 2 F 512-13, agree on this vote count.

Information Exchange: During this IE the signals are reading danger. The Slave_Owners are heading to the first significant crack-up in their coalition. Of the 14 delegates, they split worse than at previous time. In the next 8 votes including this one, they can’t get more than one 10 scored on 451.

Rolcall:
40 total delegates; 20 Slave_Owners – 6 absent = 14 Slave_Owners present and 26 Not_Slave_Owners present.
40 total delegates: 24 no (for stronger) and 16 yes (for weaker).
19 Not_Slave_Owners voted no; 7 Not_Slave_Owners voted yes;
9 Slave_Owners voted yes; 5 Slave_Owners voted no.
Calculation: BB 19 BG 7 GG 9 GB 5 = Total 40.
Maker of the Motion: Wilson (non-SO)
Seconded by:
Speakers For: Madison (SO), Randolph (non-SO)
Speakers Against: Dickinson (non-SO)
If a delegate has to vote ‘No’ to get a stronger candidate then 0 is the value for the categorical Variable ‘StrongWeak.’

This was a proposal to move the winning requirement down to one-third in the Senate so this has the plurality winning the presidency; there is not a lot of negotiating or wrangling.

2-9 DEFEATED

VA and NC voted yes.

Reasoning: Moving the winning bar down to 1/3 in the Senate, makes larger voting blocs, like Slave_Owners much more vulnerable. But obviously the opposite argument could be made, again, with a good chance of splitting Slave_Owners. That is, if the delegates drive down the winning action requirement, then the most cohesive bloc/s and its ally/ies win. I went with 0.

Reconciliation: Voted down 2 – 9 in WJ Table, 2 F 508, and JM is in agreement on this. JM Notes, 2 F 514.

Rollcall:

40 total delegates; 20 Slave_Owners – 6 absent = 14 Slave_Owners present and 26 Not_Slave_Owners present.

40 total delegates: 33 no (for stronger) and 7 yes (for weaker).

25 Not_Slave_Owners voted no; 1 Not_Slave_Owner voted yes;
6 Slave_Owners voted yes; 8 Slave_Owners voted no.

Calculation: BB 25 BG 1 GG 6 GB 8 = Total 40

Makers of the Motion: Williamson (non-SO) and Madison (SO)

Seconded by: N/A

Speakers For: Madison (SO), Williamson (non-SO)

Speakers Against: Gerry (non-SO)

Additional Notes on the Above: Either Madison spoke in favor or Williamson or both; JM is not clear. They are put down as joint movers and speakers.
If a delegate has to vote ‘No’ to get a stronger candidate then 0 is the value for the categorical Variable ‘StrongWeak.’

This was a proposal that only the top three vote getters go in front of the Senate, not the top five.

2-9 DEFEATED
VA and NC voted yes

**Reasoning:** Same as 448. If a delegate is a major player in delivering electoral votes, then he doesn’t sweat about there being politicians in the 4th and 5th rank coming out of the nominating process. With four states of thirteen (reliably favorable to the slave_owning interest) and plenty of slave_owners in Maryland a candidate who is a hero to slave_owning (or leaning) legislators is not going to get through the electoral college that far down the food chain. If so, then the managers for a candidate at the bottom of the tally didn’t make the deals required in northern state legislatures.

**Reconciliation:** JM Notes, 2 F 514, has the vote 2-8; WJ Table has 2-9, but MF says that JM changed his entry to conform to WJ. This is certainly a more muddled explanation that one would expect from an editor; the question is simply: ‘was WJ right or wrong when he recorded the vote at 2-9?’ If the outcome in JM is 2-8, how is that result changed to conform to WJ? If one takes the information JM supplies – leaving two problematic counts to one side – that leaves 2-7 with only Maryland and Delaware to be accounted for. JM didn’t say they voted ‘yes’ when ‘WJ’ has them no. So it seems to make sense to go with WJ on this one outcome which has all eleven states accounted for. Otherwise JM would leave DE without a vote which makes no sense; or MF would have given us a 2-8 JM vote as preliminary to the correction to 2-9.

So that’s VA and NC yes and everyone else no.

