

*The original of this Resolution is bound with Resolutions of the 2<sup>nd</sup> Session of the 62<sup>nd</sup> Congress.*

H. J. Res. 39.

Introduced April 5, 1911  
Passed H. of R., April 13, 1911  
Amended & passed Senate June 12, 1911  
Passed H. of R. as Amended May 13, 1912

**Sixty-second Congress of the United States of America;**

~ At the Second Session, ~

Begun and held at the City of Washington on Monday, the fourth day of December, one thousand nine hundred and eleven.

**JOINT RESOLUTION**

Proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein),* That in lieu of the first paragraph of section three of Article I of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the States:

"The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

"When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Provided,* That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

"This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution."

CHAMP CLARK,

*Speaker of the House of Representatives.*

J S SHERMAN

*Vice-President of the United States and*

*President of the Senate.*

I certify that this Joint Resolution originated in the House of Representatives.

SOUTH TRIMBLE

*Clerk.*

**NATIONAL ARCHIVES MICROFILM PUBLICATIONS**

Microfilm Publication M1518

RATIFIED AMENDMENTS XI-XXVI

Roll 6

Seventeenth Amendment

The National Archives  
National Archives and Records Administration  
Washington: 1988

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SEVENTEENTH AMENDMENT

COPY OF THE JOINT RESOLUTION OF THE SECOND SESSION OF THE SIXTY-SECOND CONGRESS, PROPOSING AN AMENDMENT TO THE CONSTITUTION PROVIDING THAT SENATORS SHALL BE ELECTED BY THE PEOPLE OF THE SEVERAL STATES.

COPY OF THE LETTER WHICH WITH ONE CERTIFIED AND ONE UNCERTIFIED COPY OF THE RESOLUTION WAS MAILED TO THE GOVERNOR OF EACH STATE, MAY 17, 1912.

RECORD OF DATE OF NOTICE TO GOVERNOR AND DATE OF RECEIPT OF ACKNOWLEDGMENT.

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MEMORANDUM FROM THE OFFICE OF THE CHIEF CLERK.

MEMORANDUM FROM THE OFFICE OF THE SOLICITOR, MAY 17, 1913.

PROCLAMATION OF THE SECRETARY OF STATE.

MEMORANDUM CONCERNING THE SIGNING OF THE PROCLAMATION.

LIST OF STATES WHICH RATIFIED THE SEVENTEENTH AMENDMENT AND DATES OF RATIFICATION.

RATIFICATIONS, REJECTION AND CORRESPONDENCE CONCERNING THE ACTION TAKEN BY THE STATES.

COPY OF THE JOINT RESOLUTION OF THE SECOND SESSION OF THE  
SIXTY-SECOND CONGRESS, PROPOSING AN AMENDMENT TO THE CON-  
STITUTION PROVIDING THAT SENATORS SHALL BE ELECTED BY THE  
PEOPLE OF THE SEVERAL STATES

COPY OF THE LETTER WHICH WITH ONE CERTIFIED AND ONE UNCERTI-  
FIED COPY OF THE RESOLUTION WAS MAILED TO THE GOVERNOR OF  
EACH STATE, MAY 17, 1912.

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Copy of this letter with one  
certified and one uncertified  
copy of this resolution, mailed  
to the Governor of each  
State, May 17, 1912.

DEPARTMENT OF STATE  
WASHINGTON

May 17, 1912

His Excellency

The Governor of the State of

Sir:

I have the honor to enclose a certified copy of a Resolution of Congress, entitled "Joint Resolution Proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States." with the request that you cause the same to be submitted to the Legislature of your State for such action as may be had, and that a certified copy of such action be communicated to the Secretary of State, as required by Section 205, Revised Statutes of the United States. (See overleaf.)

An acknowledgment of the receipt of this communication is requested.

I have the honor to be, Sir,

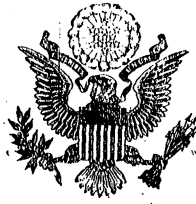
Your obedient servant,

(Signed) P. C. McPherson

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No.

UNITED STATES OF AMERICA.



DEPARTMENT OF STATE.

To all to whom these presents shall come, Greeting:

I Certify That the copy hereto attached is a true copy of a resolution of Congress, entitled "Joint Resolution Proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States." the original of which is on file in this Department.

In testimony whereof I, P. C. KNOX, Secretary of State, have hereunto caused the Seal of the Department of State to be affixed, and my name subscribed by the Chief Clerk of the said Department, at the City of Washington, this ..... day of ..... , 1912.

*P. C. Knox*

Secretary of State.

By *M. M. Cannon*

Chief Clerk.

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Sec. 205. Whenever official notice is received at the Department of State that any amendment proposed to the Constitution of the United States has been adopted, according to the provisions of the Constitution, the Secretary of State shall forthwith cause the amendment to be published in the newspapers authorized to promulgate the laws, with his certificate, specifying the States by which the same may have been adopted, and that the same has become valid, to all intents and purposes, as a part of the Constitution of the United States.--Revised Statutes, 1878.



No.

UNITED STATES OF AMERICA.



DEPARTMENT OF STATE.

To all to whom these presents shall come, Greeting:

I Certify That the copy hereto attached is a true copy of a resolution of Congress, entitled "Joint Resolution Proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States." the original of which is on file in this Department.

In testimony whereof I, P. C. KNOX, Secretary of State, have hereunto caused the Seal of the Department of State to be affixed, and my name subscribed by the Chief Clerk of the said Department, at the City of Washington, this ..... day of ....., 1912.

P. C. Knox

Secretary of State.

By

Ammerman

Chief Clerk.

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RECORD OF DATE OF NOTICE TO GOVERNOR AND DATE OF RECEIPT OF  
ACKNOWLEDGMENT

AMENDMENT TO CONSTITUTION  
ELECTION OF U. S. SENATORS

NO	STATE	NOTICE SENT	ACKMT RECEIVED	CERTIFICATE RECEIVED
	ALABAMA	1912 May 17	May 26 1912	
	ARIZONA	"	May 25 1912	Jan 23 1913
	ARKANSAS	"	May 23 1912	
	CALIFORNIA	"	May 28 1912	
	COLORADO	"		
	CONNECTICUT	"		
	DELAWARE	abolished of 1/31/13	May 28 1912	
	FLORIDA	"	May 22 1912	
	GEORGIA	"		
	IDAHO	"	May 25 1912	
	ILLINOIS	"	June 6 1912	
	INDIANA	"	May 22 1912	
	IOWA	"	May 24 1912	
	KANSAS	"		
	KENTUCKY	"	May 21 1912	
	LOUISIANA	"	May 27 1912	
	MAINE	"	May 23 1912	
	MARYLAND	"		
	MASSACHUSETTS	"		June 7 1912
	MICHIGAN	"	May 26 1912	
	MINNESOTA	"	May 22 1912	June 15 1912
	MISSISSIPPI	"	May 23 1912	
	MISSOURI	"	May 23 1912	
	MONTANA	"	May 27 1912	

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## AMENDMENT TO CONSTITUTION ELECTION OF U.S. SENATORS.

STATE	NOTICE SENT	ACKNT RECEIVED	CERTIFICATE RECEIVED
NEBRASKA	<sup>1912</sup> May 17	May 23 1912	
NEVADA	"	May 25 1912	
NEW HAMPSHIRE	"	May 22 1912	
NEW JERSEY	"		
NEW MEXICO	"	May 21 1912	
NEW YORK	"	May 23 1912	Jan 20 1913
NORTH CAROLINA	"	May 21 1912	
NORTH DAKOTA	"	May 27 1912 June 8 1912	
OHIO	"	June 1 1912	
OKLAHOMA	"	May 23 1912	
OREGON	"	May 28 1912	
PENNSYLVANIA	"	May 25 1912	
RHODE ISLAND	"	May 23 1912	
SOUTH CAROLINA	also 7/13/12	May 22 1912	
SOUTH DAKOTA	"	May 23 1912	
TENNESSEE	4/13 also	May 22 1912	
TEXAS	"	May 22 1912	
UTAH	"	June 4 1912	
VERMONT	"	May 23 1912	
VIRGINIA	"	May 20 1912	
WASHINGTON	"	May 29 1912	
WEST VIRGINIA	"	May 23 1912	
WISCONSIN	"	May 22 1912	
WYOMING	"	May 23 1912	

MEMORANDUM FROM THE OFFICE OF THE CHIEF CLERK

DEPARTMENT OF STATE

OFFICE OF THE CHIEF CLERK

MEMORANDUM  
JUN 5 1915

May 12, 1915.

Dear Mr. Van Dyne:

Please see the accompanying memorandum of Mr. Tenner. The Secretary directs that you report to him immediately upon the ratifications made by the States and prepare the necessary announcements at your earliest convenience.

*Ernest Darr*

D/W.

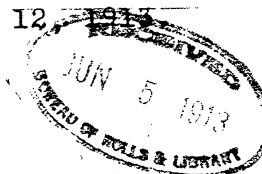
(14)

BUREAU OF ROLLS  
AND LIBRARY

DEPARTMENT OF STATE  
WASHINGTON

May 12, 1913

Memorandum for Chief Clerk:



Dear Mr. Davis:

I am informing you that thirty-six States have officially notified the Department of their ratification of the Amendment to the Constitution providing for the election of Senators, in order that the Secretary may be advised of the fact for the purpose of taking such action as he may desire.

In this connection it is suggested that you refer the matter to the Secretary with the recommendation that it be submitted to the Solicitor for a report on the ratifications of the States, and the preparation of the announcement to be made by the Secretary of State, under Section 205 of the Revised Statutes.

*J. A. ...*  
Chief of Bureau.

MEMORANDUM FROM THE OFFICE OF THE SOLICITOR, MAY 10, 1913

For Solicitor's memorandum, dated April 20, 1911,  
see memoranda from the office of the Solicitor  
which is bound with the Sixteenth Amendment.



Secretary of State,  
JUN - 2 1913

DEPARTMENT OF STATE

OFFICE OF THE SOLICITOR

MEMORANDUM

*FILE*  
*June 21/13*  
*JH*  
*DEPT*

May 10, 1913.

Ratification of the 17th Amendment to the Constitution of the United States providing for the Election of Senators by Popular Vote.

The Sixty-second Congress of the United States, at the second session thereof, passed the following Joint Resolution proposing an amendment to the Constitution of the United States, which was deposited in the Department of State on May 15, 1912:

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That in lieu of the first paragraph of section three of Article I of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the States:

JUN 4 1913  
FILED

'The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

'When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

'This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution."

On May 15, 1912, the Secretary of State sent to the Governors of the several States certified copies of the Joint Resolution

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the Constitution in order to be effective shall be ratified by the Legislatures of the States and not by the Law making body of the States. The latter might include participation by the Governors, whereas, the former seems by implication clearly to exclude them. Indeed, it has been the uniform custom since the beginning of our Government to regard the gubernatorial approval of legislative action in the matter of ratifying amendments as wholly unnecessary to the validity of the action of the Legislatures. It is submitted, therefore, that the approval by the Governor of a resolution of a State Legislature ratifying an amendment to the Constitution is not necessary. (See Solicitor's Office Memorandum, dated April 20, 1911, in which this subject is fully discussed.)

Errors in Resolutions of State Legislatures.

The certified copies of all Resolutions passed by the Legislatures of the States ratifying the proposed amendment contain errors in quoting the Resolution passed by Congress proposing the amendment as will be observed from the following list:

Arizona	Errors of capitalization in preamble. No errors in proposed amendment proper.
Arkansas	Errors of capitalization and punctuation. Preamble omitted.
California	Errors of capitalization and punctuation. "elector" for "electors" paragraph one, last line; "vacancy" for "vacancies" paragraph two, line three; "as" omitted last paragraph proposed amendment.
Colorado	Errors of capitalization and punctuation; "effect" for "affect" last paragraph, proposed amendment.
Connecticut	Errors of capitalization and "a" inserted in title of Resolution.
Idaho	Errors of capitalization and punctuation.
Illinois	Error of capitalization in preamble.
Indiana	Errors of capitalization and punctuation.
Iowa	Errors of capitalization and punctuation.
Kansas	Errors of capitalization and punctuation; "apart" for "part" last paragraph, proposed amendment.

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Secretary of State,

JUN 2 1913

DEPARTMENT OF STATE

OFFICE OF THE SOLICITOR

MEMORANDUM

May 10, 1913.

Ratification of the 17th Amendment to the Constitution of the United States providing for the Election of Senators by Popular Vote.

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"The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

"When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

"This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution."

On May 15, 1912, the Secretary of State sent to the Governors of the several States certified copies of the Joint Resolution

FILE  
June 2/13

JUN 4 1913  
DEPT OF STATE

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JUN 4 1913

19

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Resolution of Congress proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States with the following letter of transmission:

"I have the honor to enclose a certified copy of a Resolution of Congress, entitled "Joint Resolution Proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States." with the request that you cause the same to be submitted to the Legislature of your State for such action as may be had, and that a certified copy of such action be communicated to the Secretary of State, as required by Section 205, Revised Statutes of the United States. (See overleaf.) [Note: Reference here is to R.S. Sec. 205 which is quoted infra]

An acknowledgment of the receipt of this communication is requested."

Section 205 of the Revised Statutes provides:

"Whenever official notice is received at the Department of State that any amendment proposed to the Constitution of the United States has been adopted, according to the provisions of the Constitution, the Secretary of State shall forthwith cause the amendment to be published in the newspapers authorized to promulgate the laws, with his certificate, specifying the States by which the same may have been adopted, and that the same has become valid, to all intents and purposes, as a part of the Constitution of the United States."

The Department has received information that thirty-six States have taken action purporting to ratify the amendment proposed by Congress and no official information has been received from any State to the effect that the Legislature of that State has rejected the said amendment.

The following list shows the order in which the amendment was ratified by the legislatures of the various States. The date relied upon for the chronological arrangement is the date upon which the Resolution was passed by the Legislature, and in case the Department has not received this information the date of the Governor's signature, the date the Resolution was filed

in

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in the office of the Secretary of State of the particular State, or the date the copy which was sent to the Department was certified is taken:

Massachusetts	May 22, 1912.	Date passed by legislature. Not signed by Governor.
Arizona	June 3, 1912.	Date passed by legislature. Not signed by Governor.
Minnesota	June 10, 1912.	Date passed by legislature. Signed by Governor. Copy of Resolution not received by the Department. Secretary of State of Minnesota notified Department that legislature had ratified proposed amendment.
New York	Jan. 15, 1913.	Date passed by legislature. Not signed by Governor.
Kansas	Jan. 17, 1913.	Date passed by legislature. Signed by Governor.
Oregon	Jan. 23, 1913.	Date passed by legislature. Not signed by Governor.
North Carolina	Jan. 25, 1913.	Date passed by legislature. Not signed by Governor.
California	Jan. 28, 1913.	Date passed by legislature. Not signed by Governor.
Michigan	Jan. 28, 1913.	Date passed by legislature. Not signed by Governor.
Idaho	Jan. 31, 1913.	Date passed by legislature. Not signed by Governor.
West Virginia	Feb. 4, 1913.	Date passed by legislature. Not signed by Governor.
Nebraska	Feb. 5, 1913.	Date passed by legislature. Signed by Governor.
Iowa	Feb. 6, 1913.	Date signed by Governor.
Montana	Feb. 7, 1913.	Date signed by Governor.
Texas	Feb. 7, 1913.	Date passed by legislature. Not signed by Governor.
Washington	Feb. 7, 1913.	Date passed by legislature. Not signed by Governor.
Wyoming	Feb. 11, 1913.	Date signed by Governor.
Colorado	Feb. 13, 1913.	Date filed in the office of the Secretary of State of the State of Colorado. Signed by Governor.
Illinois	Feb. 13, 1913.	Date passed by legislature. Not signed by Governor.
North Dakota	Feb. 18, 1913.	Date signed by Governor.
Nevada	Feb. 19, 1913.	Date "approved". Doesn't appear whether this is date signed by Governor or passed by legislature and doesn't appear whether Governor signed.

Vermont	Feb. 19, 1913.	Date passed by legislature. Not signed by Governor.
Maine	Feb. 20, 1913.	Date passed by legislature. Signed by Governor.
New Hampshire	Feb. 21, 1913.	Date signed by Governor.
Oklahoma	Feb. 24, 1913.	Date passed by legislature. Signed by Governor.
Ohio	Feb. 25, 1913.	Date passed by legislature. Not signed by Governor.
South Dakota	Feb. 27, 1913.	Date filed in the office of the Secretary of State of the State of South Dakota. Not signed by Governor.
Indiana	Mar. 6, 1913.	Date signed by Governor.
Missouri	Mar. 7, 1913.	Date passed by legislature. Not signed by Governor.
New Mexico	Mar. 15, 1913.	Date signed by Governor.
New Jersey	Mar. 18, 1913.	Date signed by President of the Senate - Acting Governor.
Tennessee	Apr. 1, 1913.	Date passed by legislature. Signed by Governor.
Arkansas	Apr. 14, 1913.	Date of certificate. Not signed by Governor.
Connecticut	Apr. 15, 1913.	Date "approved". Doesn't appear whether this is date signed by Governor or passed by legislature. Doesn't appear whether Governor signed.
Pennsylvania	Apr. 15, 1913.	Date signed by Governor.
Wisconsin	May 9, 1913.	Date of certificate. Not signed by Governor.

It appears from the above list <sup>that</sup> according to the information received by the Department, the Resolutions passed by eighteen States ratifying the proposed amendment do not bear signatures of Governors. Article V of the Constitution of the United States, which prescribes the method of amending that instrument, provides:

"The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two-thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by Conventions in three-fourths thereof, as the one or the other mode of Ratification may be proposed by the Congress."

As will be observed Article V provides that an amendment to the

the Constitution in order to be effective shall be ratified by the Legislatures of the States and not by the Law making body of the States. The latter might include participation by the Governors, whereas, the former seems by implication clearly to exclude them. Indeed, it has been the uniform custom since the beginning of our Government to regard the gubernatorial approval of legislative action in the matter of ratifying amendments as wholly unnecessary to the validity of the action of the Legislatures. It is submitted, therefore, that the approval by the Governor of a resolution of a State Legislature ratifying an amendment to the Constitution is not necessary. (See Solicitor's Office Memorandum, dated April 20, 1911, in which this subject is fully discussed.)

Errors in Resolutions of State Legislatures.

The certified copies of all Resolutions passed by the Legislatures of the States ratifying the proposed amendment contain errors in quoting the Resolution passed by Congress proposing the amendment as will be observed from the following list:

- |             |   |
|-------------|---|
| Arizona     | Errors of capitalization in preamble. No errors in proposed amendment proper.   |
| Arkansas    | Errors of capitalization and punctuation. Preamble omitted.   |
| California  | Errors of capitalization and punctuation. "elector" for "electors" paragraph one, last line; "vacancy" for "vacancies" paragraph two, line three; "as" omitted last paragraph proposed amendment. |
| Colorado    | Errors of capitalization and punctuation; "effect" for "affect" last paragraph, proposed amendment.   |
| Connecticut | Errors of capitalization and "a" inserted in title of Resolution.   |
| Idaho       | Errors of capitalization and punctuation.   |
| Illinois    | Error of capitalization in preamble.  |
| Indiana     | Errors of capitalization and punctuation.   |
| Iowa        | Errors of capitalization and punctuation.   |
| Kansas      | Errors of capitalization and punctuation; "apart" for "part" last paragraph, proposed amendment.  |

LOUISIANA ERRORS

Maine	Errors of capitalization and punctuation.
Massachusetts	Errors of capitalization and punctuation.
Michigan	Errors of capitalization.
Minnesota	Copy of Resolution not received by the Department. State Secretary of State of Minnesota notified Department that Legislature had ratified proposed amendment.
MISSING	
Missouri	Errors of capitalization and punctuation; "of" for "in" first paragraph, third line, proposed amendment.
MISS	
Montana	Errors of capitalization and punctuation in preamble; "each" for "such" second line, second paragraph; "effect" for "affect" last paragraph proposed amendment.
Nebraska	Errors of capitalization in preamble; "a" inserted between "as" and "part" in preamble; "a" inserted between "as" and "part" last paragraph proposed amendment.
Nevada	Errors of capitalization and punctuation.
New Hampshire	Errors of capitalization and punctuation.
New Jersey	Errors of capitalization and punctuation; "legislature" for "legislatures" in preamble; "election" for "electors" fourth line, paragraph one, proposed amendment.
New Mexico	Errors of capitalization; "the" for "such" second line, second paragraph; "effect" for "affect" and "of" for "or" last paragraph, proposed amendment.
New York	Errors of capitalization and punctuation; "election" for "electors" fourth line, paragraph one; "whenever" for "when" paragraph two, proposed amendment.
North Carolina	Errors of capitalization and punctuation.
North Dakota	Errors of capitalization and punctuation.
Ohio	Errors of capitalization and punctuation.
Oklahoma	Errors of capitalization and punctuation; "the" omitted third line, paragraph one; "state" omitted second line, paragraph two; "so" omitted first line, last paragraph proposed amendment.
Oregon	Errors of capitalization and punctuation in preamble; "effect" for "affect" and "Sanate" for "Senate" last paragraph proposed amendment.
Pennsylvania	Errors of punctuation in title and preamble.
South Dakota	Changes in wording of preamble but substance entirely retained. Errors of capitalization; "of" for "for" fourth line, first paragraph proposed amendment.
Tennessee	Error of capitalization in preamble; "each" for "such" second line, second paragraph, proposed amendment.
Texas	Errors of punctuation and capitalization.
Vermont	Errors of capitalization and punctuation.



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Washington	Errors of capitalization and punctuation; "for" for "from" second line first paragraph proposed amendment.
West Virginia	Errors of capitalization and punctuation; preamble omitted; "legislature" for "legislatures" last line, first paragraph; "so" and "chosen" omitted last paragraph, proposed amendment.
Wisconsin	The Resolution first passed by the Wisconsin Legislature was substantially different from the Resolution passed by Congress proposing the amendment. The Department, therefore, informed the Governor of this and the Legislature passed a second Resolution identical with the Resolution passed by Congress except for errors in capitalization and punctuation.
Wyoming	Errors of capitalization and punctuation; slight changes in wording of preamble but meaning strictly retained. Following is changed wording: "in lieu of the first paragraph of section three of article one of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies the following be substituted."

It will be observed from a careful examination of the above list that most of the errors are merely errors of capitalization and punctuation, although there are, at least, sixteen instances of words being changed. However, these mistakes cannot in any case be regarded as substantial or as changing the meaning; they appear to be merely typographical errors and it appears clearly to have been the intention of the legislature in every case to ratify the amendment proposed by Congress in exact words and figures.

A careful examination of the Resolutions of the various States on file in the Department, ratifying the 14th, 15th and 16th Amendments to the Constitution all show similar errors of punctuation, capitalization, and wording in quoting the particular amendment proposed by Congress. As by announcing the ratification

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ratification of previous amendments, the Executive branch of the Government ruled that these errors were immaterial to the adoption of the amendment, it is clear that the procedure in ratifying those amendments constitutes on this point a precedent which may be properly followed in proclaiming the adoption of the proposed amendment - that is to say, that the Secretary of State may disregard the errors contained in the certified copies of the Resolution of the Legislatures acting affirmatively on the proposed amendment. Again, the incorporation of the terms of the proposed amendment in the ratifying Resolution seems in every case merely to have been by way of recitation. In no case has any Legislature signified in any way its deliberate intention to change the wording of the proposed amendment, the errors appear in every case to have been incident to an attempt to make an accurate quotation.