**Rollcall:**
40 total delegates; 20 Slave_Owners – 6 absent = 14 Slave_Owners present and 26 Not_Slave_Owners present.
40 total delegates: 33 no (for stronger) and 7 yes (for weaker).
25 Not_Slave_Owners voted no; 1 Not_Slave_Owner voted yes;
6 Slave_Owners voted yes; 8 Slave_Owners voted no.
**Calculation:** BB 25 BG 1 GG 6 GB 8 = Total 40
**Maker of the Motion:** Mason (SO)
**Seconded by:** Gerry (non-SO)
**Speakers For:**
**Speakers Against:** Sherman (non-SO); King (non-SO)
If a delegate has to vote ‘No’ to get a stronger candidate then 0 is the value for the categorical Variable ‘StrongWeak.’

This was a proposal to let everyone’s favourite son have a shot at it, so the top 13 would go in front of the Senate.

2-9 DEFEATED
NC and SC voted yes

Reasoning: Another vote whose only purpose may have been to sway the sensibilities of southern states. This was a vote to let everyone’s favorite son have a shot at it.

The candidate’s state managers, after the electors were appointed and before they balloted, would always be scrapping for the ‘one other vote.’ No elector in her right mind would fail to vote for the local hero with the one in-state ballot permitted. It would make everyone ‘feel good’ but be irrelevant to the large blocs when it came time for Congress to make the final cut.

Mathematically, by tempting the electors with a ‘favorite son’ throw-away vote, this guaranteed a two tier race: at the bottom the also-rans would split the throw-away votes; but at the top the electors would give serious consideration only to contenders who could contest for state ballots in the legislature.

Reconciliation: WJ in his Table at 2 F 508 and JM at 2 F 515 agree on this vote count.

It was voted down 2-11 with only NC and SC in favour.
Rollcall:
40 total delegates; 20 Slave_Owners – 6 absent = 14 Slave_Owners present and 26 Not_Slave_Owners present.
40 total delegates: 34 no (for stronger); 6 yes (for weaker).
26 Not_Slave_Owners voted no; no Not_Slave_Owners voted yes;
6 Slave_Owners voted yes; 8 Slave_Owners voted no.
Calculation: BB 26 BG 0 GG 6 GB 8 = Total 40
Joint Makers of the Motion: Spaight (SO) and Rutledge (SO)
Seconded: N/A
Speakers For:
Speakers Against:
Additional Notes on the Above:
If a delegate has to vote ‘No’ to get a stronger candidate then 0 is the value for the categorical Variable ‘StrongWeak.’

This was a proposal to make non-voting electors count; so this makes it more difficult to beat everyone else in the race if abstentions or failures to nominate electors count against the front-runners who are scrapping for every vote.

4-7 DEFEATED

PA, MD, VA and NC voted yes.

**Reasoning:** Although eventually this came back in in quorum and action requirements in the House of Representatives, at this stage – when the nominating role of the electoral college and the selecting role of the House was unresolved – it seemed to complicate matters.

**Reconciliation:** WJ Table at 2 F 508 and JM Notes agree on this vote count.

**Rollcall:**
40 total delegates; 20 Slave_Owners – 6 absent = 14 Slave_Owners present and 26 Not_Slave_Owners present.

40 total delegates: 19 voted no (for stronger) and 21 voted yes (for weaker).
15 Not_Slave_Owners voted no; 11 Not_Slave_Owners voted yes;
10 Slave_Owners voted yes; 4 Slave_Owners voted no.

**Calculation:** BB 15, BG 11, GG 10, GB 4 = Total 40.

**Joint Makers of the Motion:** Madison (SO) and Williamson (non-SO)

**Seconded by:** N/A

**Speakers For:**

**Speakers Against:**
The Thirteenth Vote

If a delegate has to vote ‘No’ to get a stronger candidate then 0 is the value for the categorical Variable ‘StrongWeak.’

This is a proposal to ease the previous point ever so slightly.

9-2 PASSED

VA and NC voted no.

Reasoning: This clarifies the vote on the previous point but ever so slightly eases it. A candidate must win a majority of the electors appointed, so a state that can’t get its act together and drops out of the electoral college isn’t casting its votes against the front runner. This proposal might have been drafted to split Slave_Owners as it is unclear how this will cut.