It is therefore believed that the Secretary of State should in the present instance include in his declaration announcing the adoption of the present amendment to the Constitution all the States indicated, notwithstanding it appears that errors exist in the certified copies of the Resolution passed by the Legislatures of those States ratifying such amendment. (See Memorandum of Solicitor's Office, dated Feb. 15, 1913, in re ratification of the 16th Amendment.)

Minnesota's Ratification.

The Department has not received a copy of the Resolution passed by the Legislature of the State of Minnesota ratifying the amendment proposed by Congress but the Secretary of State

of

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of the State of Minnesota has officially notified the Department that the Legislature of that State has passed a Resolution ratifying the proposed amendment. It is believed that this meets fully the requirement with reference to receipt of "official notice" contained in Section 205, Revised Statutes of the United States (quoted supra page 2) and that Minnesota should therefore be numbered with the States ratifying the amendment.

It is recommended, therefore, that the Secretary issue his declaration announcing the adoption of the amendment proposed by Congress providing for the election of United States Senators by popular vote and to this end a draft declaration is herewith  
\* attached.

PDR/WHS

*PDR*  
*WHS*

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DEPARTMENT OF STATE  

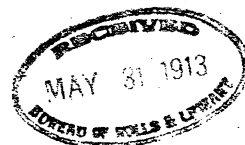
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DIVISION OF PUBLICATIONS

For the Solicitor's memorandum, dated April 20, 1911, see memoranda from the office of the Solicitor which is bound with the Sixteenth Amendment to the Constitution of the United States.

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PROCLAMATION OF THE SECRETARY OF STATE



WILLIAM JENNINGS BRYAN,  
SECRETARY OF STATE OF THE UNITED STATES OF AMERICA.

To all to Whom these Presents may come, Greeting:

Know Ye that, the Congress of the United States at the second session, sixty-second Congress, in the year one thousand nine hundred and twelve, passed a Resolution in the words and figures following: to-wit -

"JOINT RESOLUTION

Proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That in lieu of the first paragraph of section three of Article I of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the States:

The Senate of the United States shall be composed of two Senators from each State, elected by the

7  
2

people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution."

And, further, that it appears from official documents on file in this Department that the Amendment to the Constitution of the United States proposed as aforesaid has been ratified by the Legislatures of the States of Massachusetts, Arizona, Minnesota, New York, Kansas, Oregon, North Carolina, California, Michigan, Idaho, West Virginia, Nebraska, Iowa, Montana, Texas, Washington, Wyoming, Colorado, Illinois, North Dakota, Nevada, Vermont, Maine, New Hampshire, Oklahoma, Ohio, South Dakota, Indiana, Missouri, New Mexico, New Jersey, Tennessee, Arkansas, Connecticut, Pennsylvania, and Wisconsin.

And, further, that the States whose Legislatures have so ratified the said proposed amendment, constitute

three-fourths of the whole number of states in the United States.

Now, therefore, be it known that I, William Jennings Bryan, Secretary of State of the United States, by virtue and in pursuance of Section 205 of the Revised Statutes of the United States, do hereby certify that the Amendment aforesaid has become valid in all intents and purposes as a part of the Constitution of the United States.

IN WITNESS WHEREOF, I have hereunto set my hand and used the seal of the Department of State to be

at the city of Washington this

*Thirty first*  
day of May in the year of  
our Lord one thousand nine  
hundred and thirteen, and of  
the Independence of the  
United States of America the  
one hundred and thirty-seventh.

*William Jennings Bryan*



WILLIAM JENNINGS BRYAN,  
SECRETARY OF STATE OF THE UNITED STATES OF AMERICA.

To all to Whom these Presents may come, Greetings:

Know Ye that, the Congress of the United States at the second session, sixty-second Congress, in the year one thousand nine hundred and twelve, passed a Resolution in the words and figures following: to-wit -

\* "JOINT RESOLUTION

Proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That in lieu of the first paragraph of section three of Article I of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the States:

'The Senate of the United States shall be composed of two Senators from each State, elected by the

people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

'When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointment until the people fill the vacancies by election as the legislature may direct.

'This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.'

And, further, that it appears from official documents on file in this Department that the Amendment to the Constitution of the United States proposed as aforesaid has been ratified by the Legislatures of the States of Massachusetts, Arizona, Minnesota, New York, Kansas, Oregon, North Carolina, California, Michigan, Idaho, West Virginia, Nebraska, Iowa, Montana, Texas, Washington, Wyoming, Colorado, Illinois, North Dakota, Nevada, Vermont, Maine, New Hampshire, Oklahoma, Ohio, South Dakota, Indiana, Missouri, New Mexico, New Jersey, Tennessee, Arkansas, Connecticut, Pennsylvania, and Wisconsin.

And, further, that the States whose Legislatures have so ratified the said proposed amendment, constitute

7  
6

three-fourths of the whole number of states in the United States.

Now, therefore, be it known that I, William Jennings Bryan, Secretary of State of the United States, by virtue and in pursuance of Section 205 of the Revised Statutes of the United States, do hereby certify that the Amendment aforesaid has become valid to all intents and purposes as a part of the Constitution of the United States.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the Department of State to be affixed.

Done at the city of Washington this *thirty first*  
day of May in the year of  
our Lord one thousand nine  
hundred and thirteen, and of  
the Independence of the  
United States of America the  
one hundred and thirty-seventh.

*William Jennings Bryan*

# William Jennings Bryan,

Secretary of State of the United States of America.

*To all to Whom these Presents may come, Greeting:*

Know Ye that, the Congress of the United States at the second session, sixty-second Congress, in the year one thousand nine hundred and twelve, passed a Resolution in the words and figures following: to-wit—

## "JOINT RESOLUTION

Proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That in lieu of the first paragraph of section three of Article I of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the States:*

*The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.*

*When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Provided,* That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.*

*This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution."*

And, further, that it appears from official documents on file in this Department that the Amendment to the Constitution of the United States proposed as aforesaid has been ratified by the Legislatures of the States of Massachusetts, Arizona, Minnesota, New York, Kansas, Oregon, North Carolina, California, Michigan, Idaho, West Virginia, Nebraska, Iowa, Montana, Texas, Washington, Wyoming, Colorado, Illinois, North Dakota, Nevada, Vermont, Maine, New Hampshire, Oklahoma, Ohio, South Dakota, Indiana, Missouri, New Mexico, New Jersey, Tennessee, Arkansas, Connecticut, Pennsylvania, and Wisconsin.

And, further, that the States whose Legislatures have so ratified the said proposed amendment, constitute three-fourths of the whole number of states in the United States.

Now, therefore, be it known that I, William Jennings Bryan, Secretary of State of the United States, by virtue and in pursuance of Section 205 of the Revised Statutes of the United States, do hereby certify that the Amendment aforesaid has become valid to all intents and purposes as a part of the Constitution of the United States.

**In Testimony Whereof**, I have hereunto set my hand and caused the seal of the Department of State to be affixed.

[SEAL.]

DONE at the city of Washington this thirty first day of May in the year of our Lord one thousand nine hundred and thirteen, and of the Independence of the United States of America the one hundred and thirty-seventh.

**WILLIAM JENNINGS BRYAN**

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MEMORANDUM CONCERNING THE SIGNING OF THE PROCLAMATION



MEMORANDUM.

At 11 o'clock a. m., on the 31st of May, 1913, the Secretary of State signed the proclamation announcing the ratification of the Seventeenth Amendment to the Constitution of the United States, providing for the election of United States Senators by the direct vote of the people.

There were present, by special invitation, Ex-Congressman Harry St. George Tucker, of Virginia, who was Chairman of the Committee of the Fifty-Second Congress having in charge the first resolution which ever passed the House of Representatives providing for the popular election of Senators; Congressman William W. Rucker, of Missouri, Chairman of the Committee of the Sixty-Second Congress having in charge the resolution which submitted the present amendment; and Senator William E. Borah, of Idaho, Chairman of the Senate Committee having in charge the resolution submitting the ~~Seventeenth~~ Amendment.

In anticipation of the event, Mr. Bryan had provided four pens, which were used and disposed of as follows:

The first was used to sign the first part of his name, "William", and delivered as a souvenir to Ex-Congressman Tucker; the second was used to sign the second part of his

name, "Jennings", and delivered to Congressman Rucker; the third, which was used for signing the last part of his name, "Bryan" was kept by himself; the fourth pen was used for writing in the date "thirty-first" and then delivered to Senator Borah.

To those present, Mr. Bryan expressed his gratification that the making of this official announcement of the ratification of the amendment had fallen to him as one of his official duties. He also pointed out the fact that the short time required for the ratification of the amendment proved that the sentiment in favor of it was practically unanimous. He was elected to Congress in 1890 upon a platform containing the following plank:

"We favor an amendment to the federal constitution which will take the election of the United States Senators from the state legislatures and place it in the hands of the people, where it belongs."

He voted in both the Fifty\*second and Fifty\*Third Congresses for the resolution submitting ~~the~~ an amendment similar to that which has just been ratified, and he has assisted in the writing of four national platforms which endorsed this amendment, the platform of 1908 speaking of it as "the gateway to <sup>other</sup> ~~further~~ reforms" and the platform of 1912 urging its ratification by the states. He regards it as the most important reform that has been made in a century affecting methods of <sup>the federal</sup> government, and he believes that a Senate chosen by the people, and thus made responsive to the people's



will, instead of degenerating, will improve in character while it increases in influence. A Senate chosen directly by the people can speak with greater authority and thus wield greater power than a Senate selected indirectly through State legislatures.

LIST OF STATES WHICH RATIFIED THE SEVENTEENTH AMENDMENT AND  
DATES OF RATIFICATION

States which have ratified the amendment to the Constitution of the United States providing that Senators shall be elected by the people of the several States.

STATE	DATE OF RATIFICATION
✓ Arizona.....	June 3, 1912
✓ Arkansas.....	Apr. 14, 1913
✓ California.....	Jan. 28, 1913
✓ Colorado.....	Feb. 13, 1913
✓ Connecticut.....	Apr. 15, 1913
✓ Idaho.....	Jan. 31, 1913
✓ Illinois.....	Feb. 13, 1913
✓ Indiana.....	Mar. 6, 1913
✓ Iowa.....	Feb. 16, 1913
✓ Kansas.....	Jan. 17, 1913
✓ Maine.....	Feb. 20, 1913
✓ Massachusetts.....	May 22, 1912
✓ Michigan.....	Jan. 28, 1913
✓ Minnesota.....	June 10, 1912
✓ Missouri.....	Mar. 7, 1913
✓ Montana.....	Feb. 7, 1913
✓ Nebraska.....	Feb. 5, 1913
✓ Nevada.....	Feb. 19, 1913
✓ New Hampshire.....	Feb. 21, 1913
✓ New Jersey.....	Mar. 18, 1913
✓ New Mexico.....	Mar. 15, 1913
✓ New York.....	Jan. 15, 1913
✓ North Carolina.....	Jan. 25, 1913
✓ North Dakota.....	Feb. 18, 1913
✓ Ohio.....	Feb. 25, 1913
✓ Oklahoma.....	Feb. 24, 1913
✓ Oregon.....	Jan. 23, 1913
✓ Pennsylvania.....	Apr. 15, 1913
✓ South Dakota.....	Feb. 27, 1913
✓ Tennessee.....	Apr. 1, 1913
✓ Texas.....	Feb. 7, 1913
✓ Vermont.....	Feb. 19, 1913
✓ Washington.....	Feb. 7, 1913
✓ West Virginia.....	Feb. 4, 1913
✓ Wisconsin.....	May 9, 1913
✓ Wyoming.....	Feb. 11, 1913
✓ Louisiana.....	Jan 11, 1914

Ray school

\* Utah - Legislative Session of 1913

\* See letter from Governor of May 26 1914

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States which have ratified the amendment to the Constitution of the United States providing that Senators shall be elected by the people of the several States.

STATE	DATE OF RATIFICATION
✓ Arizona	June 3, 1912
✓ Arkansas	Apr. 14, 1913
✓ California	Jan. 28, 1913
✓ Colorado	Feb. 13, 1913
✓ Connecticut	Apr. 15, 1913
✓ Idaho	Jan. 31, 1913
✓ Illinois	Feb. 13, 1913
✓ Indiana	Mar. 6, 1913
✓ Iowa	Feb. 6, 1913
✓ Kansas	Jan. 17, 1913
✓ Louisiana	June 11, 1914
✓ Maine	Feb. 20, 1913
✓ Massachusetts	May 22, 1912
✓ Michigan	Jan. 28, 1913
✓ Minnesota	June 10, 1912
✓ Missouri	Mar. 7, 1913
✓ Montana	Feb. 7, 1913
✓ Nebraska	Feb. 5, 1913
✓ Nevada	Feb. 19, 1913
✓ New Hampshire	Feb. 21, 1913
✓ New Jersey	Mar. 18, 1913
✓ New Mexico	Mar. 15, 1913
✓ New York	Jan. 15, 1913
✓ North Carolina	Jan. 25, 1913
✓ North Dakota	Feb. 18, 1913
✓ Ohio	Feb. 25, 1913
✓ Oklahoma	Feb. 24, 1913
✓ Oregon	Jan. 23, 1913
✓ Pennsylvania	Apr. 15, 1913
✓ South Dakota	Feb. 27, 1913
✓ Tennessee	Apr. 1, 1913
✓ Texas	Feb. 7, 1913
✓ Vermont	Feb. 19, 1913
✓ Washington	Feb. 7, 1913
✓ West Virginia	Feb. 4, 1913
✓ Wisconsin	May 9, 1913
✓ Wyoming	Feb. 11, 1913

NO ACTION  
ALABAMA ✓  
FLORIDA ✓  
GEORGIA ✓  
KENTUCKY  
MARYLAND ✓  
DELAWARE ✓

NO RECORD  
Oregon  
Rhode Island  
South Carolina  
Vermont  
Washington

MISSING

MISSING  
MISSING

17th Nov 18

Dates of the ratification of the Constitution of the United States of America, the dates of admission of new States, the apportionment of Representatives, and the number of electoral votes of each.

No.	States.	Date.	Representatives.*	Electoral votes.
<i>Original States.</i>				
✓ 1	Delaware.....	December 7, 1787.....	1	3
2	Pennsylvania.....	December 12, 1787.....	36	38
3	New Jersey.....	December 18, 1787.....	12	14
✓ 4	Georgia.....	January 2, 1788.....	12	14
5	Connecticut.....	January 9, 1788.....	5	7
6	Massachusetts.....	February 6, 1788.....	10	18
✓ 7	Maryland.....	April 28, 1788.....	6	8
8	South Carolina.....	May 23, 1788.....	7	9
9	New Hampshire.....	June 21, 1788.....	2	4
✓ 10	Virginia.....	June 20, 1788.....	10	12
11	New York.....	July 20, 1788.....	43	45
12	North Carolina.....	November 21, 1789.....	10	12
✓ 13	Rhode Island.....	May 29, 1790.....	3	5
<i>New States.</i>				
14	Vermont.....	March 4, 1791.....	2	4
15	Kentucky.....	June 1, 1792.....	11	13
16	Tennessee.....	June 1, 1796.....	10	12
17	Ohio.....	November 29, 1802.....	22	24
18	Louisiana.....	April 30, 1812.....	8	10
19	Illinois.....	December 11, 1816.....	13	15
20	Mississippi.....	December 10, 1817.....	8	10
21	Alabama.....	December 3, 1818.....	27	29
✓ 22	Alabama.....	December 14, 1819.....	10	12
23	Missouri.....	March 15, 1820.....	4	6
24	Arkansas.....	August 10, 1821.....	10	18
25	Michigan.....	June 15, 1836.....	7	9
26	Indiana.....	January 20, 1837.....	13	15
27	Florida.....	March 3, 1845.....	4	6
28	Texas.....	December 29, 1845.....	18	20
29	Iowa.....	December 28, 1846.....	11	13
30	Wisconsin.....	May 29, 1848.....	11	13
31	California.....	September 9, 1850.....	11	13
32	Minnesota.....	May 11, 1858.....	10	12
33	Oregon.....	February 14, 1859.....	3	5
34	Kansas.....	January 29, 1861.....	8	10
35	West Virginia.....	June 10, 1863.....	6	8
36	Nevada.....	October 31, 1864.....	1	3
37	Nebbraska.....	March 1, 1867.....	6	8
38	Colorado.....	August 1, 1876.....	4	6
39	North Dakota.....	November 2, 1889.....	3	5
40	South Dakota.....	November 2, 1889.....	3	5
41	Montana.....	November 8, 1889.....	2	4
42	Wyoming.....	November 11, 1889.....	5	7
43	Idaho.....	July 3, 1890.....	2	4
44	Utah.....	July 10, 1896.....	1	3
✓ 45	Utah.....	January 4, 1896.....	2	4
46	Oklahoma.....	November 10, 1907.....	8	10
47	New Mexico.....	January 6, 1912.....	1	3
48	Arizona.....	February 14, 1912.....	1	3
Total.....			435	531

\* See Act of Congress making an apportionment of Representatives in Congress among the several States under the Thirteenth Census, approved August 8, 1911.

BUREAU OF ROLLS AND LIBRARY,  
DEPARTMENT OF STATE, November, 1912.

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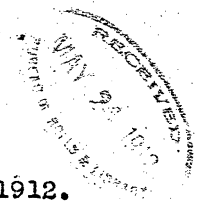
NO ACTION

ALABAMA



STATE OF ALABAMA  
EXECUTIVE DEPARTMENT  
MONTGOMERY

EMMET O'NEAL  
GOVERNOR



May 22nd, 1912.

Hon. P. C. Knox,  
Secretary of State,  
Washington, D. C.

Sir:--

I am directed by the Governor to acknowledge receipt of the certified copy of a resolution of Congress, entitled "Joint Resolution Proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States," mailed by you under date of May 17th, 1912.

The legislature of this State meets only once in every four years in regular session and the next regular session will not convene until January, 1915, at which time the Joint Resolution will be submitted to that body for action. In the event an Extra Session of the Legislature should be called the Governor will cause the Joint Resolution to be submitted for such action as may be had, and a certified copy of such action will be communicated to you as required by Section 205 Revised Statutes of the United States.

I have the honor to be,

Respectfully yours,

*John O'Neal*  
Secretary to the Governor.



STATE OF ALABAMA  
 EXECUTIVE DEPARTMENT  
 MAY 11 1914  
 DEPT OF STATE

EMMET O'NEAL  
 GOVERNOR  
 KIRKMAN O'NEAL  
 SECRETARY TO THE GOVERNOR  
 JOHN HOFFAT  
 RECORDING SECRETARY

RECEIVED  
 MAY 11 1914  
 DEPT OF STATE

May 9th, 1914.

Hon. William J. Bryan,  
 Secretary of State,  
 Washington, D. C.

Sir:-

In reply to your communication of the 5th instant, I beg to say that the Legislature of Alabama has not been in session, since the passage of the Joint Resolution of Congress, proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States.

The Legislature convenes in this State January, 1915.

Very sincerely yours,

*Kirkman O'Neal*

Secretary to the Governor.

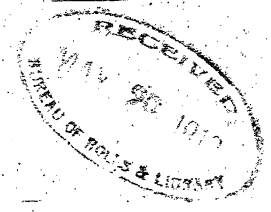
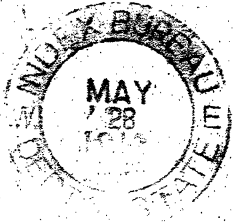


RATIFICATION

ARIZONA



The Governor's Office  
STATE HOUSE  
PHOENIX



May 23, 1912.

Sir:

I have the honor to acknowledge receipt of your favor of the 17th inst., enclosing a certified copy of resolution entitled "Joint Resolution Proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States." and beg to advise you that in compliance with your request the same has been referred to the State Legislature.

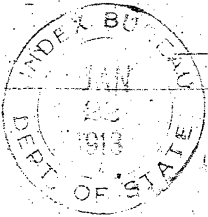
Respectfully yours,

*Geo. W. P. Healy*

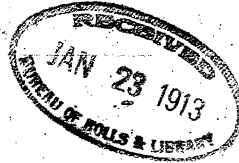
Governor of Arizona.

To the Honorable  
The Secretary of State,  
Washington, D. C.

*Recd  
Jan 24/13*



**The Governor's Office**  
STATE HOUSE  
PHOENIX



January 16th, 1913

Sir:

I have the honor to transmit to you herewith a certified copy of Joint Resolution No. 2 adopted by the First State Legislature of Arizona in special session of 1912, ratifying the proposed amendment to the Federal Constitution providing for the election of United States Senators directly by the people.

This copy would have been mailed to you long before now except for a misunderstanding between two of our State Departments.

Very respectfully,

*Geo. M. P. Heuck*

Governor of Arizona.

The Honorable,  
The Secretary of State,  
Washington, D. C.

(51)

# State of Arizona



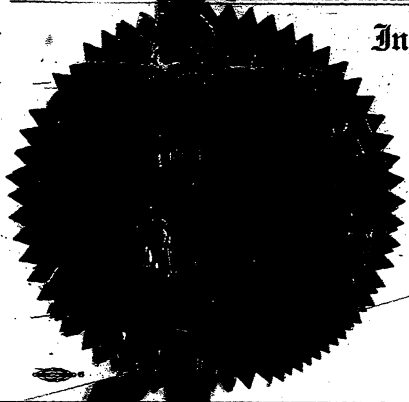
## Office of the Secretary

UNITED STATES OF AMERICA, } ss.  
STATE OF ARIZONA.

*Sidney H. Osborn, Secretary of Arizona do*

*hereby certify that* the within is a true and complete  
transcription of Substitute House Joint Resolution #2, "A JOINT  
RESOLUTION OF THE LEGISLATURE OF THE STATE OF ARIZONA RATIFYING  
THE SEVENTH AMENDMENT TO THE CONSTITUTION OF THE UNITED  
STATES OF AMERICA", as is shown by the records now on file  
in this office.

In Witness Whereof, I have hereunto set my  
the Great of Arizona.  
hand and affixed my Official Seal. Done at  
Phoenix the Capitol this Seventeenth  
day of January A. D. 1913.



*Sidney H. Osborn*  
Secretary of Arizona

(52)

Sub. H. J. R. #2.

A JOINT RESOLUTION  
OF THE LEGISLATURE OF THE STATE OF ARIZONA, RATIFYING  
THE SEVENTEENTH AMENDMENT TO THE CONSTITUTION OF THE  
UNITED STATES OF AMERICA.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ARIZONA:

WHEREAS, both Houses of the Sixty-second Congress of the United States of America, at the second session thereof, begun and held at the City of Washington on Monday, the fourth day of December, one thousand nine hundred and eleven, by a constitutional majority of two-thirds thereof, made the following proposition to amend the Constitution of the United States of America, in the following words, to-wit:

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States providing that Senators shall be elected by the people of the several States.