Reconciliation: WJ Table at 2 F 508 shows the 9-2 vote; JM Notes at 2 F 515 say the vote was 8-2 but did not list CT’s yes vote. MF has added CT in parentheses to the JM Notes, with fn.7 which says “Taken from Journal.”

Rollcall:
40 total delegates; 20 Slave_Owners – 6 absent = 14 Slave_Owners present and 26 Not_Slave_Owners present.
40 total delegates: 33 voted yes (for weaker); 7 voted no (for stronger).
1 Not_Slave_Owner voted no; 25 Not_Slave_Owners voted yes;
8 Slave_Owners voted yes; 6 Slave_Owners voted no.
Calculation: BB 1 BG 25 GG 8 GB 6 = Total 40

Maker of the Motion: Dickinson (non-SO)
Seconded by:
Speakers For:
Speakers Against:
Additional Notes on the Above: This was the last vote on September 5th
SEPTEMBER 6, 1787

{41 DELEGATES ARE IN ATTENDANCE ON SEPTEMBER 6 BECAUSE ALEXANDER HAMILTON CAME BACK TO PHILADELPHIA}

453: THE FOURTEENTH VOTE

If a delegate has to vote ‘No’ to get a stronger candidate then 0 is the value for the categorical Variable ‘StrongWeak.’

This was a proposal to move the President’s term up to seven years; remember at this stage he could run for reelection under the Brearly Committee clause 4 which provided for a four year term; this is a point which Sherman (through Madison’s Notes) makes at 2 F 499.

3-8 DEFEATED.

NH, VA and NC voted yes.

Reasoning: Another vote which is designed to split the Slave_Owners. What if a ‘bad’ president who is uninterested in Slave_Owner interests is elected? Delegates might compute that they have more to fear from a presidential foe than they can gain from a presidential friend. So longer terms are worse.

The next point might run: if you were President you might want to put off reelection for as long as possible. That’s one point of view.

The other is that if you’re President and you want to run again, you’re going to get out of the electoral college nominating process, unless you’re John Adams and everyone hates you. And that’s just your own party. So you don’t have that to worry about. And four to six years (choices coming up) supply plenty of time to develop (with Senators or Representatives or both) your working relationship, so that, once you’re ‘renominated’ through the electoral college and are one of the five nominees (if you don’t win outright), then you can win in the corporate (and final) selection process.

Reconciliation: The WJ Table at 2 F 520 and JM Notes at 2 F 525 agree on this vote count.

Rollcall:

41 total delegates; 20 Slave_Owners – 4 absent = 16 Slave_Owners present and 25 Not_Slave_Owners present.

41 total delegates: 29 voted no (for stronger) and 12 voted yes (for weaker).

22 Not_Slave_Owners voted no; 5 Not_Slave_Owners voted yes;

7 Slave_Owners voted yes; 7 Slave_Owners voted no.

Calculation: BB 22 BG 5 GG 7 GB 7 = Total 41

Joint Makers of the Motion: Spaight (SO) and Williamson (non-SO)

Seconded by:

Speakers For:

Speakers Against:

Additional Notes on the Above:
THE FIFTEENTH VOTE

If a delegate has to vote ‘No’ to get a stronger candidate then 0 is the value for the categorical Variable ‘StrongWeak.’

This was a proposal to move the President’s term up to six years.

2-9 DEFEATED
NC and SC voted yes

Reconciliation: WJ Table at 2 F 520 and JM Notes at 2 F 525 agree on this vote count.
Reasoning: see above at Vote_453.
Rollcall:
41 total delegates; 20 Slave_Owners – 4 absent = 16 Slave_Owners present and 25 Not_Slave_Owners present.
41 total delegates: 33 voted no (for stronger) and 8 voted yes (for weaker).
25 Not_Slave_Owners voted no; 2 Not_Slave_Owners voted yes;
6 Slave-Owners voted yes; 8 Slave_Owners voted no.
Calculation: BB 25 BG 2 GG 6 GB 8 = Total 41
Joint Makers of the Motion: Spaight (SO) and Williamson (non-SO)
Seconded by:
Speakers For:
Speakers Against:
Additional Notes on the Above:
455: The Sixteenth Vote

If a delegate has to vote ‘Yes’ to get a stronger candidate then 1 is the value for the categorical Variable ‘StrongWeak.’