RESOLVED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED (TWO-THIRDS OF EACH HOUSE CONCURRING THEREIN), That in lieu of the first paragraph of section three of Article I of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the States:

"The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

ALL  
CAPS

"When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

*Italics*

"This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution", and *NOT part of original text.*

→ WHEREAS, in order that said proposed amendment to the constitution of the United States may become effective, it is necessary that it be ratified by the legislatures of three-fourths of the several States.

THEREFORE, BE IT RESOLVED, by the Senate and House of Representatives of the Legislature of the State of Arizona in special session convened, that the said proposed amendment be and the same is hereby ratified by the Legislature of the State of Arizona.

AND, BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded by the Governor of this State to the Secretary of State of the United States of America.

SAM B. BRADNER,  
Speaker of the House of  
Representatives.

May 31 1912  
Passed the House by vote  
33 Ayes -- 2 ab.

June 3 1912 Passed  
the Senate by vote  
of 18 ayes, 1 ex.  
M. G. CUNNIFF,  
President of the Senate.

Filed in the Office of the Secretary of the State of  
Arizona, this 4<sup>th</sup> Day of June A. D., 1912 at 10:50 A. M.

SIDNEY P. OSBORN, Secretary of Arizona.

By R. E. MCGILLEN, Asst. Secy.

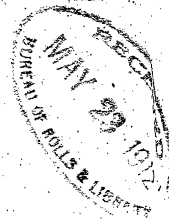
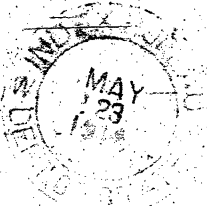
RATIFICATION

ARKANSAS

EXECUTIVE CHAMBER

State of Arkansas

LITTLE ROCK.  
GEO. W. DONAGHEY  
GOVERNOR



May 20, 1912.

The Honorable the Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge receipt of  
your communication of the 17th inst., enclosing  
copy of resolution of Congress, entitled:

"Joint Resolution Proposing an Amendment to  
the Constitution providing that Senators  
shall be elected by the People of the  
several States."

I will take pleasure in submitting same to  
the next session of the General Assembly.

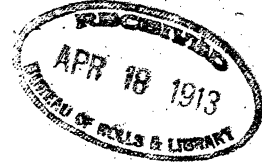
Respectfully,

  
Governor



J. M. FUTRELL  
ACTING GOVERNOR

EXECUTIVE CHAMBER  
State of Arkansas  
LITTLE ROCK.



*Ans  
Apr 18/13*

April 14, 1913.

Hon. W.J. Bryan, Secretary of State,  
Washington, D.C.

Sir:-

Replying to yours of the 10th. inst. I beg leave to state that the Arkansas State Legislature has ratified the proposed amendment to the Constitution of the United States, providing that Senators shall be elected by the people, and I have the honor to transmit herewith a copy of the resolution ratifying said amendment certified to as provided therein.

Very respectfully,

*J. M. Futrell*  
Acting Governor.

APR 1913

RESOLUTION OF THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS  
RATIFYING THE AMENDMENT TO THE CONSTITUTION OF THE UNITED  
STATES PROVIDING FOR THE ELECTION OF SENATORS BY DIRECT VOTE.

Be It Resolved by the General Assembly of the State of Arkansas, ratifying an amendment to the constitution of the United States, which was at the first session of the 62nd. Congress proposed to the Legislatures of the several States and which proposed amendment is intended to confer upon the people of the several States the right to elect United States Senators by their direct vote.

WHEREAS, at the first session of the 62nd. Congress, the Congress of the United States acting in pursuance of the authority contained in the 5th. Article of the Constitution of the United States, did adopt a resolution deemed necessary by two thirds of both branches of said congress, proposing an amendment to Section 3, Article 1 of the Constitution in the words following, to-wit:

"The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for Six Years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies; Provided, that the Legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the Legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution."

Therefore, after full consideration of the facts set forth in the foregoing preamble as well as the terms of said proposed amendment, it is hereby resolved by the General Assembly of the State of Arkansas, at a Regular Session thereof, begun and held at the said Capitol of said State in the City of Little Rock, in the year 1913, and in pursuance of the Constitution of said State, and it is hereby so resolved that said proposed amendment as hereinbefore recited and fully set forth, be, and the same is hereby ratified, and the said General Assembly, for and in behalf of the State and of the people of the said State, hereby consent that the same shall be valid to all intents and purposes as a part of the Constitution of the United States.

Be it further resolved, that the Governor of this State and the Secretary of the State, be, and they are hereby directed to certify a copy of this resolution under the great seal of the State and transmit the same to the President of the United States as evidence of the action taken.

The above is a true and correct copy of the resolution adopted as therein appears and as is found properly recorded in

the archives of this State.

In Testimony Whereof, I have hereunto set my hand and caused the great seal of the State of Arkansas to be hereunto affixed at the City of Little Rock, on this the 14th. day of April, in the year of our Lord, One thousand Nine Hundred and Thirteen and of the Independence of the United States the One Hundred and Thirty-seventh.

  
*J. M. Fittrell*  
Acting Governor.

BY THE ACTING GOVERNOR::

*Earle W. Hodges*  
Secretary of State.

RATIFICATION

CALIFORNIA

State of California  
EXECUTIVE OFFICE  
SACRAMENTO



May 22nd, 1912.

Hon. P.C. Knox,  
Secretary of State,  
Washington, D.C.

My dear Sir:-

I am directed by Governor Johnson to acknowledge the receipt by him of your letter of the 17th inst., enclosing a certified copy of the resolution of Congress entitled "Joint Resolution Proposing an Amendment to the Constitution Providing that Senators shall be elected by the People of the Several States".

Sincerely,

Executive Secretary

ch

Assembly Joint Resolution No. 5.

Passed the Assembly January 21, 1913.

*L B Mallory*  
Chief Clerk of the Assembly.

Passed the Senate January 28, 1913.

*W N Parrish*  
Secretary of the Senate.

This resolution was received by the Governor, this

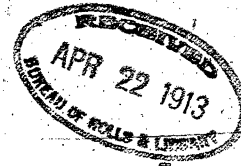
*30th*

day of *January*, A. D. 1913, at *2* o'clock *P* M.

*Alexander McCabe*  
Private Secretary of the Governor.

State of California

EXECUTIVE OFFICE  
SACRAMENTO



*ack  
Apr 23/13*

April 16, 1913.

Hon. William Jennings Bryan,

Secretary of State,

Washington, D. C.

My dear sir:-

I am directed by Governor Johnson to transmit to you the enclosed certified copy of Assembly Joint Resolution No. 5, ratifying an amendment to the Constitution of the United States, proposed by the Congress of the United States relative to the election of United States Senators in Congress.

Very truly yours,

*Franklin A. Griffin*

Executive Secretary.

Enclosure.

(63)

CHAPTER 7

*Assembly Joint Resolution No. 5. A joint resolution ratifying an amendment to the constitution of the United States, proposed by the congress of the United States, relative to the election of United States senators in congress.*

WHEREAS, The senate and the house of representatives of the United States of America, in congress assembled, have adopted house joint resolution No. 39, (two thirds of each house concurring therein) proposing an amendment to the first paragraph of section 3, article 1, of the constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, as follows: "The senate of the United States shall be composed of two senators from each state, elected by the people thereof, for six years; and each senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature. When vacancies happen in the representation of any state in the senate, the executive authority of such state shall issue writs of election to fill such vacancy; *provided*, that the legislature of any state may empower the executive thereof to make temporary appointments until the people fill the vacancies by election, as the legislature may direct. This amendment shall not be so construed to affect the election or term of any senator chosen before it becomes valid as part of the constitution," and

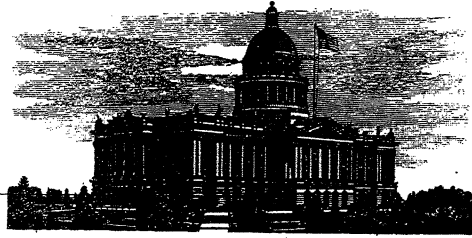
WHEREAS, Said amendment will be valid, to all intents and purposes, as part of the constitution of the United States of America when ratified by the legislatures of three fourths of the several states. Now, therefore, be it

*Resolved by the legislature of the State of California at its fortieth regular session, commencing on the 6th day of January, 1913, a majority of all the members elected to each house of said legislature voting in favor thereof, that the said amendment be, and the same is hereby ratified.*

A mess.  
NOT EVEN  
Close to  
Language in  
the amendment.



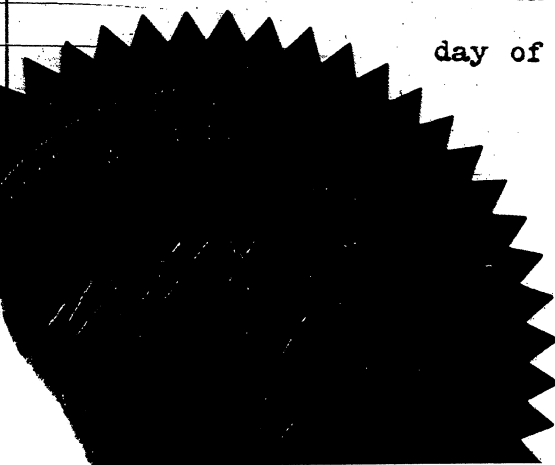
RECORDED  
APR 22 1913  
OFFICE OF THE CLERK OF THE SENATE



## State of California—Department of State.

I, Frank C. Jordan, Secretary of State of the State of California, do hereby certify that I have carefully compared the annexed copy of Assembly Joint Resolution No. 5. A joint resolution ratifying an amendment to the constitution of the United States, proposed by the congress of the United States, relative to the election of United States senators in congress with the original now on file in my office, and that the same is a correct transcript therefrom, and of the whole thereof. Also, that this authentication is in due form and by the proper officer.

Witness my hand and the Great Seal of State, at  
office in Sacramento, California, the 16th  
day of April, A. D. 1913.

  
*Frank C. Jordan*  
Secretary of State.

*Frank C. Jordan*

65

- 4 -

*O. O. Young*  
Speaker of the Assembly.

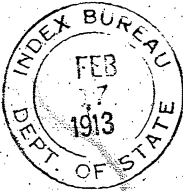
*A. J. Wallace*  
President of the Senate.

Attest,  
*Frank C. Jordan*  
Secretary of State.

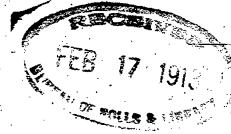
*Endorsed*

FILED in the office of the  
SECRETARY OF STATE  
the *10th* day of  
*February* A. D. 1913  
at *5* o'clock P. M.  
**Frank C. Jordan**  
SECRETARY OF STATE  
By *Frank H. Cary*  
DEPUTY  
Record Book \_\_\_\_\_ Page \_\_\_\_\_

ELIAS M. AMMONS  
GOVERNOR  
CLAUDE W. FAIRCHILD  
SECRETARY



STATE OF COLORADO  
EXECUTIVE OFFICE  
DENVER



FEBRUARY  
FOURTEENTH  
NINETEEN THIRTEEN.

*Handwritten:* Clerk Feb 11/13

Honorable Philander C. Knox,  
Secretary of State,  
Washington, D. C.

Dear Sir:-

In accordance with Section 205 of the Revised Statutes of the United States, I have the honor to enclose herewith certified copy of Senate Concurrent Resolution No. 1, Ratifying the proposed amendment to the Constitution of the United States providing that Senators shall be elected by the people of the several States. This Resolution was filed with the Secretary of State of the State of Colorado, February 14th, 1913.

Yours respectfully,

*Elias M. Ammons*  
Governor.

Enclosure.



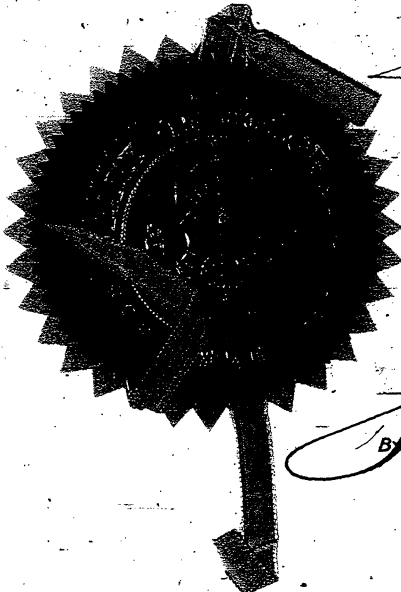
United States of America ) ss.  
 State of Colorado )

**CERTIFICATE**

*F. James B. Pearce, Secretary of  
 State of the State of Colorado, do hereby certify that*  
 the annexed is a full, true and complete transcript of

SENATE CONCURRENT RESOLUTION NO. 1 BY SENATOR GARMAN  
RESOLUTIONS RATIFYING THE PROPOSED AMENDMENT TO THE  
CONSTITUTION OF THE UNITED STATES PROVIDING THAT  
SENATORS SHALL BE ELECTED BY THE PEOPLE OF THE SEVERAL  
STATES

which was filed in this office, the THIRTEENTH day of FEBRUARY,  
 A.D. 1913, at 4:05 o'clock, P.M.



*IN TESTIMONY WHEREOF I have hereunto  
 set my hand and affixed the Great  
 Seal of the State of Colorado, at the  
 City of Denver, this* FOURTEENTH  
*day of* FEBRUARY *A.D.* 1913.

*F. James B. Pearce*  
 BY *Thomas G. Williams*  
 SECRETARY OF STATE  
 DEPUTY.

SENATE CONCURRENT RESOLUTION NO. 1.

BY SENATOR GARMAN.



SENATE CONCURRENT RESOLUTION NO. 1.

RESOLUTIONS RATIFYING THE PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES PROVIDING THAT SENATORS SHALL BE ELECTED BY THE PEOPLE OF THE SEVERAL STATES.

CAPS

Whereas, The sixty-second congress, in the second session, in both houses has passed the following proposition to amend the constitution of the United States, by a constitutional majority of two-thirds thereof, in words following, to-wit:

JOINT RESOLUTION, PROPOSING AN AMENDMENT TO THE CONSTITUTION PROVIDING THAT SENATORS SHALL BE ELECTED BY THE PEOPLE OF THE SEVERAL STATES.

\*Resolved, By the Senate and House of Representatives of the United States of America in congress assembled (two-thirds of each house concurring therein). That in lieu of the first paragraph of section three of article one of the constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the constitution, which shall be valid to all intents and purposes as part of the constitution when ratified by the legislatures of three-fourths of the states:

ITALICS

\*The Senate of the United States shall be composed of two senators from each state, elected by the people thereof, for six years; and each senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislatures.

\*When vacancies happen in the representation of any state in the Senate, the executive authority of such state shall issue writs of election to fill such vacancies; provided, that the legislature of any state may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

\*This amendment shall not be so construed as to affect the election or term of any senator before it becomes valid as part of the constitution; therefore be it

Resolved, by the General Assembly of the State of Colorado, That the said proposed amendment to the constitution be, and the same is, hereby ratified by the General Assembly of the State of Colorado.

Resolved, That a certified copy of the foregoing preamble and resolution be forwarded by the Governor to the Secretary of State for the United States, in accordance with section two hundred and five of the Revised Statutes of the United States.

Lieutenant Governor

W. H. Adams  
President Pro Tem.

O. C. Skinner  
Speaker of the House.

Approved

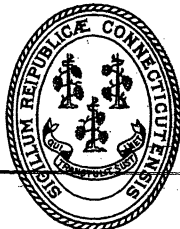
Elias M. Amman  
Governor of the State of Colorado.

69

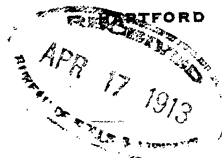
RATIFICATION

CONNECTICUT

SIMEON E. BALDWIN  
GOVERNOR  
EDWIN S. THOMAS  
EXECUTIVE SECRETARY  
FRANK D. ROOD  
EXECUTIVE CLERK



STATE OF CONNECTICUT  
EXECUTIVE CHAMBERS  
HARTFORD



April 15th, 1913.

Sir:-

\* Pursuant to the direction of the  
General Assembly of the State of Connecticut,  
I have the honor to enclose a copy of the  
Joint Resolution of said Assembly, approved  
April 15th, 1913, ratifying the proposed  
amendment to the Constitution of the United  
States, providing that Senators shall be  
elected by the people of the several States.

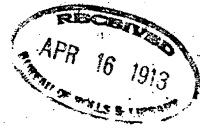
Enc.

Yours respectfully,

*Simeon E. Baldwin*

Hon. William J. Bryan,  
Secretary of State,  
Washington, D. C.

(71)



[51]

Resolution ratifying (a) Proposed Amendment to the Constitution of the United States providing that Senators shall be elected by the People of the Several States.

*Resolved by this Assembly:*

Whereas both Houses of the Sixty-second Congress of the United States of America, at its second session, by a constitutional majority of two-thirds thereof, made the following proposition to amend the Constitution of the United States of America in the following words, to wit: "A joint resolution proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That in lieu of the first paragraph of section three of Article I of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the States:

"The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

"When vacancies happen in the representation of any State in the Senate, the

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executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

"This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution." Therefore, Resolved by this Assembly:

SECTION 1. That the said proposed amendment to the Constitution of the United States of America is hereby ratified by the General Assembly of the State of Connecticut.

SEC. 2. That certified copies of this joint resolution be forwarded by the governor of this State to the Secretary of State of the United States at Washington, and to the presiding officers of each House of the National Congress.

*approved april 15-1913.*

12-12-1911-500

State of Connecticut, } ss.  
Office of the Secretary, }

I, ALBERT PHILLIPS Secretary of the State of Connecticut, and keeper of the seal thereof, and of the original record of the Acts and Resolutions of the General Assembly of said State, DO HEREBY CERTIFY that I have compared the annexed copy of the

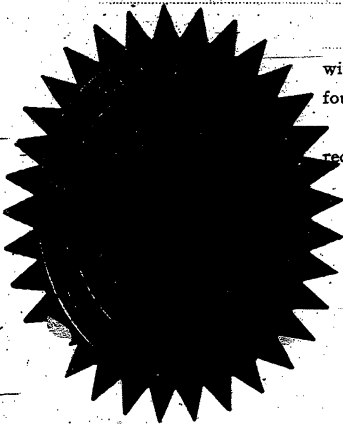
RESOLUTION RATIFYING A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES PROVIDING THAT SENATORS SHALL BE ELECTED

BY THE PEOPLE OF THE SEVERAL STATES

with the original record of the same now remaining in this office, and have found the said copy to be a correct and complete transcript thereof.

AND I FURTHER CERTIFY, that the said original record is a public record of the said State of Connecticut, now remaining in this office.

In Testimony Whereof, I have hereunto set my hand and affixed the Seal of said State, at Hartford, this fifteenth day of APRIL 1913



*Albert Phillips*  
Secretary.

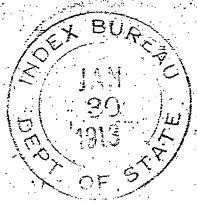
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NO ACTION

DELAWARE

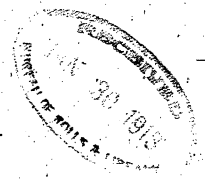
74

200  
1/31/13



STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER

January 29, 1913.



To The Honorable  
Secretary of State,  
Washington, D. C.

Sir:

I desire to inquire whether the files of your office show that a communication was sent to the Governor of Delaware transmitting the Resolution of Congress which submitted the question of an Amendment to the Constitution of the United States providing for the direct election of United States Senators.

The State Legislature is in session and it is desired that this question be placed before them for consideration. This office is unable to find any communication from you on this matter.

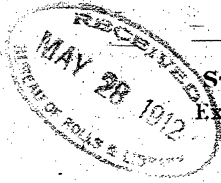
In as much as a new State administration was inaugurated January twenty-first I would like to know if you can send a letter to the Governor of Delaware so that he may transmit the same to the Legislature.

Respectfully yours,

*Thomas W. Miller*

Secretary of State.

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STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER

May 27, 1912.

Hon. P. S. Knox,  
U. S. Secretary of State,  
Washington, D. C.

Dear Sir:

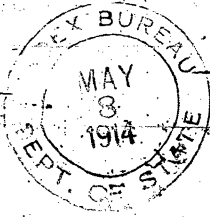
I desire to acknowledge receipt of a certified copy of a Resolution of Congress, entitled "Joint Resolution Proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States."

The Legislature of the State of Delaware will not convene until the first Tuesday in January 1913, but I will see that the Resolution is brought to its attention and that a certified copy of their action on the same is forwarded to you.

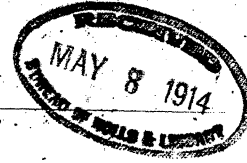
I have the honor to be, Sir

Yours very truly,

*Samuel R. Houston*  
Governor.



State of Delaware



THOMAS W. MILLER  
SECRETARY OF STATE

Office of Secretary of State  
DOVER, DEL. May 7, 1914.

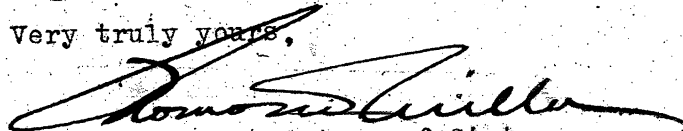
The Secretary of State,  
Washington, D. C.

Sir:

In the absence of the Governor, I acknowledge receipt of your letter of the 5th inst., inquiring as to the Legislative action on the joint resolution of Congress proposing an amendment to the Constitution with respect to the election of Senators.

In reply thereto, I beg to inform you, that a resolution providing for the adoption of the amendment was pending before the General Assembly of the State of Delaware during the session of 1913, when it was unofficially reported that the requisite number of States had approved the amendment. Thereafter no further action on the matter was taken by the General Assembly.

Very truly yours,

  
Secretary of State.

TM/B.

(7)

NO ACTION

FLORIDA

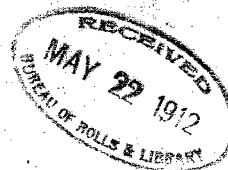


STATE OF FLORIDA  
EXECUTIVE DEPARTMENT  
TALLAHASSEE

May 20, 1912.

ALBERT W. GILCHRIST,  
GOVERNOR.

G. T. WHITFIELD,  
SECRETARY.



Honorable P. C. Knox,  
Secretary of State,  
Washington, D. C.

Sir:

I have the honor to acknowledge receipt from you of certified copy of a Resolution of Congress, entitled "Joint Resolution proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States."

The said Joint Resolution has been filed in this office to be submitted by the Governor to the Florida Legislature at its next session, for such action as may be deemed proper.

Very respectfully,

*Albert W. Gilchrist,*

Governor.



STATE OF FLORIDA  
EXECUTIVE CHAMBER  
TALLAHASSEE



May 8th, 1914.

Hon. W. J. Bryan,  
Secretary of State,  
Washington, D. C.

My dear Sir:-

In answer to the inquiry in yours of the 5th instant, I have the honor to advise that the Legislature of Florida did not formally ratify joint resolution of Congress, proposing an amendment to the United States Constitution providing that Senators be elected by the people of the several states. At its regular session of 1913, however, the Florida Legislature did enact Chapter 6471, Laws of Florida, copy of which is hereto attached, to put the said amendment to the Federal Constitution into effect in this State. It appears that the said proposed amendment was submitted by Congress in 1912. One half of the members of the Florida State Senate of 1913, same being the only session of the Florida Legislature held since the amendment was submitted, were elected in 1910.