This was a proposal to agree to the four years recommended by the Committee.

10-1 PASSED.
NC voted no.

Reasoning: At this point everyone can see that the Brearly Report was right, at least in this sense: the four year provision is preferable to six and seven year terms, but a delegate couldn’t know that for sure without debating the two previous preferences. Once the delegates have worked through this, they realize that there are other important fish to fry.

Reconciliation: WJ Table at 2 F 520 and JM Notes at 2 F 525 agree on this vote count.

Rollcall:
41 total delegates; 20 Slave_Owners – 4 absent = 16 Slave_Owners present and 25 Not_Slave_Owners present.
41 total delegates: 39 voted yes (for weaker); 2 voted no (for stronger).
No Not_Slave_Owners voted no; 27 Not_Slave_Owners voted yes;
12 Slave_Owners voted yes; 2 Slave_Owners voted no.
Calculation: BB 0 BG 27 GG 12 GB 2 = Total 41
Maker of the Motion:
Seconded by:
Speakers For:
Speakers Against:
If a delegate has to vote ‘Yes’ to get a stronger candidate then 1 is the value for the categorical Variable ‘StrongWeak.’

This was a proposal to approve the concept in Clause 4 of the BC report that would make the President nominated by electors.

10-1 PASSED  
NC votes no.

**Reasoning:** this is neutral because this is what the Brearily Committee report came in with. So what’s happening is that the delegates are settling down to accept the nomination process as the Committee report develops the process in Clause 4.

**Reconciliation:** At 2 F 517 n.3, MF states, “From this point on in this day’s records it seems hopeless to determine the order of questions and votes.” He “remove[d] some of the confusion by assigning votes from Detail of Ayes and Noes ... and [distributed] the balance as seems probable.” The WJ Table, 2 F 520, shows the 10-1 count. JM Notes on 2 F 525 show a count of 9-2, with NC and SC voting no but did not list CT’s yes vote. MF has added CT in parentheses to the JM Notes, with n.20 which says “Taken from Journal.”

At this point MF at 2 F 517 n 3 notes issues with recording of the roll call votes.

JM 2 F 525 the delegates are approving a tranche of Clause 4 of the Brearily Committee report.

WJ notes every state votes ‘aye’ except for NC which is ‘nay’.

I took the content from JM and the vote from WJ and ignored Vote_457 as likely to be infected with the same problem.

**Rollcall:**
41 total delegates; 20 Slave_Owners – 4 absent = 16 Slave_Owners present and 25 Not_Slave_Owners present.

41 total delegates: 3 voted yes (for weaker); 38 voted no (for stronger).
1 Not_Slave_Owner voted no; 26 Not_Slave_Owners voted yes;
12 Slave_Owners voted yes; 2 Slave_Owners voted no.

**Calculation:** BB 1 BG 26 GG 12 GB 2 = Total 41

**Maker of the Motion:**
**Seconded by:**
**Speakers For:**
**Speakers Against:**
**Additional Notes on the Above:**
If a delegate has to vote ‘No’ to get a stronger candidate then 0 is the value for the categorical Variable ‘StrongWeak.’

This is a proposal for the electors to meet at the “general seat of government” which is going to allow for more wheeling and dealing to the detriment of the eventual president candidate.

1-10 DEFEATED
NC votes yes.

_Reasoning:_ Now we’re weeding out the undesirable points or even the ones that are irrelevant once the bigger picture comes into focus. The electoral college nominates five; so putting them together is irrelevant. If someone is the runaway favorite, then putting the electors in one place is only a recipe for ‘cabal’ and ‘faction’ against the frontrunner.

_Reconciliation:_ WJ Table at 2 F 520 and JM Notes at 2 F 525 agree on this vote count.