Section 19 of Article XVI of the Florida Constitution is as follows:  
"No convention nor Legislature in this State shall act upon any amendment of the Constitution of the United States proposed by Congress to the several States, unless such Convention or Legislature shall have been elected after such amendment is submitted."

It has been contended by some members of the Florida State Senate that the said provision of the Constitution prohibits ratification of proposed amendment to the United States Constitution by the Florida Legislature until the entire membership of the Legislature has been elected subsequent to the submission of the amendment. This contention has caused delay in the part of Florida in the formal ratification of both the Income Tax amendment and the amendment relative to the popular election of Senators.

During the legislative session of 1913, I sent a special message to the Legislature urging that the amendment for the direct election of Senators by the people be ratified, as it was in my opinion that the above cited provision of the State Constitution would not nullify ratification by the State of Florida.

It is my opinion that a very large majority of the people of Florida and also of the Legislature of Florida are in sympathy with the constitutional amendment providing for the direct election of United States Senators by the people. I am personally in entire sympathy with the said amendment.

Yours very truly,

*Paul Trammell*  
Governor.

(80)



hereinbefore described, or any one of them who makes or executes any notice, order, or threat of the kind hereinbefore forbidden in the next preceding section, shall pay a fine of not more than five hundred dollars, or be imprisoned not more than six months.

3841. *Illegal Voting and Unlawful Acts in Primary Elections.*—If any person who is not entitled to vote under the primary election laws, vote at any primary election held thereunder, or vote more than once, or personate another person, or in any name other than his own legal name, or in any manner disturb the orderly proceedings of any such election, or intimidate or in any manner attempt to intimidate or deter from voting, or impose, or attempt to impose, on any duly authorized voter, a ticket or ballot other than it appears on its face to be, such person or persons shall be fined not less than ten dollars or be imprisoned or not more than three months.

CHAPTER 6471—(No. 51)

AN ACT Relating to the Election of United States Senators and to the Appointment of Such Senators When Vacancies Happen in the Representation of This State in the Senate of the Congress of the United States.

Whereas the following has been (proclaimed as having been) duly adopted as Article XVII of the Amendments to the Constitution of the United States,

“Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each house concurring therein), That in lieu of the first paragraph of Section 3 of Article 1, of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the Legislatures of three-fourths of the States:

The Senate of the United States shall be composed of two Senators from each State, elected by the people

(81)

thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies; Provided, That the Legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies as the Legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

And whereas it is the purpose of this State to conform to the requirements of such fundamental law, therefore,

*Be It Enacted by the Legislature of the State of Florida:*

Section 1. The Senators from Florida in the Congress of the United States shall be elected at the general elections in the State held next preceding the expiration of the terms of office of such Senators, and such elections shall conform as near as practicable to the methods and means provided for the election of State officers.

Sec. 2. Should a vacancy happen in the representation of this State in the Senate of the Congress of the United States, the Governor shall issue writs of election to fill such vacancy at the next general election; and the Governor may make temporary appointments until the vacancy is filled by election.

Approved May 26, 1913.

NO ACTION

GEORGIA

State of Georgia  
Executive Department  
Atlanta



May 7, 1914.

Hon. Wm. J. Bryan, Secretary of State,  
Washington, D. C.

Dear Sir:-

Replying to your communication of May 5, I have the honor to advise as follows:

No conclusive action has been taken by the State of Georgia on the joint resolution of Congress proposing an amendment to the Constitution providing that Senators be elected by the people of the several States.

The only action of any character taken by the General Assembly of this State was the adoption of a Resolution which was approved August 19, 1912, deferring final action. I have the honor to enclose you printed copy of that Resolution.

Respectfully yours,

*John W. Slaton*  
Governor of Georgia.

# Report of Committee and Resolutions

ADOPTED BY THE

## GENERAL ASSEMBLY OF GEORGIA

Relative to the Proposed Amendment  
to the Constitution of the United  
States Providing for the Election of  
United States Senators by the People



CHAS. P. BYRD, State Printer, Atlanta.

Report of the Joint Committee of the Legislature of Georgia relative to the resolutions of Congress proposing an amendment to the Constitution of the United States providing for the election of Senators by the people of the several States.

*To the General Assembly of Georgia:*

Your Committee to whom was referred the resolution of the Congress proposing to amend the Constitution of the United States in the matter of the election of the Senators, with instructions to inquire and report whether the amendment is proposed according to the terms of the Constitution report as follows:

In the year 1776 the thirteen American Colonies, then subject to the British Crown, jointly published to the nations of the world a declaration of their purpose to sever their connection with the mother country for reasons fully set forth in that instrument. The declaration made was in these words:

“That these United Colonies are and of right ought to be free and independent States, that they are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain is and ought to be totally dissolved, and that as free and independent States they have full power to levy war, conclude peace, contract alliances, establish commerce, and do all other acts and things which independent States may of right do.”

The Colonies were not at that time united by any other bond than as allies in war.

Upon the issue made by this declaration, waver of battle was joined with the State of Great Britain and the war terminated by a treaty of peace signed at Paris in the year 1783 whereof the first article was as follows:

“His Britannic Majesty acknowledges the said United States, viz: New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia, to be free sovereign and independent States; that he treats with them as such; and for

himself, his heirs and successors, relinquishes all claim to the government, propriety (†) and territorial rights of the same, and every part thereof."

During the continuance of the war, to-wit: in the year 1777, the delegates of the several States agreed tentatively upon certain articles of confederation erecting a form of government mutual to them all, and these articles, being afterwards separately considered and consented to by the several States, each for itself, were signed on the 9th day of July in the year 1778 by the respective delegates of the States, each delegation acting in that matter, in pursuance of specific instructions from their own States directing them so to consent.

The government thus created was styled by these articles "a firm league of friendship." It was in fact but little more than such a league, and in the second article of it, specifically maintained the status of the several States as described and recognized in the treaty of Paris, in these words:

"Art. II—Each State retains its sovereignty freedom and independence; and every power, jurisdiction and right, which is not by this confederation expressly delegated to the United States in Congress assembled."

By the fifth of these Articles, it was provided that each State should, annually, and *in such manner as its own legislature should determine*, appoint delegates to a congress of the United States "for the more convenient management" of their general interests, the number so selected by any one State to be not less than two nor more than seven, each State maintaining its own delegates, and each State having one vote in the Congress and no more.

The government created by these Articles did not prove adequate to its own necessities, and in the year 1787 delegates were selected from the several States to meet in convention at Philadelphia under a resolution of the Congress adopted February 1st, 1787, in these words:

"Resolved, That in the opinion of Congress it is expedient that on the second Monday in May next, a

Convention of delegates, who shall have been appointed by the several States, be held at Philadelphia for the sole and express purpose of revising the Articles of Confederation, and reporting to Congress and the several legislatures, such alteration and provisions therein as shall, when agreed to in Congress, and confirmed by the States, render the Federal Constitution adequate to the exigencies of Government and the preservation of the Union."

In response to this expression from the Congress, twelve of the States did send delegates to such a convention, and the present Constitution, except the amendments thereto, was the result of its deliberations, being proposed by the Convention in September, 1787, and afterwards, and before the end of the year 1788, ratified and agreed to by eleven of the States, and the new government put into operation between them. Afterwards, in November, 1789, the State of North Carolina acceded to the new government and Rhode Island did likewise in May of the year 1790.

There can be no doubt that the States all showed during the entire period of the negotiations and proceedings, extreme solicitude for the preservation unimpaired of their respective sovereignties, and an almost jealous apprehension of any possible assumption by the federal government of any authority not expressly delegated to it by the free consent of all the States. This solicitude, indeed, found expression in an amendment agreed to so early, and so earnestly insisted upon in the ratification of many of the States as a condition upon their consent, as to be practically a part of the original Constitution. That amendment stands in these words:

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

Nor can there be any doubt that prior to the final adoption of the Constitution no State could be subjected to any new subtraction from its sovereignty except by its own free consent. That is to say, no change in the Constitution could be imposed upon any State prior to that time without its own consent,



even though all other States so decreed; a principle clearly illustrated in the fact that, although eleven States agreed at first to the new Constitution as a substitute for the old, no attempt was made to impose its obligation upon Rhode Island or North Carolina.

This principle that no State could ever have any alteration of the Constitution imposed on it except by its own consent, was departed from, for the first time, by the terms of the Constitution of 1787, and then only by the free consent of every State. It is therefore pertinent to look to the question of how this alteration occurred, and see to it that no extension be consented to by implication beyond the exact terms of the original grant.

When the convention of delegates, representing only twelve States, formulated the Constitution, they fully recognized their own want of authority to impose its changes upon any State, and took notice at the same time of the fact that it was impossible to foresee which States would and which would not accede to the new government. Therefore they wrote into it as the last article this provision:

“The Ratification of the Convention of Nine States, shall be sufficient for the establishment of this Constitution between the States so ratifying the same.”

The ninth State to ratify the Constitution, New Hampshire, did so on June 21, 1788, but Virginia and New-York did likewise on June 26th, and the new government went into operation between eleven States.

The fifth Article of this Constitution made the first provision ever contemplated by the United States or any of them for the amendment thereof without the unanimous consent of the States, and therefore was the first authority that the States ever consented to for the imposition upon any one of them of any dereliction from its own sovereignty by a vote of the others or of any number of the others. That provision remains of force.

Bearing in mind the historic reluctance of the several States to part with any of their reserved powers, or

to permit any impairment of the sovereignty and independence they had wrestled in war from the British Crown and so jealously safeguarded in the formation of this government, it seems but a prudent and proper adherence to our just and honorable traditions to make no further concessions upon this subject, and consent to no changes in the fundamental law except such as are made in strict conformity to its terms.

The provisions on this subject to which our fathers agreed are expressed in the following words:

“The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of Legislatures of two-thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by Conventions in three-fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no amendment which may be made prior to the Year One Thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.”

Before any State can have imposed upon it any alteration of the Constitution, it is provided by this Article that three-fourths of the States must so decree. If three-fourths do so decree, and that decree is elicited in the method pointed out by the Constitution, a State may have new terms imposed upon it or its sovereignty altered or impaired in any way and to any extent whatsoever, except in the sole particular of its right to equal representation in the Senate. The vast possibilities of this power of amendment, therefore, ought to warn every State, in case of proposed amendments, to insist upon exact compliance with every prerequisite stated by the Constitution, and that such insistence should be as jealous and as scrupulous as was the traditional care of our fathers to preserve to each State every vestige of its sovereign power not deemed necessary to be surrendered for the general good.

The obvious prerequisite without which no number of States can impose any alteration in the frame of government on any one of them, is in this, that the first step for setting in motion the machinery of amendment shall be in its proposal by two-thirds of each house of Congress. Unless two-thirds do so propose an amendment, it seems hardly open to question that no amendment is possible without a violation of the terms of the covenant.

The only possibility of difference in this matter, lies in the question whether the requisite two-thirds means two-thirds of those present in each house or two-thirds of the entire membership of each. The language of the Constitution is, "two-thirds of both houses," and it is at least certain that a literal construction of these words could not mean "two-thirds of those present in each house" or "two-thirds of those present and voting in each house." If there were no other light in the Constitution by which to interpret these words, it would at least be a fair argument to contend that if the framers had intended "two-thirds of those present," they would have said so in unambiguous words.

But it happens that there is other light in that great instrument, for by the third section of the first article, dealing with the question of impeachment, it provides that "no person shall be convicted without the concurrence of two-thirds of the members present." In like manner the power to make treaties, granted to the President in the second section of the second article has this condition, "Provided two-thirds of the senators present concur." By all the approved rules of legal construction, sanctioned by the wise experience of a thousand years, these passages ought to solve all doubts unless some other clause be found to raise a just renewal of the question.

The provision in the 5th section of the first article which constitutes a majority of each house a quorum to do business, can not be considered to raise such question; for obviously that section refers only to the

general ordinary course of normal legislation, and if it had any application to extraordinary matters, no necessity would have existed for the provision that in case of impeachment the two-thirds required to convict, means two-thirds of those "present."

Impeachments are in the nature of bills of attainder, of such high authority as are not necessary to be based on previous statute defining and prohibiting the offense, and are therefore extraordinary in their nature. The treaty power is perhaps most dangerous to the reserved sovereignty of the States, for under it the President, with the requisite advice and consent, may exercise far reaching power over them. Amendment of the Constitution, for reasons already stated, is in much higher degree an extraordinary power. Indeed, we feel safe in saying, in view of the history herein set forth, that to no subject whatever did the prudent men who framed the government give more cautious attention than to the fixed purpose that each State should reserve its sovereignty undiminished and incapable of abatement except upon its own consent. All these acts of Congress therefore, require a larger vote than any ordinary legislation. In two or them the consent of two-thirds of those "present" is required. In the other the consent of two-thirds of each house is needful. It seems impossible to doubt that the difference in the language used by the exact men who wrote the Constitution, was designed.

These considerations, it seems to us, are greatly emphasized by the fact that, if the meaning we have attached to the Constitution in this regard be not the true one, then it follows that barely more than one-third of each house could set in motion the extraordinary machinery which might result in the subtraction from a State of some vital portion of its sovereignty without its own consent. Such a possibility is wholly inconceivable as having been consented to by the grave and cautious men who framed the Constitution and so jealously guarded the sovereignty of the several States therein.

The amendment proposed by the Congress and referred to this Committee did not receive two-thirds of each house, and therefore was not proposed to the States in the manner pointed out by the Constitution for its own amendment.

This fact raises the unavoidable inquiry as to what course should now be taken by the States to whom the amendment is proposed. Without regard to the merits or demerits of the proposal, and although the legislatures of them all might desire the amendment made, it seems to your committee to be but a matter of reasonable prudence to determine that those States are jealously mindful of their rights, and scrupulous to observe the Constitution and preserve it unimpaired, should decline to take action at all on the proposed amendment until it shall have first been submitted exactly in the method pointed out by the Constitution. To do otherwise is to consent to an unauthorized power never delegated by the States to the Congress and to disregard the solemn teachings of experience. In interpreting the Constitution on this subject, the States are not bound by the precedent of any Congressional determination.

But the terms of the resolution direct this Committee further to report whether the proposed amendment, if properly initiated and ratified, will involve any surrender by this State of any measure of control over its own suffrage.

The first step in the selection of a Senator now occurs at the ballot box when we choose our legislature. It is certain that Congress is wholly without authority at the present time for interference there. It can not prescribe the qualifications of the electors nor can it be pretended that it can interfere in any way with the registration or the balloting. It can not now determine the time or manner in which we set in motion or conduct this initial step in our selection of our own peculiar representatives.

But the Constitution does confer upon the Congress now, the power to prescribe the time and manner in

which the legislatures of the several States shall choose their Senators. If we consent, as is proposed, to eliminate the authority of the legislature now interposed between the people at the ballot box and the choosing of the Senator, and do not at the same time stipulate for a withdrawal of the power heretofore delegated to the Congress in this particular in the 4th section of the 1st Article of the Constitution, that grant of power will take on a different quality, not belonging to it now upon any just interpretation of its terms, and will by inevitable consequence give to Congress a power it has not now, and will subtract from the State a power which the State now holds by unquestionable right, to-wit: the power to fix the time and manner in which the people of Georgia shall indicate at the ballot box their choice for their own senators.

What will be the extent and meaning of this power to fix the manner of election if such change is made as is proposed, will be a question open at least to doubt. We ourselves should not be disposed to think that it would include the right to regulate the terms and manner of the registration, but language recently used upon the floor of the Federal Senate, in answer to an inquiry from one of our own Senators, warns us to expect at least the possibility of interpretations to be attempted, far more strained than that. Warned by past experience, the State of Georgia ought not to forget that in times of high political excitement partisans are able to find strange powers in the instrument of Union and justify themselves in the doing of things that in more tranquil seasons they would themselves condemn as being directly violative of its prohibitions. There are times when to doubt should be to be resolved.

It seems to your Committee that this is a case in which it is necessary to change the language of the Constitution in order to preserve its meaning. If we alter the constitutionally appointed method of choosing senators, as is proposed, and do not withdraw the

power of statutory regulation, the statute is likely to be more potent than the Constitution, and the power delegated be something other than was meant in its delegation.

If your Committee could believe it to be within the scope of its instructions to consider or report upon the wisdom of the policy of delegating to the Federal Congress any authority over the time, place or manner, in which a State shall choose its own Senators and Representatives, we think it might well be doubted whether there ever was any necessity or just reason for such a delegation of authority, or whether any good purpose is attained even in the case of representatives in the more numerous branch of the Congress. But we conceive our instructions to have been complied within this matter, when we point out, as we have endeavored to do, the exact particulars in which the adoption of the proposed amendment derogates anew from our reserved powers and adds to the authority of Congress.

Your Committee believes that it can safely declare the people of Georgia to be very largely in favor of so amending the Constitution of the United States as to provide for the popular election of senators. Indeed the people of this State, under the operation of their voluntary party primaries, have used to so elect for many years; and it seems to us hardly possible to doubt that they are almost unanimous in favor of such change. We believe it to be almost equally as certain that neither for that nor any reason whatsoever would any considerable number of the people of Georgia ever endure the suggestion that we ought to surrender the least vestige of our control over our own suffrage or our own elections. It is not needful that we discuss the reasons for this attitude of our people. It is, in our judgment, a closed question in Georgia.

In view of the considerations expressed in this report we recommend that the General Assembly agree

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to this report as in the nature of a preamble and to the following resolutions based thereon:

1st. That the legislature of Georgia can not consent to receive or act upon any proposal for the amendment of the Federal Constitution, until the same is made by two-thirds of the full membership of each house of the Congress, and conceives it to be in derogation of the reserved rights of the States for any amendment to be proposed until it receives such vote.

2nd. That the Governor be and he is hereby directed to return to the proper office of the United States from which it emanated, the communication proposing an amendment as to the election of Senators, with the respectful protest of this State against the proposal as having been made by less than the requisite vote and therefore in derogation of the Constitution.

3rd. That a copy of these resolutions and of the report in which the same are embodied be communicated to our Senators and Representatives in the Congress, with the request that the same be brought to the attention of that body.

4th. That the Governor be and he is hereby directed to communicate like copies to the Governors of the several States of the Union, with the request that the same be laid before their respective legislatures as an expression of the sentiment of this State, and in the hope that all the States may join with Georgia in earnest insistence that the Congress do not hereafter propose amendments to the Federal Constitution otherwise than upon the vote of two-thirds of the entire membership of each house thereof.

5th. That in the interest of candor we conceive it proper to say that the State of Georgia will be prompt to agree to the election of senators by the people of the respective States, if the proposal therefor be made in what we conceive to be the method provided by the Constitution for its own amendment, but not in any



terms which derogate in any degree whatsoever, directly or consequentially, from our reserved right of entire and unqualified control over our own suffrage, registration, and elections.

Respectfully submitted,

J. E. SHEPPARD,  
W. T. ROBERTS,  
Committee on behalf of Senate.

HOOPER ALEXANDER,  
J. RANDOLPH ANDERSON,  
Committee on behalf of House.

JOHN N. HOLDER,  
Speaker of House.

JOHN T. BOIFEUILLET,  
Clerk of House.

JOHN M. SLATON,  
President of Senate.

C. S. NORTON,  
Secretary of Senate.

Approved August 19th, 1912.

JOSEPH M. BROWN,  
Governor.

RATIFICATION

IDAHO

State of Idaho  
Governor's Office

BOISE



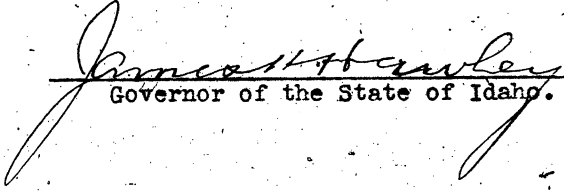
May 21, 1912.

The Honorable Secretary of State,  
Washington, D. C.

Sir:-

I have this day received your favor of the 17th instant and a certified copy of the resolution of Congress entitled: "Joint Resolution proposing an Amendment to the Constitution providing that Senators should be elected by the People of the several States," and in accordance with your request will cause the same to be submitted to the Legislature of this state at its next session for such action as that body may see fit to take.

I have the honor to be, Sir, your obedient servant,

  
Governor of the State of Idaho.

State of Idaho

DEPARTMENT OF STATE

WILFRED L. GIFFORD  
SECRETARY OF STATE

ACK'D FEB 15 1913  
State

CHIEF CLERK  
FEB 13 1913  
DEPT. OF STATE

THE WHITE HOUSE  
FEB 15 1913  
RECEIVED

RECEIVED  
FEB 18 1913  
DEPT. OF STATE

Boise, Idaho, February 10, 1913.

Hon. William Howard Taft,  
President Of The United States,  
Washington, D. C.

Dear Mr. President:

I have the honor to transmit herewith a certified copy of House Joint Resolution #2, which was passed by the Legislature of the State of Idaho, now in session.

Very truly yours,

*W. L. Gifford*  
Secretary of State.

By,

*B. C. Hyatt*  
Chief Clerk.

Enc. 1

100

CERTIFICATE OF CERTIFIED COPY

RECORDED  
FEB 18 1913  
OFFICE OF NOTARY & CLERK



DEPARTMENT OF STATE

I, *WILFRED L. GIFFORD*, Secretary of State of the State of Idaho, do hereby certify

that the annexed is a full, true and complete transcript of

HOUSE JOINT RESOLUTION NO. 2

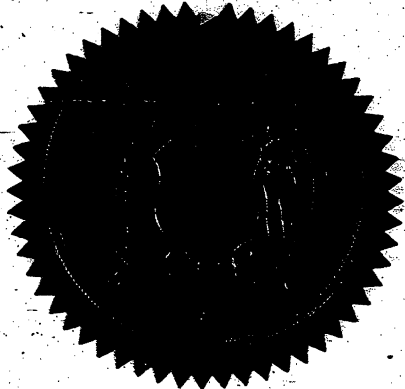
BY KOELSCH.

"PROPOSING AN AMENDMENT TO THE CONSTITUTION PROVIDING  
THAT SENATORS SHALL BE ELECTED BY THE PEOPLE OF THE  
SEVERAL STATES."

PASSED THE HOUSE JANUARY 23, 1913.  
PASSED THE SENATE JANUARY 31, 1913.

which was filed in this office on the FIFTH day of FEBRUARY  
A. D. 1913, and admitted to record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed  
the Great Seal of the State. Done at Boise City  
the Capital of Idaho, this SEVENTH  
day of FEBRUARY in the year of our  
Lord one thousand nine hundred and  
THIRTEEN and of the Independence of  
the United States of America the One Hundred  
and thirty SEVENTH.



*Wilfred L. Gifford*  
Secretary of State.

101

HOUSE JOINT RESOLUTION NO. 2.

BY CHAS. F. KOELSCH.

JOINT RESOLUTION RATIFYING A PROPOSED AMENDMENT TO THE CON-  
STITUTION OF THE UNITED STATES OF AMERICA.

Received and Filed

Feb 5 1913

W L GIFFORD

Secretary of State

102

HOUSE JOINT RESOLUTION NO. 2.

BY CHAS. F. KOELSCH.

JOINT RESOLUTION RATIFYING A PROPOSED AMENDMENT TO THE CONSTITUTION  
OF THE UNITED STATES OF AMERICA.

WHEREAS, both houses of the Sixty-second Congress of the United States of America in its second session, by a constitutional majority of two-thirds thereof, made the following proposition to amend the Constitution of the United States of America, in the following words, to-wit:

→ "Joint resolution proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several states.

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), that in lieu of the first paragraph of Section (3) of Article 1 of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the Legislatures of three-fourths of the States".

→ "The Senate of the United States shall be composed of two Senators from each state, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the State Legislature".

"When vacancies happen in the representation of any state in the Senate, the executive authority of such state shall issue writs of election to fill such vacancies: PROVIDED, that the legislature

*Italis*

→ of any state may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct".

"This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution".

THEREFORE, Be it Resolved by the Legislature of the State of Idaho:

Section 1. That the said proposed amendment to the Constitution of the United States of America be, and the same is hereby, ratified by the Legislature of the State of Idaho.

Section 2. That certified copies of this preamble and joint resolution be forwarded by the Governor of this state to the President of the United States, to the presiding officer of the United States Senate, and to the Speaker of the House of Representatives of the United States.



THIS HOUSE JOINT RESOLUTION PASSED THE HOUSE OF REPRESENTATIVES  
ON THE 23<sup>rd</sup> DAY OF JANUARY, 1913.

C S FRENCH  
SPEAKER OF THE HOUSE OF REPRESENTATIVES.

THIS HOUSE JOINT RESOLUTION PASSED THE SENATE ON THE 31<sup>st</sup> DAY  
OF JANUARY 1913.

HERMAN H TAYLOR  
PRESIDENT OF THE SENATE.

I HEREBY CERTIFY THAT THE WITHIN HOUSE JOINT RESOLUTION ORIGINATED  
IN THE HOUSE OF REPRESENTATIVES DURING THE TWELFTH SESSION OF THE  
LEGISLATURE OF THE STATE OF IDAHO.

DAVID BURRELL  
CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES.

CERTIFIED COPY  
OF THE  
Articles of Incorporation  
OF

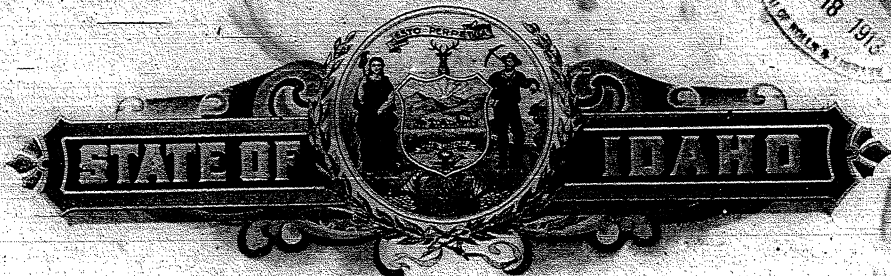


OFFICE OF THE  
SECRETARY OF STATE  
IDAHO

5148 - YORK CO., 7183, A 8081, 19852

106

CERTIFICATE OF CERTIFIED COPY



DEPARTMENT OF STATE

I, WILFRED L. GIFFORD, Secretary of State of the State of Idaho, do hereby certify  
that the annexed is a full, true and complete transcript of

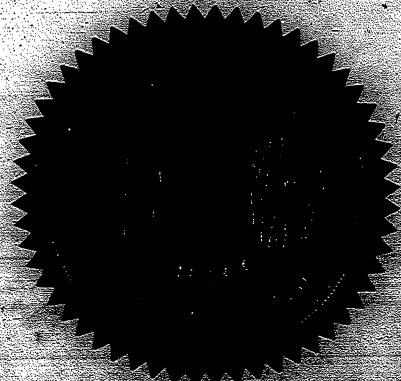
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which was filed in this office on the FIFTH day of FEBRUARY  
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IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed  
the Great Seal of the State. Done at Boise City  
the Capital of Idaho, this SEVENTH  
day of FEBRUARY in the year of our  
Lord one thousand nine hundred and  
THIRTEEN and of the Independence of  
the United States of America the One Hundred  
and thirty SEVENTH.

*Wilfred L. Gifford*  
Secretary of State.



HOUSE JOINT RESOLUTION NO. 2.

BY CHAS. F. KOELSCH.

JOINT RESOLUTION RATIFYING A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES OF AMERICA. \_\_\_\_\_

RECEIVED AND FILED

Feb 5 1913

W. L. GIFFORD  
Secretary of State

108

HOUSE JOINT RESOLUTION NO. 2.

BY CHAS. F. KOELSCH.

JOINT RESOLUTION RATIFYING A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES OF AMERICA.

WHEREAS, both houses of the Sixty-second Congress of the United States of America in its second session, by a constitutional majority of two-thirds thereof, made the following proposition to amend the Constitution of the United States of America, in the following words, to-wit:

"Joint resolution proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several states.

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), that in lieu of the first paragraph of Section 3 of Article 1 of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the Legislatures of three-fourths of the States".

"The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the State Legislature".

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"When vacancies happen in the representation of any state in the Senate, the executive authority of such state shall issue writs of election to fill such vacancies: PROVIDED, that the legislature of any state may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct".

"This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution".

THEREFORE, Be it Resolved by the Legislature of the State Of Idaho:

Section 1. That the said proposed amendment to the Constitution of the United States of America be, and the same is hereby, ratified by the Legislature of the State of Idaho.

Section 2. That certified copies of this preamble and joint resolution be forwarded by the Governor of this state to the President of the United States, to the presiding officers of the United States Senate, and to the Speaker of the House of Representatives of the United States.

THIS HOUSE JOINT RESOLUTION PASSED THE HOUSE OF REPRESENTATIVES  
ON THE 23<sup>rd</sup> DAY OF JANUARY, 1913.

C S FRENCH  
SPEAKER OF THE HOUSE OF REPRESENTATIVES.

THIS HOUSE JOINT RESOLUTION PASSED THE SENATE ON THE 31<sup>st</sup> DAY  
OF JANUARY 1913.

HERMAN H TAYLOR  
PRESIDENT OF THE SENATE.

I HEREBY CERTIFY THAT THE WITHIN HOUSE JOINT RESOLUTION ORIGI-  
NATED IN THE HOUSE OF REPRESENTATIVES DURING THE TWELFTH  
SESSION OF THE LEGISLATURE OF THE STATE OF IDAHO.

DAVID BURRELL  
CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES.

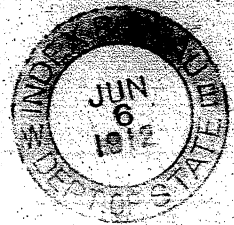
(111)

RATIFICATION

ILLINOIS

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State of Illinois  
Executive Department,  
Springfield.



June 4, 1912.

Sir:-

I am directed by Governor Deneen to acknowledge receipt of your communication enclosing "Joint Resolution proposing an amendment to the Constitution providing that senators shall be elected by the people of the general states" for submission to the General Assembly of Illinois and to inform you that the same will be submitted to the General Assembly at the proper time.

Yours truly

Secretary.

To the Honorable,  
The Secretary of State,  
Washington, D.C.

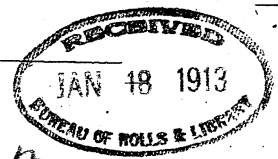
W-P

113

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TELEGRAM RECEIVED.

PLAIN



*From*  
Springfield, Illinois

Dated January 17, 1913.

Rec'd 5:10 p.m.

*Ans  
Jan 18 1913*

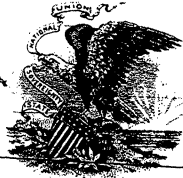
Secretary of State,  
Washington.

Kindly mail to me this afternoon copy  
of the amendment to the Federal Constitution in  
reference to the direct election of United States  
Senators and also instructions as to its ratifi-  
cation.

C H A S   S   D E N E E N  
Governor.

Deciphered by

114



**Secretary of State**  
STATE OF ILLINOIS,  
SPRINGFIELD

RECEIVED BUREAU  
FEB 21 1913  
DEPT OF STATE

February 19, 1913.

*Rec'd  
Feb 24/13*

Sir, -

I transmit herewith certified copy of Senate Joint Resolution No. 2 of the Forty-eighth General Assembly of Illinois, which ratifies and assents to the proposed amendment to the Constitution of the United States, providing that Senators shall be elected by the people of the several States.

Yours truly,

*Harry Woods*  
Secretary of State.

EPH:ENC

TO THE HONORABLE,  
THE SECRETARY OF STATE  
OF THE UNITED STATES,  
WASHINGTON, D.C.

115

FEB 21 1913  
OFFICE OF RECORDS & LIBRARY

# STATE OF ILLINOIS

## DEPARTMENT OF STATE

**Harry Woods**



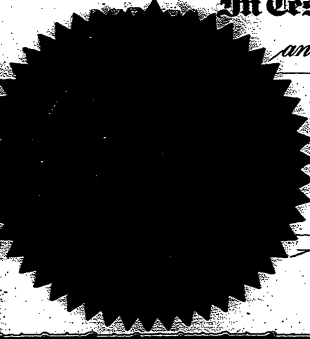
**Secretary of State**

**Whosoever these Presents Shall Come, Greeting:**

*I, HARRY WOODS, Secretary of State of the State of Illinois,*  
*do hereby certify that the following and hereto attached is a true copy*  
of Senate Joint Resolution No. 2 of the Forty-eighth  
General Assembly of the State of Illinois, adopted by  
the Senate February 12, 1913, and concurred in by the  
House of Representatives February 13, 1913, and filed  
February 18, 1913,

*the original of which is now on file and a matter of record in this office.*

**In Testimony Whereof, I hereto set my hand**  
**and cause to be affixed the great Seal of State**  
*Done at the City of Springfield this* 19th  
*day of* February, *A.D. 19* 13.



*Harry Woods*  
SECRETARY OF STATE.

SENATE JOINT RESOLUTION NO. 2.

Whereas the Sixty-second Congress of the United States of America at the second session begun and held at the city of Washington on Monday, the 4th day of December, in the year of our Lord one thousand nine hundred eleven ~~by a vote~~ of two-thirds of both houses, proposed an amendment to the constitution of the United States which should be valid to all intents and purposes as a part of the constitution of the United States when ratified by the legislatures of three-fourths of the states, which resolution is in words and figures following to-wit:

"JOINT RESOLUTION

Proposing an amendment to the Constitution providing that  
Senators shall be elected by the  
people of the several states. ←

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That in lieu of the first paragraph of section three of Article I of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the States:

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

'When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

'This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.' "

Now, therefore, be it resolved by the Senate, the House of Representatives concurring herein, That the State of Illinois by its legislature ratifies and assents to said amendment so proposed by the Congress of the United States.

Adopted by the Senate February 12th, A.D. 1913.

Barratt O'Hara  
President of the Senate.

J. H. Paddock  
Secretary of the Senate.

Concurred in by the House of Representatives February 13th,  
A.D. 1913.

William McKinley  
Speaker of the House of Representatives.

B. H. McCann  
Clerk of the House of Representatives.

118



**Certified Copy**

of

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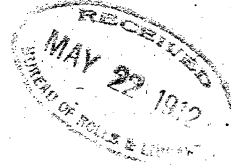
**STATE OF ILLINOIS,**  
**Secretary of State's Office.**

RATIFICATION

INDIANA



Executive Department.  
STATE OF INDIANA.



May 20<sup>th</sup>, 1912.

S I R,-

I have the honor to acknowledge the receipt of a certified copy of a resolution of Congress entitled "Joint Resolution proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several states." The same will be submitted to the next General Assembly of the State of Indiana and its adoption recommended.

I have the honor to remain,  
sir,

Your obedient servant,

*Thos. R. Marshall*

Governor.

To the  
Secretary of State,  
Washington, D.C.

(121)



**Joint Resolution**  
**Passed by Senate and House of Representatives**  
**Sixty-eighth Session, of the General**  
**Assembly of the State**  
**of Indiana**

Whereas, Both houses of the Sixty-second Congress of the United States of America, at its second session, by a constitutional majority of two-thirds thereof, made the following proposition to amend the constitution of the United States of America in the following words, to wit: Joint resolution proposing an amendment to the constitution providing that senators shall be elected by the people of the several states;

Resolved, By the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each house concurring therein), That in lieu of the first paragraph of Section 3 of Article I of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the constitution, which shall be valid to all intents and purposes as part of the constitution when ratified by the legislatures of three-fourths of the states;

"The Senate of the United States shall be composed of two senators from each state, elected by the people thereof, for six years; and each senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislatures"

"When vacancies happen in the representation of any state in the Senate, the executive authority of such state shall issue writs of election to fill such vacancies: Provided, That the legislature of any state may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct."

"This amendment shall not be so construed as to affect the election or term of any senator chosen before it becomes valid as part of the constitution," therefore, be it

Resolved, By the Senate and House of Representatives of the State of Indiana, That the said proposed amendment to the Constitution of the United States of America be, and the same is hereby ratified by the General Assembly of the State of Indiana; and, further, be it

Resolved, That certified copies of this joint resolution be forwarded by the governor of this state to the secretary of state at Washington, D. C., and the presiding officers of each house of the National Congress.

WILLIAM P. O'NEILL,  
President of Senate.

HOMER L. COOK,  
Speaker of House of Representatives.

Approved March Sixth, 1913.

SAMUEL M. RALSTON,

Governor of the State of Indiana.

ITALICS

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EXECUTIVE DEPARTMENT.  
INDIANAPOLIS, IND.  
GOVERNOR'S ROOM



Hon. William Jennings Bryan,  
Secretary of State,  
Washington, D. C.

My dear Mr. Bryan:-

I have the honor to enclose you  
herewith, the Resolution, properly certified,  
adopted by the Sixty-eighth General Assembly  
of the State of Indiana, proposing an amend-  
ment to the Constitution of the United States,  
providing that senators shall be elected by  
the people of the several states.

Respectfully submitted,

*Samuel M. Ralston*

April 18, 1913.

Governor.

123

**United States of America**

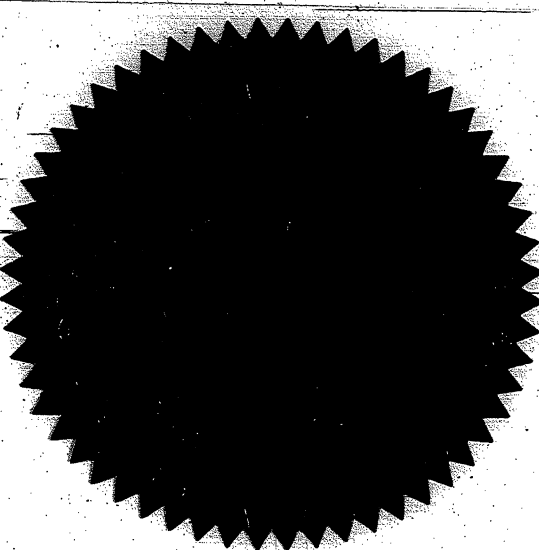
**State of Indiana**

**Office of Secretary of State**

I, L. G. Ethingam, Secretary of State of the State of Indiana, and custodian of the Seal of said State, do hereby certify:

That I have carefully compared the annexed copy of joint resolution of the Senate and House of Representatives of the State of Indiana in Legislature assembled, with the original thereof as filed in the office of the Secretary of State of the State of Indiana, on the sixth day of March, 1913, and that it is a full, true and complete transcript therefrom and of the whole thereof.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana, at the Capitol, in the City of Indianapolis, this 14th day of April, A. D. 1913.

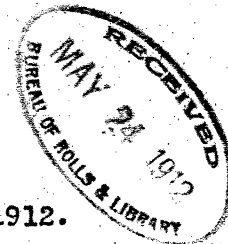
  
*L. G. Ethingam* Secretary of State.

RATIFICATION

I O W A

125

STATE OF IOWA  
EXECUTIVE DEPARTMENT  
DES MOINES



May 21, 1912.

Hon. P. C. Knox,  
Washington, D.C.

My Dear Sir;

I am in receipt of yours of the 17th  
Inst. enclosing copy of the proposed amendment to the  
constitution of the United States providing for the  
election of United States Senators by direct vote  
of the people and in reply thereto will say, that  
the matter will be brought to the attention of our General  
Assembly at its next session.

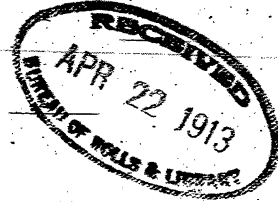
Very truly yours,

A handwritten signature in cursive script that reads "P. H. Carroll".

Governor.

126

STATE OF IOWA  
EXECUTIVE DEPARTMENT  
DES MOINES



April 19, 1913.

Hon. W. J. Bryan,

Secretary of State,

Washington, D.C.

Dear Mr. Secretary,--

I herewith enclose the House Joint Resolution ratifying the amendment to the Constitution of the United States proposed by the Congress of the United States relating to the selection of Senators in the Congress of the United States with my certificate attached showing that it has been ratified by the State of Iowa through its legislature.

I have the honor to be,

Very truly yours,

*G. W. Clarke*

Governor of Iowa.

127

RY C. SOUTH,  
CHIEF CLERK.

HOUSE OF REPRESENTATIVES,  
CLERK'S OFFICE,  
WASHINGTON, D. C.



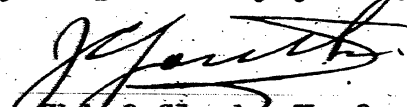
April 21, 1913.

Honorable William J. Bryan,  
Secretary of State,  
Washington, D. C.

My dear Sir:-

I am just in receipt of a letter from the Governor of the State of Iowa, transmitting to me, as Chief Clerk of the House of Representatives a certified copy of the resolution of the Legislature of the State of Iowa adopting an amendment to the constitution for the election of Senators by direct vote of the people. Evidently the Governor is under the impression that this paper should be lodged with the House of Representatives but I believe that the Department of State is the proper office in which to lodge this resolution and I therefore, respectfully transmit same to you.

Very respectfully yours,

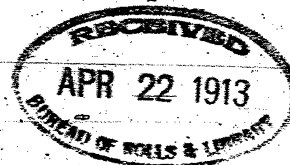
  
Chief Clerk, H. O. R.

s/j.  
encl.

128



STATE OF IOWA  
EXECUTIVE DEPARTMENT  
DES MOINES



April 19, 1913.

Hon. Chief Clerk,  
House of Representatives,  
Washington, D.C.

Sir,—

I herewith enclose the House Joint Resolution ratifying the amendment to the Constitution of the United States proposed by the Congress of the United States relating to the selection of Senators in the Congress of the United States with my certificate attached showing that it has been ratified by the state of Iowa, through its legislature.

I have the honor to be,

Very truly yours,

*G. W. Clarke*

Governor of Iowa.

129

RECEIVED  
APR 22 1913  
U.S. DEPARTMENT OF COMMERCE

House Joint Resolution.

A joint resolution and enactment ratifying the amendment to the Constitution of the United States, proposed by the Congress of the United States relating to the selection of Senators in the Congress of the United States.

WHEREAS, both Houses of the Sixty-Second Congress of the United States of America, at the second session thereof, by a constitutional majority of two-thirds thereof did propose an amendment to the Constitution of the United States of America in the following words, to-wit:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein,) *Italics*

That in lieu of the first paragraph of section three of Article I of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the states:

The Senate of the United States shall be composed of two Senators from each state, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislatures.

When vacancies happen in the representation of any state in the Senate, the Executive authority of such state shall issue writs of election to fill such vacancies: Provided, that the legislature of any state may empower the Executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct. *Italics*

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This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution."

Therefore,

Be it resolved and enacted by the General Assembly of the State of Iowa:

That the said proposed amendment to the Constitution of the United States of America as set forth herein be and the same is hereby ratified and consented to by the State of Iowa and by the General Assembly thereof.

Be it further resolved and enacted that certified copies of this enactment and resolution be forwarded by the Governor of this State to the Secretary of State of the United States at Washington and to the presiding officers of each House of the Congress of the United States.

Edward H. Cunningham  
Speaker of the House

W. L. Harding  
President of the Senate

I hereby certify that this Joint Resolution originated in the House and is known as House Joint Resolution No. 7.

A. C. Gustafson  
Chief Clerk of the House

Approved February 6th 1918.

G. W. Clarke  
Governor.

(131)

STATE of IOWA  
EXECUTIVE DEPARTMENT

I. G. W. Clarke, Governor of the state of Iowa,  
hereby certify that the Joint Resolution hereto attached,  
ratifying the amendment to the Constitution of the United  
States relating to the selection of Senators in the Congress  
of the United States was ratified by the legislature of the  
State of Iowa through its legislature as is shown by the  
certificate of the Speaker of the House of Representatives  
and the President of the Senate and by the approval of the  
Governor as endorsed thereon.

In testimony whereof I have  
affixed my signature and caused to  
be affixed an impression of the  
Great Seal of the State of Iowa.

Done at Des Moines, Iowa, this  
19th day of April A.D. 1913.

*G. W. Clarke*  
Governor.

132



House Joint Resolution.

A joint resolution and enactment ratifying the amendment to the Constitution of the United States, proposed by the Congress of the United States relating to the selection of Senators in the Congress of the United States.

WHEREAS, both Houses of the Sixty-Second Congress of the United States of America, at the second session thereof, by a constitutional majority of two-thirds thereof did propose an amendment to the Constitution of the United States of America in the following words, to-wit:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein,)

That in lieu of the first paragraph of section three of Article I of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the states:

The Senate of the United States shall be composed of two Senators from each state, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislatures.

When vacancies happen in the representation of any state in the Senate, the Executive authority of such state shall issue writs of election to fill such vacancies: Provided that the legislature of any state may empower the Executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

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(2)

this amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution."

Therefore,

Be it resolved and enacted by the General Assembly of the State of Iowa:

That the said proposed amendment to the Constitution of the United States of America as set forth herein be and the same is hereby ratified and consented to by the State of Iowa and by the General Assembly thereof.

Be it further resolved and enacted that certified copies of this enactment and resolution be forwarded by the Governor of this State to the Secretary of State of the United States at Washington and to the presiding officers of each House of the Congress of the United States.

Edward H. Cunningham  
Speaker of the House

W. L. Harding  
President of the Senate

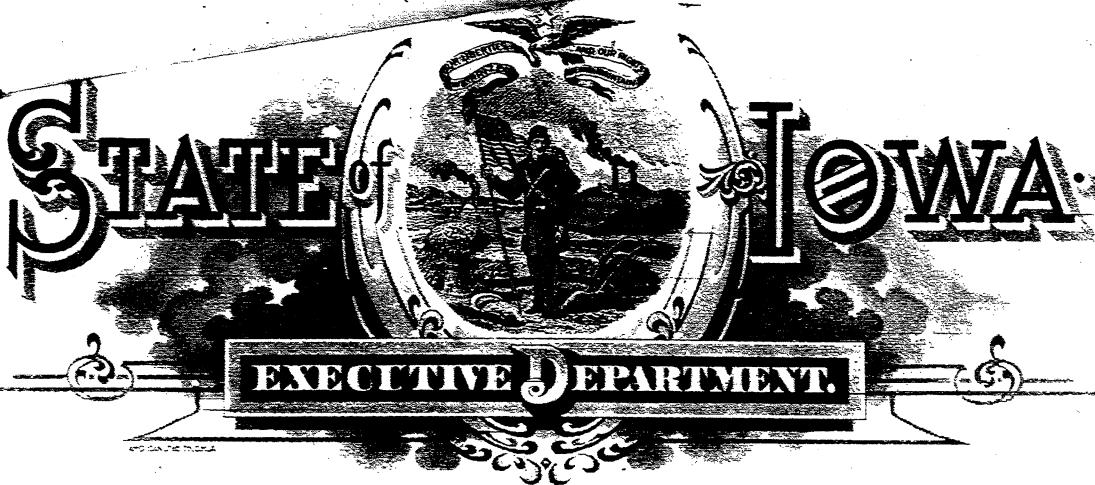
I hereby certify that this Joint Resolution originated in the House and is known as House Joint Resolution No. 7.