_Comments:_ then ignore 459 and go to 461

_Rollcall:_
41 total delegates; 20 Slave_Owners – 4 absent = 16 Slave_Owners present and 25 Not_Slave_Owners present.
41 total delegates: 38 voted no (for stronger); 3 voted yes (for weaker). 26 Not_Slave_Owners voted no; 1 Not_Slave_Owner voted yes; 2 Slave_Owners voted yes; 12 Slave_Owners voted no.
_Calculation:_ BB 26 BG 1 GG 2 GB 12 = Total 41

_Maker of the Motion:_ Spaight (SO)
_Seconded by:_ Williamson (non-SO)
_Speakers For:_
_Speakers Against:_
_Additional Notes on the Above:_
THE NINETEENTH VOTE

If a delegate has to vote ‘Yes’ to get a stronger candidate then 1 is the value for the categorical Variable ‘StrongWeak.’

This is a proposal to set the bar for election, which is a majority of the electors; so this is going to be okay for Washington, but from there on out, a plurality of electors will not keep you out of the Senate.

8-3 PASSED
PA, VA and NC voted no.

**Reasoning:** This is obvious: if the unique frontrunner (Jefferson and Burr being tying frontrunners) can get a majority of the electors to support her, then she doesn’t have to jockey with four others in the electoral college.

**Reconciliation:** Start with *WJ’s* 2 F 460; he notes the result as 8-2-1 PASSED, with MA and CT voting no and NH dividing.

What’s problematic here is that *JM* doesn’t have the divided vote on 460; but by the time you read *JM’s* truncated vote and *WJ’s* two votes, 460 and 461, you realize that the point was made clear by *JM*, even if he didn’t get both votes.

At 2 F 526 *JM* he makes it clear that most of the elections are going to the Senate. Where *WJ* at 2 F 520 says the person with greatest number of votes, if a majority, and that’s what’s important

**Rollcall:**
41 total delegates; 20 Slave_Owners – 4 absent = 16 Slave_Owners present and 25 Not_Slave_Owners present.
41 total delegates: 26 voted yes (for weaker); 15 voted no (for stronger).
8 Not_Slave_Owners voted no; 19 Not_Slave_Owners voted yes;
7 Slave_Owners voted yes; 7 Slave_Owners voted no.

**Calculation:** BB 8 BG 19 GG 7 GB 7 = Total 41

**Maker of the Motion:**
**Seconded by:**
**Speakers For:**
**Speakers Against:**
**Additional Notes on the Above:**
If a delegate has to vote ‘Yes’ to get a stronger candidate then 1 is the value for the categorical Variable ‘StrongWeak.’

This was a proposal of Madison’s to require 2/3rd of the Senate to be present at the election of the President; since they were voting per capita at that time, that’s 2/3rds of the Senators.

6-4-1 PASSED
CT, NJ, PA, DE voted no.
MA absent.

Reasoning: This is going to come back as a quorum requirement for the House later on; this is not a digression; the point is that when the delegates are working through details at this level, they’re probably ready to sort out the big ones. Or already have.

There are five candidates; what are the chances of one of the delegate’s supporters missing in action? So that’s a 4 in 5 chance that a missing Senator will support someone else; from a politician’s point of view, more important to get their people to Senate to vote than hope that absences will be distributed so as to hurt their opponents more than themselves.

Reconciliation: WJ Table at 2 F 520 and JM Notes at 2 F 526-27 agree on the vote count. Both indicate MA was absent rather than abstaining, but Table 100A shows Gerry, Gorham and King present, with only Strong absent.

Rollcall:
41 total delegates; 20 Slave_Owners – 4 absent = 16 Slave_Owners present and 25 Not_Slave_Owners present.
41 total delegates: 20 voted yes (for weaker); 18 voted no (for stronger).
17 Not_Slave_Owners voted no; 7 Not_Slave_Owners voted yes;
13 Slave_Owners voted yes; 1 Slave_Owner voted no.
Calculation: BB 17 BG 7 GG 13 GB 1 = Total 41
Maker of the Motion: Madison (SO)
Seconded by: Pinckney (SO)
Speakers For:
Speakers Against: Gorham (non-SO)
Additional Notes on the Above:
465: THE TWENTY-FIRST VOTE

If a delegate has to vote ‘Yes’ to get a stronger candidate then 1 is the value for the categorical Variable ‘StrongWeak.’

This is the proposal that moves the selection into the House.