A. C. Gustafson  
Chief Clerk of the House

Approved February 6th 1915.

G. V. Clarke  
Governor.

134



I, G. W. Clarke, Governor of the State of Iowa,  
hereby certify that the Joint Resolution hereto attached,  
ratifying the amendment to the Constitution of the United  
States relating to the selection of Senators in the Congress  
of the United States was ratified by the legislature of the  
State of Iowa through its legislature as is shown by the  
certificate of the Speaker of the House of Representatives  
and the President of the Senate and by the approval of the  
Governor as endorsed thereon.

In testimony whereof I have  
affixed my signature and caused to  
be affixed an impression of the  
Great Seal of the State of Iowa.

Done at Des Moines, Iowa, this  
19th day of April A.D. 1913.

G. W. Clarke  
Governor.

135

RATIFICATION

KANSAS



W. HARRINGTON,  
PRIVATE SECRETARY  
SEATON,  
EXECUTIVE & PARDON CLERK

STATE OF KANSAS  
GEORGE H. HODGES, GOVERNOR  
TOPEKA



April  
Fourteen,  
1913.

Hon. William Jennings Bryan,  
Secretary of State,  
Washington, D. C.

Dear Sir:—

In accordance with your request I am sending you herewith a certified copy of the action of the legislature of Kansas in ratifying the proposed amendment to the constitution of the United States providing that Senators shall be elected by the people of the several states.

Trusting that this answers every requirement and regretting that the matter was not attended to more promptly by the proper officers, I am,

Yours very truly,

*George H. Hodges*  
Governor.

137

RECORDED  
APR 16 1913  
OFFICE OF THE CLERK OF THE SUPREME COURT

# State of Kansas



Executive Department

Office of the Governor

I, GEO. H. [redacted] S. Governor of the State of Kansas, do hereby certify that Charles H. Ses [redacted] the duly [redacted] and acting Secretary of State for the State of [redacted] that the signature attached to the within certificate is his genuine signature and that the certificate and attestation are in due form and by the proper [redacted]

In testimony whereof, I have hereunto subscribed my name and caused to be affixed the Great Seal of the State, this 14 day

of April, A. D. 1913

*Geo. H. [redacted]*  
Governor

128

# STATE OF KANSAS

DEPARTMENT OF STATE



CHAS. H. SESSIONS, SECRETARY OF STATE

To all to Whom these Presents shall Come, Greeting:

I, CHAS. H. SESSIONS, Secretary of State of the State of Kansas,  
do hereby certify that the following and hereto attached is a true copy  
of ORIGINAL ENROLLED SENATE CONCURRENT RESOLUTION NO. 3,

the original of which is now on file and a matter of record in this office.

In Testimony Whereof, I hereto set my hand and  
cause to be affixed my official seal.

Done at the City of Topeka, this 14th  
day of April A. D. 1915

*Chas. H. Sessions*  
Secretary of State.

By \_\_\_\_\_  
Asst. Secretary of State.

139

SENATE CONCURRENT RESOLUTION 3

Resolution Ratifying the proposed amendment to the constitution of the United States providing that senators shall be elected by the people of the several states.

WHEREAS, The sixty second congress, in the second session, in both houses has passed the following proposition to amend the constitution of the United States, by a constitutional majority of two thirds thereof, in words following, to wit:

"Joint resolution proposing an amendment to the constitution providing that senators shall be elected by the people of the several states.

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two thirds of each house concurring therein). That in lieu of the first paragraph of section three of article (one) of the constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the constitution, which shall be valid to all intents and purposes as part of the constitution when ratified by the legislatures of three fourths of the states: "The senate of the United States shall be composed of two senators from each state, elected by the people thereof, for six years; and each senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislatures.

"When vacancies happen in the representation of any state in the senate, the executive authority of such state shall issue writs of election to fill such vacancies: provided, that the legislature of any state may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

"This amendment shall not be so construed as to affect the election or term of any senator chosen before it becomes valid as a part of the constitution." therefore

Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring, That the foregoing proposed amendment to the constitution of the United States be and the same is hereby ratified.

Be it further resolved, That a copy of this resolution, duly certified by the presiding officers of the two Houses of the Legislature, the chief clerk of the House and secretary of the Senate, by the governor of the state of Kansas, certified under the great seal of the state of Kansas, to the President of the United States, and to the President of the Senate and Speaker of the House of Representatives of the Congress of the United States.

I hereby certify that the above concurrent resolution originated in the Senate, and passed that body  
January 16th, 1913,

Sheffield Ingalls  
President of the Senate.

Bart E. Brown  
Secretary of the Senate.

Passed the House January 17th, 1913,

H. L. Brown  
Speaker of the House.

Geo. E. Rogers  
Chief Clerk of the House.

Approved January 21st, 1913,

Geo. H. Hodges  
Governor.

Received in the office of Secretary of State at 5 o'clock P. M.,  
January 21, 1913.

Chas. H. Sessions,  
Secretary of State.

140

NO ACTION

KENTUCKY



COMMONWEALTH OF KENTUCKY  
EXECUTIVE DEPARTMENT  
FRANKFORT



JAMES B. MCCREARY  
GOVERNOR

May 18, 1912.

Honorable P. C. Knox,  
Secretary of State,  
Washington, D. C.

Sir:

I have the honor to acknowledge receipt of a Resolution of Congress, entitled "Joint Resolution Proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States."

This Resolution will be submitted by me to the Legislature of Kentucky for such action as may be had when the Legislature convenes, and a certified copy of such action will be communicated to the Secretary of State, as required by section 205, Revised Statutes of the United States.

The Legislature of Kentucky will not again convene in regular session until January, 1914.

Respectfully,

*James B. McCreary*

Governor.

142

**RATIFICATION**

**LOUISIANA**



STATE OF LOUISIANA  
EXECUTIVE DEPARTMENT  
BATON ROUGE

May 23, 1912.

To The Secretary of State:

Sir:-

I have the honor to acknowledge receipt of your communication of May 17th instert, enclosing a certified copy of a resolution of Congress entitled, "Joint Resolution Proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States", and the same will be immediately submitted to the General Assembly of this State for appropriate action thereon.

Respectfully,

*L. E. Hall*  
Governor.



MINN BUREAU  
MAY  
1914  
DEPT OF STA

RECORDED  
MAY 11 1914  
FEDERAL BUREAU OF INVESTIGATION

EXECUTIVE DEPARTMENT  
BATON ROUGE

May 8, 1914.

Sir:

I beg leave to acknowledge the receipt of your letter of May 5 instant, requesting to be advised whether or not the legislature of the State of Louisiana has taken any action on the Joint Resolution of Congress proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several states, together with a copy of a letter of the Secretary of State, dated May 17, 1912, to the Governor of Louisiana, and a copy of the Joint Resolution of Congress proposing the amendment, and to advise you that the letter of the Secretary of State just referred to, was received here prior to my induction into office, and to express my regret that the matter never having been brought officially to my attention, it was not communicated to the General Assembly of the State for action thereon.

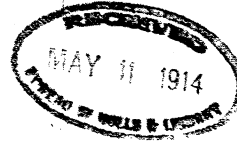
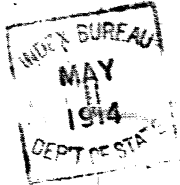
I have the honor to be, sir,

Your obedient servant,

The Secretary of State,  
Washington, D. C.

*J. P. McHall*

145



EXECUTIVE DEPARTMENT  
BATON ROUGE

May 8, 1914.

Sir:

I beg leave to acknowledge the receipt of your letter of May 5 instant, requesting to be advised whether or not the legislature of the State of Louisiana has taken any action on the Joint Resolution of Congress proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several states, together with a copy of a letter of the Secretary of State, dated May 17, 1912, to the Governor of Louisiana, and a copy of the Joint Resolution of Congress proposing the amendment, and to advise you that the letter of the Secretary of State just referred to, was received here prior to my induction into office, and to express my regret that the matter never having been brought officially to my attention, it was not communicated to the General Assembly of the State for action thereon.

I have the honor to be, sir,

Your obedient servant,

The Secretary of State,  
Washington, D. C.

*L. E. Hall*

146

RECEIVED  
JUN 20 1914  
EXECUTIVE DEPARTMENT

EXECUTIVE DEPARTMENT  
BATON ROUGE

June 16, 1914.

RECEIVED  
JUN 19 1914

The President,  
Washington, D. C.

Sir:

By direction of the provisions of Act No. 7 of the Acts of the General Assembly of the State of Louisiana for the year 1914, I have the honor, on behalf of the Governor of Louisiana, to transmit herewith a certified copy of the said act, ratifying the amendment to the Constitution of the United States providing that senators shall be elected by the people of the several states.

I have the honor to be, Sir,

Your obedient servant,

*A. F. Millsaps*  
Secretary to the Governor.

Enc... 1.

147

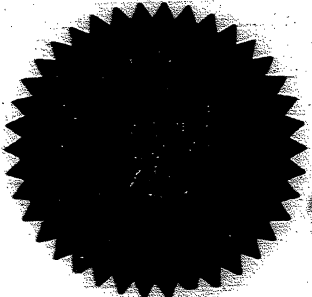


RECORDED  
JUN 19 1914  
OFFICE OF THE SECRETARY OF STATE

# State of Louisiana,

I, THE UNDERSIGNED **SECRETARY OF STATE**, OF THE STATE OF LOUISIANA, DO HEREBY CERTIFY THAT

The annexed and following two pages contain a true and correct transcript of Act No. 7 of the Session Acts of the General Assembly of the State of Louisiana for the year 1914, approved June 11th, 1914, and promulgated in the Official Journal of the State of Louisiana on June 15th, 1914, as is shown by comparing the same with the original Enrolled Bill on file and of record in the archives of this office.



*Given under my signature, authenticated with the impress of my Seal of office, at the City of Baton Rouge, this* 15th *day of* June *A.D. 1914.*

*Chas. E. Wehler*  
Secretary of State.

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House Concurrent Resolution No. 18.

By Mr. Fontenot.

Whereas, the Congress of the United States, on --- day of May, 1912, adopted a joint resolution proposing an amendment to the Constitution of the United States as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two thirds of each House concurring therein), That in lieu of the first paragraph of Section (3) of Article 1 of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as a part of the Constitution when ratified by the Legislatures of three-fourths of the States:

"The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies; provided, that the Legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the Legislature may direct.

This amendment shall not be so construed as to af-

ITALICS

ITALICS

fect the election or term of any Senator chosen before it becomes valid as a part of the Constitution," and

Whereas, the foregoing amendment having been laid before the General Assembly of the State of Louisiana for consideration and action; now, therefore,

Be it resolved by the General Assembly of the State of Louisiana, That the foregoing amendment to the Constitution of the United States be and the same is hereby ratified, to all intents and purposes, as a part of the Constitution of the United States; and be it

Further Resolved, That the Governor of the State of Louisiana is hereby requested to forward to the President of the United States, and to the Secretary of State of the United States an authentic copy of the foregoing resolution.

L. E. Thomas,  
Speaker of the House of Representatives.

Thomas C. Barret,  
Lieutenant Governor and President of the Senate.

Approved: June 11, 1914.

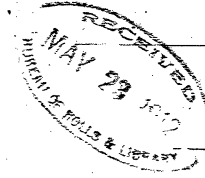
L. E. Hall,  
Governor of the State of Louisiana.

150

RATIFICATION

MAINE

151



STATE OF MAINE  
EXECUTIVE CHAMBER  
AUGUSTA May 21, 1912.

Honorable P. C. Knox,  
Secretary of State,  
Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of a copy of a resolution of Congress, entitled "Joint Resolution Proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States." I will cause the same to be submitted to the Legislature of the State of Maine at its next session which will be held January, 1913.

I have the honor to be, Sir,  
Your obedient servant,

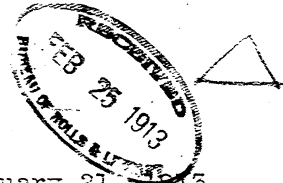
Governor.

152





STATE OF MAINE.  
OFFICE OF SECRETARY OF STATE.



AUGUSTA, February 21, 1913.

Sir:

I have the honor to transmit herewith  
a Resolve ratifying an amendment to the Constitu-  
tion of the United States, providing that United  
States Senators shall be elected by the people of  
the several states.

Yours very respectfully,

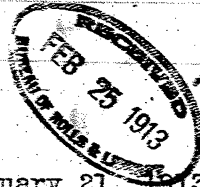
Secretary of State.

Hon. Philander C. Knox,  
Secretary of State,  
Washington, D. C.

153



STATE OF MAINE.  
OFFICE OF SECRETARY OF STATE.



AUGUSTA, February 21, 1913.

Sir:

I have the honor to transmit herewith  
a Resolve ratifying an amendment to the Constitu-  
tion of the United States, providing that United  
States Senators shall be elected by the people of  
the several states.

Yours very respectfully,

Secretary of State.

Hon. Philander C. Knox,  
Secretary of State,  
Washington, D. C.

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State of Maine.

OFFICE OF SECRETARY OF STATE



*I hereby certify, that the paper to which this is attached, is a true copy from the records of this office.*

*In Testimony Whereof, I have caused the seal of the State to be hereunto affixed. GIVEN under my hand at Augusta, this twenty-  
first day of February in the year of our  
Lord one thousand nine hundred and thirteen and in  
the one hundred and thirty-seventh year of the  
Independence of the United States of America.*

*J. B. Alexander, Secretary of State.*

155

# STATE OF MAINE.

Resolve, Ratifying an Amendment of the Constitution of the United States, providing that the United States Senators shall be Elected by the People of the Several States.

Resolved, Whereas at the last session of the Sixty-second Congress of the United States of America, held at Washington in the District of Columbia in the year of our Lord, one thousand nine hundred twelve, it was resolved as follows, to wit:

Resolved, By the Senate and House of Representatives of the United States of America in Congress assembled (two thirds of each house concurring therein.) That in lieu of the first paragraph of section three of article one of the constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the constitution, which shall be valid to all intents and purposes as part of the constitution when ratified by the Legislatures of three fourths of the states;

The senate of the United States shall be composed of two senators from each state, elected by the people thereof, for six years; and each senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislatures.

*States*

When vacancies happen in the representation of any state in the senate, the executive authority of such state shall issue writs of election to fill such vacancies; provided, that the legislature of any state may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any senator chosen before it becomes valid as part of the constitution."

And whereas it requires the ratification of three-fourths of all the states to make the proposed amendment a part of the constitution,

Therefore, resolved, that the legislature of Maine hereby ratifies and adopts the proposed amendment to the federal constitution. That the Secretary of State of the State of Maine be directed to notify the Secretary of State of the United States at Washington, D. C., of this action of the legislature.

IN HOUSE OF REPRESENTATIVES, 19 Feby. 1913

Read and passed finally.

John A. Peters *Speaker*

IN SENATE, Feb. 20 1913

Read and passed finally.

Carl E. Milliken *President*

Feb. 20 1913

Approved

William T. Haines *Governor*

(157)

NO ACTION

MARYLAND

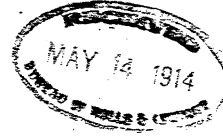
158

PHILLIPS LEE GOLDSBOROUGH  
GOVERNOR



ROBERT P. GRAHAM  
SECRETARY OF STATE

EXECUTIVE DEPARTMENT  
ANNAPOLIS, MARYLAND



May 13, 1914.

Hon. William Jennings Bryan,  
Secretary of State,  
Washington, D. C.

Sir:

His Excellency, Governor Goldsborough, directs me to reply to your letter of the 5th instant, and to say that on January 20, shortly after the convening of Maryland's General Assembly of 1914, a copy of the Joint Resolution of Congress proposing an Amendment to the Constitution, providing that Senators shall be elected by the people of the several States, was transmitted to the General Assembly of Maryland, with the request that the same be given proper consideration. I find, however, that no action whatever was taken in this matter.

Yours truly,

Secretary of State.

RATIFICATION

MASSACHUSETTS





*The Commonwealth of Massachusetts.*  
*Executive Department.*

*Boston.* June 5, 1912.

Honorable Philander C. Knox,  
Secretary of State for the United States,  
Washington, D.C.

Dear sir:

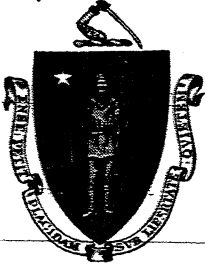
I have the honor to transmit herewith, in accordance with Section 205 of the Revised Statutes <sup>of the U. S.</sup>, a duly certified copy of the resolutions of the Massachusetts Legislature, adopted by the House of Representatives on May 17, and by the Senate on May 22, 1912, ratifying the proposed amendment to the Constitution of the United States providing that Senators shall be elected by the people of the several States.

Very respectfully,

0  
(Enclosures)

*Eugene A. Foss*

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*Commonwealth of Massachusetts  
House of Representatives*

*Boston, June 4, 1912* 190

To His Excellency Eugene W. Foss,  
Governor of the Commonwealth,  
State House, Boston, Mass.

Sir:-

I have the honor to transmit herewith a copy of resolutions passed by the Senate and House of Representatives and certified by the clerks thereto.

Very respectfully,

*James W. Kimball*

Clerk of the House of Representatives.

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# The Commonwealth of Massachusetts.

IN THE YEAR NINETEEN HUNDRED AND TWELVE.

RESOLUTIONS Ratifying the Proposed Amendment to the Constitution of the United States, providing that Senators shall be elected by the People of the Several States.

Whereas, The sixty-second congress, in the second session, in both houses has passed the following proposition to amend the constitution of the United States, by a constitutional majority of two thirds thereof, in words following, to wit: -

Joint Resolution, Proposing an Amendment to the Constitution Providing that Senators shall be Elected by the People of the Several States.

"Resolved, By the senate and house of representatives of the United States of America in congress assembled (two thirds of each house concurring therein). That in lieu of the first paragraph of section three of article one of the constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the constitution, which shall be valid to all intents and purposes as part of the constitution when ratified by the legislatures of three fourths of the states:

"The senate of the United States shall be composed of two senators from each state, elected by the people thereof, for six years; and each senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislatures.

"When vacancies happen in the representation of any state in the senate, the executive authority of such state shall issue writs of election to fill such vacancies: provided, that the legislature of any state may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

"This amendment shall not be so construed as to affect the election or term of any senator chosen before it becomes valid as part of the constitution;" - therefore be it

Resolved, That the said proposed amendment to the constitution be, and the same is, hereby ratified by the Legislature of the Commonwealth of Massachusetts.

Resolved, That a certified copy of the foregoing preamble and resolution be forwarded by the governor to the secretary of state for the United States, in accordance with section two hundred and five of the Revised Statutes of the United States.

House of Representatives, May 17, 1912.

Adopted.

Sent up for concurrence,

*James W. Kimball* Clerk.

Senate, May 22, 1912.

Adopted in concurrence,

*Wm. D. Phillips* Clerk.

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Italics  
Cap

RATIFICATION

MICHIGAN

164



STATE OF MICHIGAN  
EXECUTIVE OFFICE  
LANSING

RECEIVED  
MAY 22 1912  
MICHIGAN DEPT. OF STATE

May 22, 1912.

Sir:

I have received your esteemed communication of May 17, together with certified copy of Resolution of Congress, entitled " Joint Resolution Proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several states. "

In accordance with your request this resolution will be submitted to the legislature of Michigan for action, whenever it may be convened. The next regular session of the legislature will be held in January, 1913.

I have the honor to be, sir,

*W. L. G. Brown*  
Yours very respectfully,

*W. L. G. Brown*

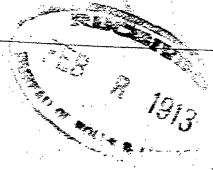
Governor.

Honorable Philander C. Knox,  
Secretary of State,  
HB Washington, D. C.

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Michigan Department of State  
Lansing

FREDERICK C. MARTINDALE, SECRETARY OF STATE  
DE H. MILLS, DEPUTY



February 6, 1913.

To the Secretary of State,  
Washington, D. C.

My dear sir,-

I am inclosing herewith a certified  
copy of Senate Concurrent Resolution No. 2,  
approving the Concurrent Resolution of Congress  
of the United States, relative to an amendment  
to the Constitution providing for the direct  
election of United States Senators.

Very respectfully,

*Frederick C. Martindale*  
Secretary of State.

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EB 8 1913  
OFFICE OF THE CLERK

S. C. R. No. 2.  
Introduced by Mr. Verifier  
January 1, 1913.

## A Concurrent Resolution

Ratifying the proposed amendment to the Constitution of the United States providing that senators shall be elected by the people of the several states.

Whereas, the congress of the United States, after solemn and mature deliberation therein, has by a vote of two-thirds of both houses, passed a concurrent resolution, submitting to the legislatures of the several states a proposition to amend the Constitution of the United States, which resolution is in the following words:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each house concurring therein), That in lieu of the first paragraph of section three of article (one) of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the states: ←

- "The senate of the United States shall be composed of two senators.
- from each state, elected by the people thereof, for six years; and
- each senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislatures.

→ "When vacancies happen in the representation of any state in the senate, the executive authority of such state shall issue writs of election to fill such vacancies: Provided, That the legislature

*Italics*

*Italics*

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→ of any state may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

→ "This amendment shall not be so construed as to affect the elec-  
→ tion or term of any senator chosen before it becomes valid as part  
→ of the constitution."

Resolved by the Senate of the State of Michigan (the House of Representatives concurring), That in the name and behalf of the people of this state, we do hereby ratify, approve and assent to the said amendment.

Resolved further, That a copy of this assent and ratification engrossed on parchment, be transmitted by his Excellency, the Governor, to the Senate and House of Representatives of the United States in Congress assembled and to the Secretary of State of the United States.

I do hereby certify that the foregoing resolution was adopted by the Senate by a two-thirds' vote of all the Senators-elect, on the twenty-second day of January, nineteen hundred thirteen.

Dennis E. Alward,

Secretary of the Senate.

I do hereby certify that the foregoing resolution was adopted by the House of Representatives by a two-thirds' vote of all the members-elect, on the twenty-eighth day of January, nineteen hundred thirteen.

Charles S. Pierce,

Clerk of the House of Representatives.

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To the Secretary of State of the United States:

This is to certify that the foregoing is a true and compared copy of Senate Concurrent Resolution No. 2 of the State of Michigan, ratifying, approving and assenting to the Concurrent Resolution of the Congress of the United States, relative to an amendment of the Constitution of the United States, providing for the direct election, by the people, of United States Senators.