10-1 PASSED
DE voted no

**Reasoning:** If the delegates are really voting by state, there will be too many divisions in the Senate and too greater a possibility of deadlock; if they’re voting per capita, then too much power to a few Senators with five candidates. To get the best of both worlds assigned winner takes all in each delegation which will limit the number of swing states; this is deemed preferable to king-making (or would-be king making) Senators.

**Reconciliation:** This appears in *WJ* at 2 F 519 (Table at 2 F 520) and in *JM* at 2 F 527.

**Rollcall:**
41 total delegates; 20 Slave_Owners – 4 absent = 16 Slave_Owners present and 25 Not_Slave_Owners present.
41 total delegates: 36 voted yes (for weaker); 5 voted no (for stronger).
5 Not_Slave_Owners voted no; 22 Not_Slave_Owners voted yes;
14 Slave_Owners voted yes; no Slave_Owners voted no.
**Calculation:** BB 5 BG 22 GG 14 GB 0 = Total 41
**Maker of the Motion:** Sherman (non-SO)
**Seconded by:**
**Speakers For:** Mason (SO)
**Speakers Against:**
**Additional Notes on the Above:**
469: THE TWENTY-SECOND VOTE

If a delegate has to vote ‘Yes’ to get a stronger candidate then 1 is the value for the categorical Variable ‘StrongWeak.’

This is a proposal that will put tie votes that occur in the electoral college into the House.

8-3 PASSED
NJ, DE and MD voted no.

Reasoning: Now this makes sense; the delegates have already decided that unless one person has an absolute majority, then the House elects the president. This is, outside of George Washington, going to be the default; so now they’re also deciding that ties go into the House. Top two or three men who tie, with no one (obviously) having a majority.

Reconciliation: WJ Table at 2 F 520 and JM Notes at 2 F 527 agree with this vote count.

Rollcall:
41 total delegates; 20 Slave_Owners – 4 absent = 16 Slave_Owners present and 25 Not_Slave_Owners present.
41 total delegates: 23 voted yes (for weaker); 18 voted no (for stronger).
14 Not_Slave_Owners voted no; 13 Not_Slave_Owners voted yes;
10 Slave_Owners voted yes; 4 Slave_Owners voted no.
Calculation: BB 14 BG 13 GG 12 GB 2 = Total 41
Maker of the Motion:
Seconded by:
Speakers For:
Speakers Against:
Additional Notes on the Above:
471: The Twenty-Third Vote

If a delegate has to vote ‘Yes’ to get a stronger candidate then 1 is the value for the categorical Variable ‘StrongWeak.’

11-0 PASSED

“It was moved and seconded to agree to the following amendment / “But a quorum for this purpose shall consist of a Member or Members from two thirds of the States” / which passed in the affirmative [“Unanimous”] This is WF

Unanimous

Reasoning: There must be a supermajoritarian quorum requirement to balance out the majoritarian election/action threshold.

So there is no point in a presidential candidate picking up ‘low hanging’ fruit in a few delegations, by getting minority House member to vote for him. It’s winner take all. The proposition affirms that states are doing the voting.

Reconciliation: JM Notes at 2 F 528 say “The motion as far as “States” inclusive was agd. to.”

WJ Table at 2 F 520 and JM Notes at 2 F 527-28 agree that this was a unanimous vote.

Rollcall:
41 total delegates; 20 Slave_Owners – 4 absent = 16 Slave_Owners present and 25 Not_Slave_Owners present.
51 total delegates: 41 voted yes; 0 voted no.
No Not_Slave_Owners voted no; 27 Not_Slave_Owners voted yes;
14 Slave_Owners voted yes; no Slave_Owners voted no.
Calculation: BB 0 BG 27 GG 14 GB 0 = Total 41
Maker of the Motion: King (non-SO)
Seconded by:
Speakers For: Mason (SO)
Speakers Against:
If a delegate has to vote ‘No’ to get a stronger candidate then 0 is the value for the categorical Variable ‘StrongWeak.’

5-6 DEFEATED
NH, NJ, DE, MD, SC, GA voted no
MA, CT, PA, VA, NC voted yes

Reasoning: this is another instance of over elaborate strangling of the top candidate, forcing him to wheel and deal over the last votes, giving the hold outs / cynical a disproportionate power. A delegate doesn’t even have to be voting against the top guy; he can block his state from joining the bandwagon by forcing abstention or a divided vote, same thing. So in a state with two Congressmen one Congressman can have enormous power.

Rollcall:
41 total delegates; 20 Slave_Owners – 4 absent = 16 Slave_Owners present and 25 Not_Slave_Owners present.
41 total delegates: 20 voted no (for stronger); 21 voted yes (for weaker).
14 Not_Slave_Owners voted no; 13 Not_Slave_Owners voted yes;
6 Slave_Owners voted yes; 8 Slave_Owners voted no.
Calculation: BB 14 BG 13 GG 6 GB 8 = Total 41
Maker of the Motion:
Seconded by:
Speakers For:
Speakers Against:
Additional Notes on the Above:
If a delegate has to vote ‘Yes’ to get a stronger candidate then 1 is the value for the categorical Variable ‘StrongWeak.’

This is a proposal that the Vice President is the number two vote getter.

10-1 PASSED
NC voted no.

**Reasoning:** The convention has provided for a Vice President but where does he come from? By making him the second highest vote getter, the delegates give out a consolation prize that makes it easier for the front-runner to win. They’re not ‘dissing’ the number two guy, they’re making him President of the Senate.

**Comments:** *JM* does not have this as the last vote of the day on this point. *JM* Notes, 2 F 528. Farrand puts this as the last vote, *WJ* 2 F 519 n. 16. It would seem that Farrand is right. This is logically the last vote and also is covered in the revised Brearly Report which appears in both *WJ* 2 F 519-520 and *JM* 2 F 528-529.

Here is more on the subject:

<table>
<thead>
<tr>
<th>Date</th>
<th>Note Taker</th>
<th>2 Farrand</th>
</tr>
</thead>
<tbody>
<tr>
<td>9/4</td>
<td>JM</td>
<td>500</td>
</tr>
<tr>
<td>9/7</td>
<td>WJ</td>
<td>532</td>
</tr>
<tr>
<td>9/7</td>
<td>JM</td>
<td>536-537</td>
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<td>9/8</td>
<td>WJ</td>
<td>545</td>
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<td>9/15</td>
<td>JM</td>
<td>633</td>
</tr>
<tr>
<td>9/15</td>
<td>McHenry</td>
<td>636</td>
</tr>
<tr>
<td>9/15</td>
<td>Mason</td>
<td>636</td>
</tr>
</tbody>
</table>

What this suggests – and this is pretty weak – is that there was little debate about the Vice-Presidential selection method. None of these remarks were directed to other clauses (typically the Presidency of the Senate) and thereby connected to the selection method. So the choice is the reader’s.

**Rollcall:**
41 total delegates; 20 Slave_Owners – 4 absent = 16 Slave_Owners present and 25 Not_Slave_Owners present.
41 total delegates: 38 voted yes (for stronger); 3 voted no (for weaker).
No Not_Slave_Owners voted no; 27 Not_Slave_Owners voted yes;
12 Slave_Owners voted yes; 2 Slave_Owners voted no.
**Calculation:** BB 0 BG 27 GG 11 GB 3 = Total 41
### Table 750_1E

**Twenty-Five Votes:**

**How the 61 Words of the Rutledge Report Fared**

<table>
<thead>
<tr>
<th>Recorded Vote No.</th>
<th>Words Proposed to be Added [Concepts Paraphrased] or Considered Separately</th>
<th>Added?/Considered?/Deleted?</th>
<th>Words Proposed for Deletion</th>
<th>Approved Y/N</th>
</tr>
</thead>
<tbody>
<tr>
<td>355</td>
<td>by the people</td>
<td>AD</td>
<td>by the legislature</td>
<td>N</td>
</tr>
<tr>
<td>356</td>
<td>joint</td>
<td>A</td>
<td></td>
<td>Y</td>
</tr>
<tr>
<td>357</td>
<td>each state having one vote</td>
<td>A</td>
<td></td>
<td>N</td>
</tr>
<tr>
<td>358</td>
<td>to which election a majority of the votes of the members present shall be required</td>
<td>A</td>
<td></td>
<td>Y</td>
</tr>
<tr>
<td>359</td>
<td>shall be chosen by Electors to be chosen by the people of the several States</td>
<td>A</td>
<td></td>
<td>N</td>
</tr>
<tr>
<td>361</td>
<td>shall be chosen by Electors</td>
<td>A</td>
<td></td>
<td>N</td>
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</table>