IN WITNESS WHEREOF, I have caused  
the Great Seal of the State to  
be affixed hereto.

Given under my hand, at Lansing,  
this third day of February,  
nineteen hundred thirteen.

*Woodbridge N. Ferris*  
Governor.

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BY THE GOVERNOR:

*Fredrick C. Spurr*  
Secretary of State.  
A 11 7/16

To the Secretary of State of the United States:

This is to certify that the foregoing is a true and compared copy of Senate Concurrent Resolution No. 2 of the State of Michigan, ratifying, approving and assenting to the Concurrent Resolution of the Congress of the United States, relative to an amendment of the Constitution of the United States, providing for the direct election, by the people, of United States Senators.

IN WITNESS WHEREOF, I have caused  
the Great Seal of the State to  
be affixed hereto.

Given under my hand, at Lansing,  
this third day of February,  
nineteen hundred thirteen.

*Woodbridge N. Ferris*  
Governor.

BY THE GOVERNOR:

*Fredrick C. Ferriss*  
Secretary of State.

By *A. H. Mills*  
Deputy Secretary of State.

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RATIFICATION

MINNESOTA

171

State of Minnesota  
Executive Department  
St. Paul

ADOLPH O. EBERHART, GOVERNOR

20th May, 1912.

Sir:-

I have the honor to acknowledge receipt at your hands of a certified copy of a resolution of Congress, entitled: "Joint Resolution, Proposing an Amendment to the Constitution Providing that Senators shall be elected by the People of the Several States."

As I have just called the state legislature in extraordinary session for June 4th, next, I will present this resolution at that time.

Very respectfully yours,

Governor.

Hon. P. C. Knox,  
Secretary of State,  
Washington, D. C.

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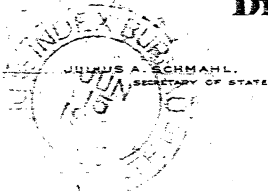


STATE OF MINNESOTA

DEPARTMENT OF STATE

ST. PAUL.

June 13, 1912.



Hon. Philander C. Knox,  
Secretary of State,  
Washington, D.C.

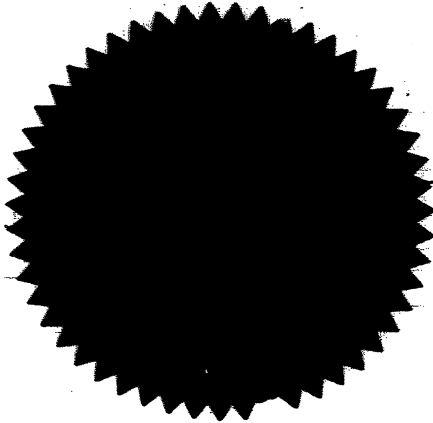
My Dear Sir:

I beg to advise you that the Legislature of the State of Minnesota, in extra session, has ratified that proposed amendment to the Constitution of the United States providing that Senators shall be elected by the people of the several states, the House of Representatives having ratified the same on June 6th, 1912, the Senate of Minnesota on June 10th, 1912, which Joint Resolution was approved by the Governor on June 12th, 1912, and filed with this department on June 13th, 1912.

When a sufficient number of states have ratified this amendment to make it a part of the Constitution of the United States I will be pleased to have you advise me.

Yours truly,

*Julius A. Schmah*  
Secretary of State



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Executive Department

Jackson, Miss.

EARL BREWER  
GOVERNOR

W. J. BUCK,  
PRIVATE SECRETARY



May 20th., 1912

Hon. P. C. Knox,

Secretary of State,

Washington, D. C.

Sir:--

Governor Brewer requests me to acknowledge receipt of your favor of the 17th. Inst. enclosing a certified copy of a Resolution of Congress, entitled "Joint Resolution Proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several states", and also request that the same be submitted to the Legislature of this state for such action as may be had, and that a certified copy of such action be communicated to the Secretary of State, as required by Section 205, Revised Statutes of the United States.

The legislature of Mississippi does not meet again until January 1914 and at that time this resolution will be submitted to them by the Governor.

Very respectfully

  
PRIVATE SECRETARY

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RATIFICATION

MISSOURI

175

EXECUTIVE OFFICES  
STATE OF MISSOURI  
CITY OF JEFFERSON

RECEIVED  
MAY 23 1912  
BUREAU OF ROLLS & LICENSES

DEPARTMENT OF REVENUE  
MAY 23 1912

May 20, 1912.

Hon. P. C. Knox,

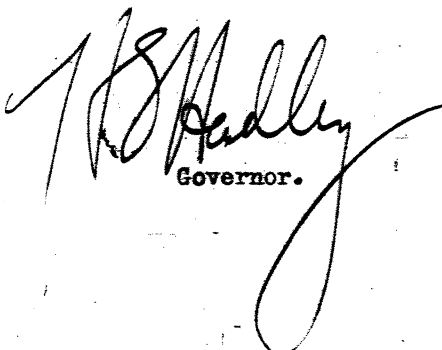
Secretary of State,

Washington, D. C.

Sir:

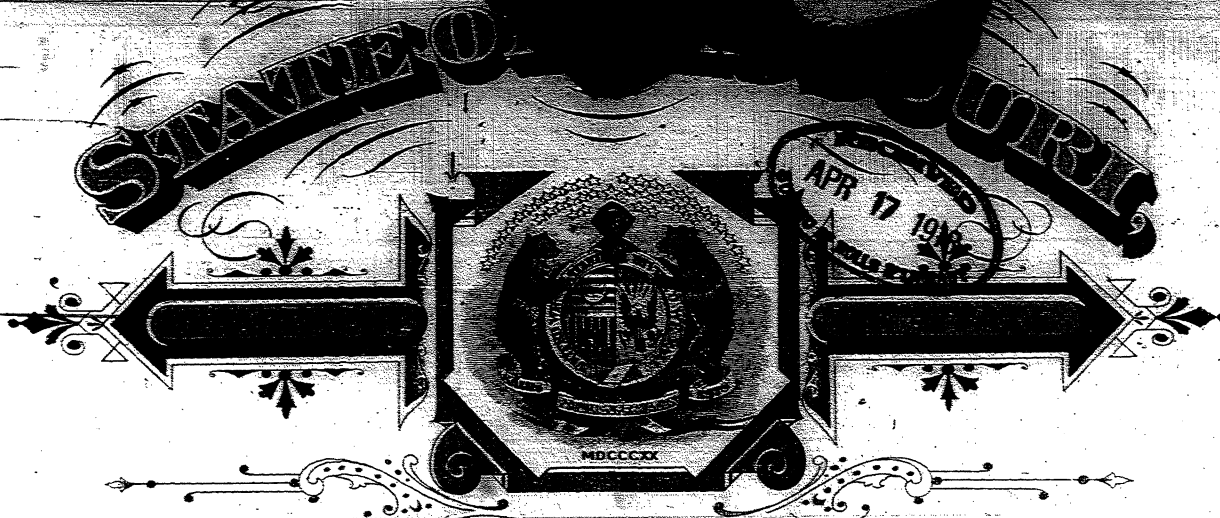
I have the honor to acknowledge receipt of a certified copy of a Resolution of Congress, entitled "Joint Resolution Proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States," and requesting that the same be presented to the Legislature of this State for action.

Very truly yours,

  
Governor.

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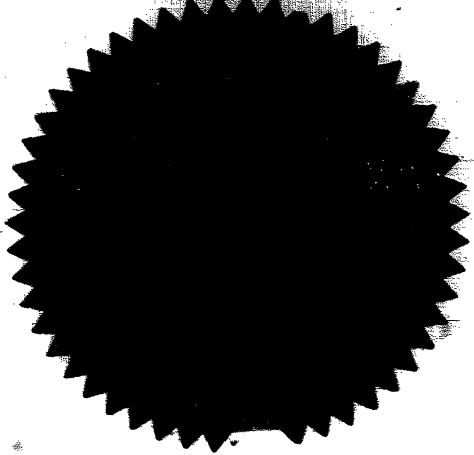
**What My Office Presents shall Come:**

*J. Cornelius Roach, Secretary of State of the State of Missouri, and Keeper of the Great Seal thereof, hereby certify that the annexed pages contain a full, true and complete copy of an Act of the General Assembly of the State of Missouri, entitled:* House Joint and Concurrent Resolution No. 2 of the 47th General Assembly entitled "Joint and concurrent resolution of the legislature of the state of Missouri ratifying and approving the proposed amendment to the Constitution of the United States relative to the election of United State Senators."

*as appears by comparing the same with the original roll of said Resolution now on file, as the law directs, in this office.*

*In Testimony Whereof, Thereunto set my hand and affix the Great Seal of the State of Missouri. Done at the City of Jefferson, this* fourteenth *day of* April *A.D.* Nineteen Hundred and thirteen.

*Cornelius Roach*  
SECRETARY OF STATE.



(17)

Supposed to be 1st Paragraph

House Joint and Concurrent Resolution No. 2.

Joint and Concurrent Resolution

Of the legislature of the state of Missouri ratifying and approving the proposed amendment to the Constitution of the United States relative to the election of United States senators.

Whereas the sixty second congress of the United States of America at the second session, begun and held in the city of Washington on Monday the 4th day of December, 1911, proposed an amendment to the Constitution of the United States in words and figures as follows:

That in lieu of the first paragraph of section three of article 1, of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the states:

"The senate of the United States shall be composed of two senators from each state, elected by the people thereof for six years; and each senator shall have one vote. The electors of each state shall have the qualifications requisite for electors of the most numerous branch of the state legislatures.

"When vacancies happen in the representation of any state in the senate, the executive authority of such state shall issue writs of election to fill such vacancies. Provided, that the legislature of any state may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

"This amendment shall not be so construed as to affect the election or term of any senator chosen before it becomes valid as part of the Constitution." Now, therefore, be it

Resolved by the house of representatives, the senate concurring therein; that the legislature of the state of Missouri does hereby approve and ratify the foregoing proposed amendment and hereby gives its assent thereto, to the end that the same may become valid to all intents and purposes as a part of the Constitution of the United States; and be it further

Resolved, that a duly attested copy of this resolu-

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trans requisite for elders of the most numerous  
of the state legislatures.

"When vacancies happen in the representation of any state in the senate, the executive authority of such state shall issue writs of election to fill such vacancies. Provided, that the legislature of any state may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

"This amendment shall not be so construed as to affect the election or term of any senator chosen before it becomes valid as part of the Constitution." Now, therefore, be it

Resolved by the house of representatives, the senate concurring therein; that the legislature of the state of Missouri does thereby approve and ratify the foregoing proposed amendment and hereby gives its assent thereto, to the end that the same may become valid to all intents and purposes as a part of the Constitution of the United States; and be it further

Resolved, that a duly attested copy of this resolution together with the proper evidence of its adoption be transmitted by the secretary of state of the state of Missouri to the president of the senate, the speaker of the house of representatives, and the secretary of state of the United States at Washington, D.C.

We, the officers of the Senate and House of Representatives of the Forty-seventh General Assembly of the State of Missouri, hereby certify that the above and foregoing resolution was this 17th day of March, 1912, taken up and adopted by a constitutional majority vote of the

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tion, requisite for election of  
of the state legislatures.

"When vacancies happen  
any state in the senate, the ex  
state shall issue writs of electi  
Provided, that the legislature of  
the executive thereof to make it  
until the people fill the vacant  
legislature, may direct.

This amendment shall not  
affect the election or term of an  
it becomes valid as part of the  
law, be it

Resolved by the house of  
concurring therein; that the leg  
Missouri does thereby approve  
proposed amendment and here  
to, to the end that the same in  
intents and purposes as a part  
United States; and be it further

Resolved, that a duly attes  
tion together with the proper  
be transmitted by the secretary  
Missouri to the president of  
the house of representatives, and  
the United States at Washington

We, the officers of the  
representatives of the forty seventh  
State of Missouri, hereby certify  
foregoing resolution was this 11<sup>th</sup>  
up and adopted by a constituti

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RATIFICATION

MONTANA

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Executive Office  
Helena Montana



May 22, 1912.

Sir:

I have the honor to acknowledge receipt of your communication of May 17, inclosing a certified copy of a resolution of Congress entitled "Joint Resolution Proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States".

The Resolution will be submitted to the Legislative Assembly of Montana at its next session, which is to convene on the first Monday in January, 1913.

I have the honor to be, Sir,

Yours truly,

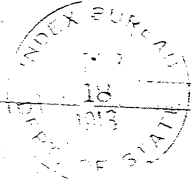
*Edwin L. Norris*

Governor of Montana.

Hon. P. C. Knox,  
Secretary of State,  
Washington, D. C.

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Executive Office  
Helena, Montana.




February 13, 1913.

Sir:

By direction of the Thirteenth Legislative Assembly of the State of Montana, I have the honor to transmit the enclosed certified copy of House Joint Resolution No. 2, "ratifying an amendment to the Constitution providing that Senators shall be elected by the people of the several States".

I have the honor to be, Sir,

Yours respectfully,

  
Governor of Montana.

The Honorable  
The Secretary of State  
Washington  
District of Columbia

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RECEIVED  
FEB 18 1916  
U.S. SENATE

# House Joint Resolution No. 2

[Redacted]

A joint resolution ratifying an amendment to the constitution providing that senators shall be elected by the people of the several states.

[Redacted]

**Whereas**, both Houses of the Sixty-second Congress of the United States of America, at its second session, by a constitutional majority of two-thirds thereof, made the following proposition to amend the Constitution of the United States of America in the following words, to-wit:

## Joint Resolution

Proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several states. ←

*Italian*

**Resolved** by the Senate and House of Representatives of the United States of America in Congress assembled, (two-thirds of each House concurring therein). That in lieu of the first paragraph of Section three of Article 1 of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the Legislatures of three-fourths of the States: "The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

*Such* "When vacancies happen in the representation of any State in the Senate, the executive authority of each State shall issue writs of election to fill such vacancies; Provided, That the Legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

"This amendment shall not be so construed as to effect *affect* the election or term of any Senator chosen before it becomes valid as part of the Constitution."

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**Therefore, Be It Resolved** by the Senate and House of Representatives of the State of Montana, that the said proposed amendment to the Constitution of the United States of America, be, and the same is, hereby ratified by the Legislative Assembly of the State of Montana.



**And Further, Be It Resolved,** That certified copies of this Joint Resolution be forwarded by the Governor of this State to the Secretary of State at Washington and to the presiding officers of each House of the National Congress.

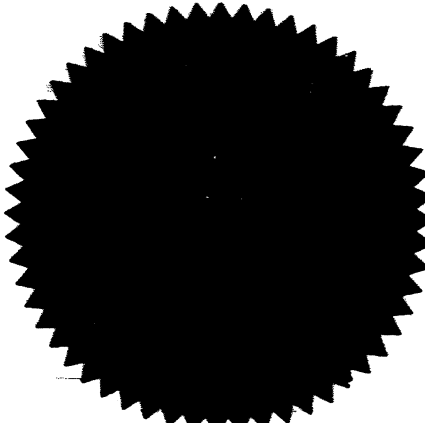
A. D. Macdonald,  
Speaker of the House  
W. W. McDowell,  
President of the Senate

Approved February 7, 1913  
S. V. Stewart, Governor.

Filed February 7, 1913, at 3:20 o'clock P. M.  
A. M. Alderson, Secretary of State.

United States of America }  
State of Montana } SS

I, A. M. Alderson, Secretary of State of the State of Montana, do hereby certify that the above is a true and correct copy of HOUSE JOINT RESOLUTION NO. 2, ratifying an amendment to the Constitution providing that Senators shall be elected by the people of the several states, enacted by the Thirteenth Legislative Assembly of the State of Montana, and approved by S. V. Stewart, Governor of said State, on the seventh day of February, 1913.



In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of said State.

Done at the City of Helena, the Capital of said State, this seventh day of February, A. D. 1913.

  
Secretary of State.

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RATIFICATION

NEBRASKA

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State of Nebraska  
EXECUTIVE OFFICE

L. B. FULLER,  
PRIVATE SECRETARY TO THE GOVERNOR

Lincoln, Nebr., May 21, 1912.

Hon. Philander C. Knox,  
Secretary of State,  
Washington, D. C.

S i r:-

This is to acknowledge receipt of your communication of the 17th inst. enclosing to this department copy of a Resolution of Congress, entitled "Joint Resolution Proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States." The same will be on file and brought to the attention of the next legislature.

Yours truly,

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Department of State,

BUREAU OF SOALS AND LIBRARY

May 8, 1913.

Dear Mr. Wyvel,

This is the letter,  
with copy of your reply  
thereto, which you wish  
to give to the Secretary.

A handwritten signature in cursive script, appearing to read "J. A. S.", is written over the typed text.

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J. S. Sherman,  
Vice-President  
of the United States and President of the Senate.

I hereby certify that this joint resolution originated  
in the House of Representatives.

South Trimble,  
Clerk.

BE it Enacted and Resolved by the People of the State  
of Nebraska:

SECTION 1. That the above and foregoing proposed  
amendment to the Constitution of the United States of  
America be, and the same is hereby ratified by the legis-  
lature of the State of Nebraska.

SEC. 2. That certified copies of this joint resolution  
be forwarded by the Governor of this State to the Secre-  
tary of State of the United States and to the presiding of-  
ficers of each house of the national Congress.

Attest:

P. C. Kelley,  
Speaker of House of Representatives.

Henry C. Richmond,  
Chief Clerk of House of Representatives.

Attest:

J. H. Kemp,  
President of Senate.

Clyde H. Barnard,  
Secretary of Senate.

Approved March 27th, 1913, 10 A. M.

John H. Morehead,  
Governor.

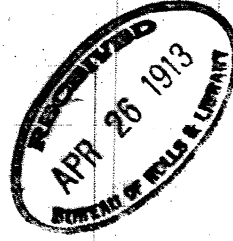
State of Nebraska, ss.

I, Henry C. Richmond, Chief Clerk House of Representa-  
tives, hereby certify that the within Bill originated in  
the House and passed the legislature of the 33rd Session  
on the Fifth day of February, 1913.

Henry C. Richmond,  
Chief Clerk of House of Representatives.

Received Mar. 27th, 1913  
Addison Wait,  
Secretary of State.

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# HOUSE ROLL 120.166

**A Joint and Concurrent Resolution** ratifying the proposed amendment to Paragraphs One (1) and Two (2) of Section Three (3) of Article One (1) of the Constitution of the United States providing for the election of Senators by the people of the several states, and the manner of filling vacancies.

**WHEREAS**, Before a proposed amendment to the Constitution of the United States can become valid and a part thereof, it must be ratified by the legislatures of three-fourths of the States, and whereas, the Sixty-second Congress of the United States at its second session did adopt the following proposed amendment by the Constitutional majority in the following words to-wit:

**JOINT RESOLUTION**, Proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several states.

**RESOLVED** by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each house concurring therein), that in lieu of the first paragraph of Section three of Article 1 of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as <sup>(a)</sup> part of the Constitution when ratified by the legislatures of three-fourths of the States.:

Add

**The Senate** of the United States shall be composed of two Senators from each State, elected by the people thereof for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

**WHEN** vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

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**THIS** amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as a part of the Constitution."

Champ Clark,  
Speaker of the House of Representatives.

RECEIVED  
FEB 27 1913  
DEPARTMENT OF STATE

STATE OF NEVADA

EXECUTIVE DEPARTMENT

CARSON CITY

February  
Twentieth,  
1913.

STATE WALLING BUILDING  
RECEIVED  
FEB 26 1913

*John*

ACK'D  
FEB 26 1913

CHIEF CLERK  
FEB 27 1913  
DEPT. OF STA.

To the President,

The White House,

Washington, D. C.

Sir:

I herewith transmit certified copy of ASSEMBLY JOINT  
AND CONCURRENT RESOLUTION, RATIFYING THE AMENDMENT TO  
SECTION THREE OF ARTICLE ONE OF THE CONSTITUTION OF THE  
UNITED STATES OF AMERICA. (Approved February 19th, 1913.)

Very respectfully yours,

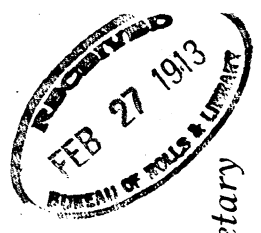
*Walter L. Dade*  
Governor.

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STATE OF NEVADA

SS.

DEPARTMENT OF STATE.



I, GEORGE BRODIGAN, the duly elected, qualified and acting Secretary

of State of the State of Nevada, do hereby certify that the foregoing is a true, full and correct copy of the original ASSEMBLY JOINT AND CONCURRENT

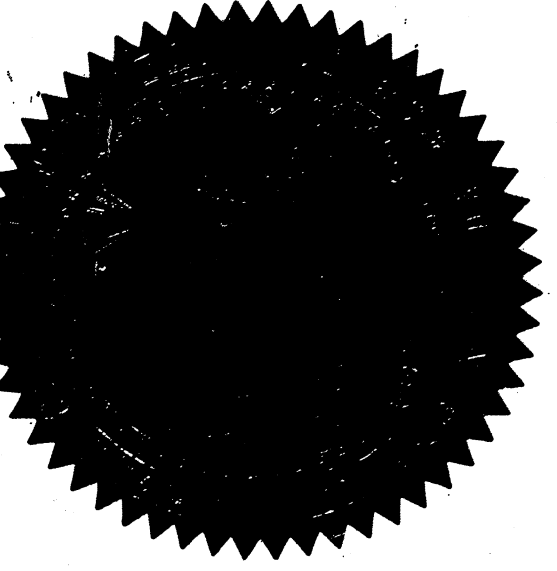
RESOLUTION. RATIFYING THE AMENDMENT TO SECTION THREE OF

ARTICLE ONE OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA.

APPROVED FEBRUARY 19th, 1913.

now on file and of record in this office.

IN WITNESS WHEREOF, I have hereunto set my hand.



and affixed the Great Seal of State, at my office, in Carson City, Nevada, this TWENTIETH day of FEBRUARY, A. D. 1913

*Geo. Brodigan*  
Secretary of State  
By *J. Maguire*  
Deputy

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NO. 4.

ASSEMBLY JOINT AND CONCURRENT RESOLUTION,  
RATIFYING THE AMENDMENT TO SECTION THREE OF ARTICLE ONE  
OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA.

APPROVED FEBRUARY 19th, 1913.

WHEREAS, Both houses of the Sixty-second Congress of the United States of America, at its second session, by a constitutional majority of two-thirds thereof, made the following proposition to amend the Constitution of the United States of America, in the following words, to-wit:

JOINT RESOLUTION.

PROPOSING AN AMENDMENT TO THE CONSTITUTION PROVIDING THAT SENATORS SHALL

BE ELECTED BY THE PEOPLE OF THE SEVERAL STATES.

*Amended*  
*1913*  
*1913*  
Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each house concurring therein), That in lieu of the first paragraph of section three of article 1 of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies the following be proposed as an amendment to the Constitution which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the States:

"The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch the State legislatures.