August 24
<table>
<thead>
<tr>
<th>Recorded Vote No.</th>
<th>Words Proposed to be Added [Concepts Paraphrased] or Considered Separately</th>
<th>Added?/Considered?/Deleted?</th>
<th>Words Proposed for Deletion</th>
<th>Approved Y/N</th>
</tr>
</thead>
<tbody>
<tr>
<td>September 5</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>446</td>
<td>if such number be a majority of that of the electors</td>
<td>D</td>
<td></td>
<td>N</td>
</tr>
<tr>
<td>447</td>
<td>Legislature</td>
<td>AD</td>
<td>Senate</td>
<td>N</td>
</tr>
<tr>
<td>448</td>
<td>majority</td>
<td>AD</td>
<td>one third</td>
<td>N</td>
</tr>
<tr>
<td>449</td>
<td>three</td>
<td>AD</td>
<td>five</td>
<td>N</td>
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<tr>
<td>450</td>
<td>thirteen</td>
<td>AD</td>
<td>five</td>
<td>N</td>
</tr>
<tr>
<td>451</td>
<td>who shall have balloted</td>
<td>A</td>
<td></td>
<td>N</td>
</tr>
<tr>
<td>452</td>
<td>appointed</td>
<td>A</td>
<td></td>
<td>Y</td>
</tr>
<tr>
<td>September 6</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>453</td>
<td>seven</td>
<td>AD</td>
<td>four</td>
<td>N</td>
</tr>
<tr>
<td>454</td>
<td>six</td>
<td>AD</td>
<td>four</td>
<td>N</td>
</tr>
<tr>
<td>455</td>
<td>four</td>
<td>A</td>
<td></td>
<td>Y</td>
</tr>
<tr>
<td>456</td>
<td>He shall hold his office during the term of four years, and together with the Vice President, chosen for the same term, be elected in the following manner. Each State shall appoint in such manner as it's Legislature may direct, a number of Electors equal to the whole number of Senators, and Members of the House of representatives to which the State may be entitled in the legislature.</td>
<td>C</td>
<td></td>
<td>Y</td>
</tr>
<tr>
<td>458</td>
<td>[Electors to meet at the seat of General government]</td>
<td>A</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>461</td>
<td>if such number be a majority of that of the electors appointed</td>
<td>A</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>464</td>
<td>[2/3 at least of the Senate to be present at the choice of a President]</td>
<td>A</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Recorded Vote No.</td>
<td>Words Proposed to be Added [Concepts Paraphrased] or Considered Separately</td>
<td>Added?/Considered?/Deleted?</td>
<td>Words Proposed for Deletion</td>
<td>Approved Y/N</td>
</tr>
<tr>
<td>------------------</td>
<td>--------------------------------------------------------------------------------</td>
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<td>-----------------------------</td>
<td>--------------</td>
</tr>
<tr>
<td>465</td>
<td>The House of Representatives shall immediately choose by ballot one of them for President, the members from each State having one vote</td>
<td>AD</td>
<td>The Senate shall immediately choose &amp;c</td>
<td>Y</td>
</tr>
<tr>
<td>469</td>
<td>[the eventual election of Presidt. in case of an equality of the votes of the electors be referred to the House of Reps.]</td>
<td>A</td>
<td></td>
<td>Y</td>
</tr>
<tr>
<td>471</td>
<td>But a quorum for this purpose shall consist of a member or members from two thirds of the States</td>
<td>A</td>
<td></td>
<td>Y</td>
</tr>
<tr>
<td>472</td>
<td>and also of a majority of the whole number in the House of Reps.</td>
<td>A</td>
<td></td>
<td>N</td>
</tr>
<tr>
<td>466</td>
<td>[and in every case after the choice of the Presidt the Person having the greatest number of votes]</td>
<td>A</td>
<td></td>
<td>Y</td>
</tr>
</tbody>
</table>