"When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *State* provided, That the Legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

"This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution" Therefore, be it

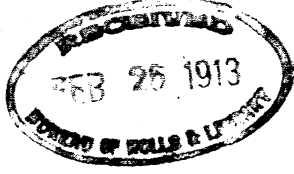
RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That said proposed amendment to the Constitution of the United States of America be, and the same hereby is, ratified by the Legislature of the State of Nevada;

That certified copies of this preamble and joint and concurrent resolution be forwarded by the Governor of this State to the President of the United States, to the Secretary of State of the United States, to the presiding officer of the United States Senate, and to the Speaker of the United States House of Representatives.

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NO. 4.

ASSEMBLY JOINT AND CONCURRENT RESOLUTION,  
RATIFYING THE AMENDMENT TO SECTION THREE OF ARTICLE ONE  
OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA.



APPROVED FEBRUARY 19th, 1913.

WHEREAS, Both houses of the Sixty-second Congress of the United States of America, at its second session, by a constitutional majority of two-thirds thereof, made the following proposition to amend the Constitution of the United States of America, in the following words, to-wit:

JOINT RESOLUTION.

PROPOSING AN AMENDMENT TO THE CONSTITUTION PROVIDING THAT SENATORS SHALL BE ELECTED BY THE PEOPLE OF THE SEVERAL STATES.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That in lieu of the first paragraph of section three of article 1 of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies the following be proposed as an amendment to the Constitution which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the States:

"The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the state legislatures.

"When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies; provided, That the Legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

STATE OF NEW HAMPSHIRE  
CONCORD  
ROBERT P. BASS  
GOVERNOR

Feb 24, 1913.

Hon. P. T. Knox,  
Secretary of State,  
Washington, D.C.

Sir:

I beg to acknowledge receipt of certified copy of a Resolution of Congress, entitled "Joint Resolution Proposing an amendment to the Constitution providing that senators shall be elected by the people of the several States."

Our state legislature does not meet again until January, 1913. I shall request the Secretary of State to file the resolution until that time.

Respectfully yours,

*R. P. Bass*

Governor

RECEIVED  
FEB 26 1913  
DEPT OF STATE

EDWARD N. PEARSON, SECRETARY OF STATE  
ARTHUR L. WILLIS, DEPUTY SECRETARY

STATE OF NEW HAMPSHIRE

OFFICE OF SECRETARY OF STATE

RECEIVED  
FEB 26 1913  
OFFICE OF THE SECRETARY OF STATE

CONCORD, Feb. 24, 1913

The Honorable  
The Secretary of State,  
Washington, D.C.

Sir:

I have the honor to transmit herewith, by direction of His Excellency, Samuel D. Felker, Governor of New Hampshire, a copy of a joint resolution, ratifying the proposed amendment providing that Senators shall be elected by the people of the several states, adopted by the New Hampshire General Court and approved by His Excellency the Governor.

Very respectfully,

*Edward N. Pearson*

Secretary of State.

Enclosure.

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*P. Stiles*

of election to fill such vacancies; provided, that the legislature of any state may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

(<sup>U</sup> This amendment shall not be so construed as to affect the election or term of any senator <sup>U</sup> chosen before it becomes valid as part of the constitution, therefore be it

Resolved, That the said proposed amendment to the constitution be, and the same is, hereby ratified by the legislature of the State of New Hampshire.

Resolved, That a certified copy of the foregoing preamble and resolution be forwarded by the governor to the secretary of state for the United States, in accordance with section two hundred and five of the Revised Statutes of the United States.

William J. Britton.

Speaker of the House of Representatives.

Wm. K. Sawyer.

President of the Senate.

Approved February 21st, 1913.

Samuel D. Felker.

Governor.

*Archivist  
revised  
page*

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STATE OF NEW HAMPSHIRE.

In the year of our Lord one thousand nine hundred and thirteen.

Joint Resolution ratifying the Proposed Amendment to the Constitution of the United States providing that Senators shall be elected by the People of the Several States.

Resolved by the Senate and House of Representatives in General Court convened:

That whereas, the Sixty-second Congress, in the second session, in both houses has passed the following proposition to amend the constitution of the United States, by a constitutional majority of two thirds thereof, in words following, to

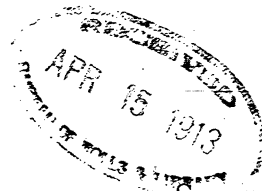
wit:

Joint Resolution, proposing an Amendment to the Constitution providing that Senators shall be elected by the People of the Several States. *NOT conformed*

Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled (two thirds of each house concurring therein). That in lieu of the first paragraph of section three of article one of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the constitution when ratified by the legislatures of three fourths of the states:

The Senate of the United States shall be composed of two senators from each state, elected by the people thereof, for six years; and each senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislatures.

When vacancies happen in the representation of any state in the senate, the executive authority of such state shall issue writs



STATE OF NEW JERSEY  
EXECUTIVE DEPARTMENT

April  
Fourteenth  
1913

Sir,

In reply to your letter of the tenth instant,  
I beg to say that the Legislature of this State has rati-  
fied the proposed amendment to the Constitution of the  
United States, providing that senators shall be elected  
by the people.

Until I received your letter I had believed  
that special notification, as required by the revised  
statutes, had been sent to you. Upon receipt of your letter,  
however, I had the matter investigated and am advised by  
the Secretary of State that the certified copy of the  
resolution ratifying the proposed amendment will be  
transmitted to you forthwith.

I have the honor to be, Sir

Yours very truly,

Hon. William J. Bryan,  
Secretary of State,  
Washington, D. C.

*James F. ...*

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RESOLVED (if the Senate concur), That the Legislature of the State of New Jersey does hereby ratify the above recited proposed amendment to the Constitution of the United States.

AND BE IT FURTHER RESOLVED (if the Senate concur), That the Governor be requested to transmit a copy of these resolutions and preamble to the Secretary of State of the United States of America.

APPROVED: March 18, 1913

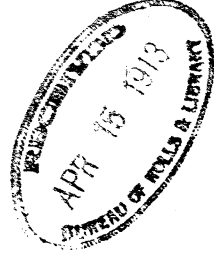
James F. Fielder

President of the Senate,

Acting Governor.

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DIFFERENT  
TEXT

JOINT RESOLUTION ratifying the proposed amendment to the Constitution of the United States, in relation to the election of United States Senators by the people of the several States.

WHEREAS, At the second session of the sixty-second Congress it was resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two thirds of each house concurring therein), that in lieu of the first paragraph of section three of article one of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the Legislature of three-fourths of the States:

"} does it  
match

"The Senate of the United States shall be composed of two senators from each State, elected by the people thereof, for six years; and each senator shall have one vote. The electors in each state shall have the qualifications requisite for election of the most numerous branch of the state legislatures.

"Whenever vacancies happen in the representation of any state in the Senate, the executive authority of such state shall issue writs of election to fill such vacancies; *P. Atkins* provided, that the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

"This amendment shall not be so construed as to affect the election or term of any senator chosen before it becomes valid as part of the constitution." Therefore,

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To the Honorable,  
William J. Bryan,  
Secretary of State,  
Washington, D. C.

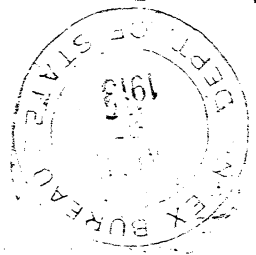
Governor of New Mexico.

*William J. Bryan*

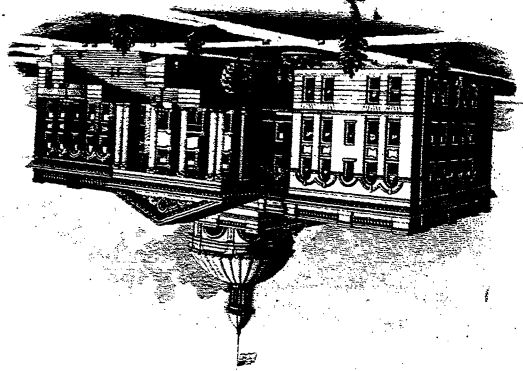
Very respectfully,

Pursuant to instructions I have the honor to transmit, herewith,  
Joint Resolution No. 20, by the Senate and House of Representatives  
of the State of New Mexico, "Ratifying the proposed amendment to the  
Constitution of the United States providing for the election of  
United States Senators by direct vote of the people, approved March  
14th, 1913.

Sir:-



*Rec'd  
3/22/13*



State of New Mexico  
OFFICE OF SECRETARY OF STATE  
Santa Fe

March 17, 1913.



ANTONIO LUCERO, SECRETARY OF STATE

A. PHILL, CLERK

CHARLES F. KANEN, ASSISTANT SECRETARY

THEREFORE be it resolved by the Legislature of the State of New Mexico that the said proposed amendment to the Constitution of the United States be, and the same is hereby ratified; and that certified copies of this resolution be forwarded by the Governor to the Secretary of State of the United States, to the President of the Senate of the United States, and to the Speaker of the House of Representatives of the United States.

E. A. Miera.  
President of the Senate.  
Pro. Temp.

Isidoro Armijo.  
Chief Clerk of the Senate.

Roman I. Baca.  
Speaker of the House of Representatives.

Frank Staplin.  
Chief Clerk of the House of Representatives.

Approved this 15<sup>th</sup> day of March, A.D. 1913.

William C. McDonald.  
Governor of the State of New Mexico.

-----  
ENDORSED;

Filed in Office of Secretary of State of New Mexico

March 15 1913: 10:05 A.M.

Antonio Lucero, Secretary of State.  
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Compared L. J. H. to A.P.H. \_\_\_\_\_

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SENATE JOINT RESOLUTION NO. 20.

JOINT RESOLUTION.

Ratifying the proposed Amendment to the  
Constitution of the United States Providing  
for the Election of Senators by Direct Vote  
of the people.

*DIFFERENT  
TEXT*

Whereas at the Second Session of the Sixty-Second Congress of the United States of America, a Joint Resolution was duly adopted by the Senate and House of Representatives of the United States, proposing an amendment to the Constitution of the United States, as follows, to-wit:

That in lieu of the first paragraph of Section 3 of Article I of the Constitution of the United States, and in lieu of so much of paragraph 2 of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the States:

"The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislatures.

"When vacancies happen in the representation of any State in the Senate, the executive authority of the State shall issue writs of election to fill such vacancies: PROVIDED, that the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

"This amendment shall not be so construed as to effect the election of term of any Senator chosen before it becomes valid as part of the Constitution."

*W. H. H. H.*

*W. H. H. H.*

the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

"This amendment shall not be so construed as to affect the election or term of any senator chosen before it becomes valid as part of the constitution."

Therefore, Resolved (if the Senate concur), That the legislature of the state of New York does hereby ratify the above recited proposed amendment to the constitution of the United States.

And be it further Resolved (if the Senate concur), That the governor be requested to transmit a copy of these resolutions and preamble to the secretary of state of the United States of America.

STATE OF NEW YORK.

Assembly.      Jan'y 14 1913

This bill was duly passed, a majority of all the members elected to the Assembly voting in favor thereof, three-fifths being present.

By order of the Assembly.

Form 108. 1-25-12-1000 (4-11745)

State of New York }  
OFFICE OF THE SECRETARY OF STATE } ss.      17

I have compared the preceding copy of... Concurrent... Resolution of the Legislature ratifying proposed amendment to Constitution of the United States relative to election of United States Senators

with the original... Resolution... on file in this office, and do hereby certify that the same is a correct transcript therefrom and of the whole thereof.

Given under my hand and the Seal of Office of the Secretary of State, at the City of Albany, this... seventeenth day of... January... in the year one thousand nine hundred and... thirteen.

Joseph P. ...  
Second Deputy Secretary of State

the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

"This amendment shall not be so construed as to affect the election or term of any senator chosen before it becomes valid as part of the constitution."

Therefore, Resolved (if the Senate concur), That the legislature of the state of New York does hereby ratify the above recited proposed amendment to the constitution of the United States.

And be it further Resolved (if the Senate concur), That the governor be requested to transmit a copy of these resolutions and preamble to the secretary of state of the United States of America.

STATE OF NEW YORK.

Assembly.            Jan 14 1913

This bill was duly passed, a majority of all the members elected to the Assembly voting in favor thereof, three-fifths being present.

By order of the Assembly.

Alfred E. Smith,  
Speaker.

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STATE OF NEW YORK.

Senate, Jan 15 1913.

This bill was duly passed, a majority of all the Senators elected voting in favor thereof, three-fifths being present.

By order of the Senate,

Robert F. Wagner,  
Temporary President.



STATE OF NEW YORK  
EXECUTIVE CHAMBER  
ALBANY



January 16, 1913

207

To The Honorable,  
The Secretary of State,  
Washington, D. C.

Sir:

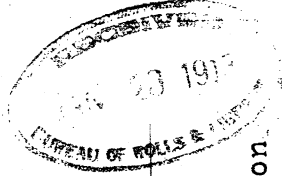
I herewith transmit to you a certified copy of the concurrent resolution of the Legislature ratifying the proposed amendment to the Constitution of the United States, relative to the election of United States Senators.

I have the honor to be, Sir,

Respectfully yours,

Wm. S. S. S.

Assembly, No. 112.



CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

Ratifying the proposed amendment to the constitution of the United States, in relation to the election of United States senators by the people of the several states.

*First Paragraph missing*

Whereas, at the second session of the sixty-second congress it was resolved by the senate and house of representatives of the United States of America in congress assembled (two-thirds of each house concurring therein), that in lieu of the first paragraph of section three of article one of the constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the constitution, which shall be valid to all intents and purposes as part of the constitution when ratified by the legislatures of three-fourths of the states:

"The senate of the United States shall be composed of two senators from each state, elected by the people thereof, for six years; and each senator shall have one vote. The electors in each state shall have the qualifications requisite for election of the most numerous branch of the state legislatures.

"Whenever vacancies happen in the representation of any state in the senate, the executive authority of such state shall issue writs of election to fill such vacancies: provided, that the legislature of any state may empower

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H. R. 125.  
S. R. 14.

Joint resolution ratifying the seventeenth amendment to the Constitution of the United States.

*I believe this is  
No Carolina.*

Whereas, both the houses of the sixty second congress of the United States of America, at its second session, by a constitutional majority of two-thirds thereof, made the following proposition to amend the constitution of the United States of America, in the following words, to wit:

"Resolved that the Senate and the House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), that in lieu of the first paragraph of section three of article one of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the constitution, which shall be valid to all intents and purposes as part of the constitution when ratified by the legislatures of three-fourths of the States:

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for

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2.  
H. R. 125.  
S. R. 14.

electors of the most numerous branch of the State legislature.

When vacancies happen in the representation of any State

in the Senate, the executive authority of such State shall

issue writs of election to fill such vacancies: Provided, *Italic's*

that the legislatures of any State may empower the executive

thereof to make temporary appointments until the people fill

the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any senator chosen before it becomes valid as part of the constitution."

Therefore be it resolved by the Senate and House of Representatives of the State of North Carolina, That the said proposed amendment to the constitution of the United States be and the same is hereby ratified by the General Assembly of the State of North Carolina.

And further be it resolved, That certified copies of this joint resolution be forwarded by the Governor of this State to the Secretary of State at Washington and to the presiding officers of each house of the national congress.

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3.  
H. R. 125.  
S. R. 14.

In the General Assembly read three times and ratified  
this the 25<sup>th</sup> day of January, 1913.

*NC*  
*North Carolina*  
*allegedly Ratified*  
*Jan 25, 1913*

E. L. Daughtridge,

President of the Senate.

Geo. W. Connor,

Speaker of the House of Representatives.

Examined and found correct,

A. L. Martin, of Cherokee,

For committee. *(211)*

North  
DAKOTA

A JOINT RESOLUTION

Ratifying a Proposed Amendment to the Constitution of the United States.

WHEREAS, The Sixty-second Congress of the United States of America, at the second session, by a constitutional majority of two-thirds thereof, made and passed the following proposal to amend the Constitution of the United States of America in the following words, to-wit:

"JOINT RESOLUTION Proposing an amendment to the Constitution } *States*  
providing that Senators shall be elected by the people of the several States.

"RESOLVED, By the Senate and House of Representatives of the *States* United States of America in Congress assembled (two-thirds of each House concurring therein), That in lieu of the first paragraph of section three of Article I of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the States: "The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years, and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

"When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies; Provided, that the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

"This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution."

Received by the Governor,

Approved, March 7, 1913.

*925-Ad*

*Starna* Governor.

*Filed in office  
March 7, 1913  
North Dakota  
Filed as proposed  
I was approved  
1913. See. of State*

*is hereby certified by the  
Governor of the State of  
North Dakota on March 16, 1913.*

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THIRTEENTH, BE IT RESOLVED BY the Legislative Assembly of the State of North Dakota, duly convened, that the said foregoing proposed amendment to the Constitution of the United States of America be, and the

H. B. No. 5.

H. B. No. 5.

*J. F. Howe*

Speaker of the House.

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*M. J. George*

Chief Clerk of the House.

*A. B. K. K. K.*

President of the Senate.

*W. D. Austin*

Secretary of the Senate.

This certifies that the within bill originated in the House of the Thirteenth Legislative Assembly of the State of North Dakota, and is known on the records of that body as House Bill No. 5.

*M. J. George*  
Chief Clerk of the House.

H. B. No. 5.

FILE

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THEREFORE, BE IT RESOLVED By the Legislative Assembly of the State of North Dakota, duly convened, that the said foregoing proposed amendment to the Constitution of the United States of America be, and the same is hereby, ratified by the Legislative Assembly of the state of North Dakota.

AND BE IT FURTHER RESOLVED, That certified copies of this joint resolution be forwarded by the Governor of this State to the Secretary of State for the United States of America, at Washington, and to the President of the Senate and the Speaker of the House of Representatives of the National Congress.

Approved,

March 7-1913

9-25-13

*F. Hanna*

Governor.

## JOINT RESOLUTION

Ratifying the proposed amendment to the Constitution of the United States, providing that Senators shall be elected by the people of the several states.

WHEREAS, The Sixty-second Congress, in the second session, in both houses has passed the following proposition to amend the constitution of the United States, by a constitutional majority of two-thirds thereof, in words following, to-wit:

Joint resolution, proposing an amendment to the constitution providing that senators shall be elected by the people of the several states.

*Ohio*  
*Statis*  
"Resolved, by the senate and house of representatives of the United States of America in congress assembled (two-thirds of each house concurring therein). That in lieu of the first paragraph of section three of article one of the Constitution of the United States and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the constitution, which shall be valid to all intents and purposes as part of the constitution when ratified by the legislatures of three-fourths of the States:

"The Senate of the United States shall be composed of two senators from each state, elected by the people thereof, for six years; and each senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislatures.

"When vacancies happen in the representation of any state in the Senate, the executive authority of such state shall issue writs of election to fill such vacancies; provided, that the legislature of any state may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

"This amendment shall not be so construed as to affect the election or term of any senator chosen before it becomes valid as part of the constitution; — therefore be it

Resolved, That the said proposed amendment to the constitu-

House Joint Resolution Number 3. By McCrory.

*OHIO*

RATIFYING A PROPOSED AMENDMENT TO THE CON-  
STITUTION OF THE UNITED STATES FOR THE  
ELECTION OF UNITED STATES SENATORS BY THE  
PEOPLE OF THE SEVERAL STATES.

BE IT RESOLVED, by the Legislature of the State  
of Oklahoma that the joint Resolution which passed the  
House of Representatives on April Thirteenth, 1911, and  
passed the Senate on June Twelfth, 1911, proposing an  
amendment to the Constitution of the United States pro-  
viding that Senators shall be elected by the people of the  
several States, is hereby ratified as follows:

*216*  
*Missing  
paragraph*

That in lieu of the first paragraph of, "Section  
Three Article One," of the Constitution of the United  
States, and in lieu of so much of, "Paragraph Two", of  
the same Section as relates to the filling of vacancies,  
the following be proposed as an amendment to the Constitu-  
tion which shall be valid to all intents and purposes as  
part of the Constitution when ratified by the Legislatures  
of three-fourths of the States:

*Changed*

"The Senate of the United States shall be composed  
of two Senators from each State, elected by the people  
thereof, for six years; and each Senator shall have one  
vote. The electors in each State shall have qualifications  
requisite for electors of the most numerous branch of the  
State Legislatures."



tion be, and the same is, hereby ratified by the General Assembly of the state of Ohio.

*Resolved*, That a certified copy of the foregoing preamble and resolution be forwarded by the governor to the secretary of state for the United States, in accordance with section two hundred and five of the Revised Statutes of the United States.

C. E. Swain

*Speaker* \_\_\_\_\_ *of the House of Representatives.*

Wm. L. Nichols

*President* \_\_\_\_\_ *of the Senate.*

Adopted February 25th, 1913.

(VFC)

UNITED STATES OF AMERICA,  
STATE OF OHIO,  
OFFICE OF THE SECRETARY OF STATE.

*E*

I, CHAS. H. GRAVES,  
Secretary of State of the State of Ohio, do hereby certify that the foregoing is an engrossed copy, carefully compared by me with the original Joint Resolution now in my official custody as Secretary of State, and found to be true and correct, which original Joint Resolution was filed in this office on the 26th day of February, A.D. 1913.

WITNESS my hand and official seal,  
at Columbus, this 26th day of  
April A.D. 1913.

Chas. H. Graves  
Secretary of State.

SENATE JOINT RESOLUTION NO. 9.

A Joint Resolution ratifying the proposed amendment to the Constitution of the United States providing that Senators shall be elected by the people of the several States.

*OKLAHOMA*

WHEREAS:

THE SIXTY-SECOND CONGRESS OF THE UNITED STATES OF AMERICA;

At the second session,  
Begun and held at the City of Washington on Monday, the fourth day of December, one thousand nine hundred and eleven, adopted a

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JOINT RESOLUTION

known as the House Joint Resolution 39, proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States

in words and figures as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That in lieu of the first paragraph of Section three of Article I of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution, when ratified by the legislatures of three-fourths of the States;

"The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

"When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

"This amendment shall not be so construed as to effect the election or term of any Senator chosen before it becomes valid as part of the Constitution."

Therefore be it, Resolved: By the Senate and House of Representatives of the State of Oregon:

That the said proposed amendment to the Constitution of the United States of America be and the same is hereby ratified by the Legislature of the State of Oregon; and be it further

Resolved; That certified copies of this joint resolution be forwarded by the Governor of this State to the Secretary of State at Washington, D. C., and to the presiding officer of each House of the National Congress.

Concurred in by the House January 23, 1913.

C. N. McArthur,

Speaker of the House.

Adopted by the Senate January 22, 1913.

Dan J. Lalarkey,

President of the Senate.

ENDORSED. Senate Joint Resolution No. 9 by Resolutions Committee.

J. W. Cochran, Chief Clerk. Filed January 24, 1913. Ben W. Sleott, Secretary of State.

Oklahoma

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"When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies":

"Provided, That the Legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the Legislature may direct."

"This amendment shall not be so construed as to affect the election of term of any Senator chosen before it becomes valid as part of the Constitution."

Passed the House of Representatives February 12th 1913.

J. H. Maxey

Speaker of the House of Representatives.

Passed the Senate February 24th 1913.

C. B. Kendrick

President pro tempore of the Senate.

Approved March 5th 1913

Lee Cruce

Governor of the State of Oklahoma.



A JOINT RESOLUTION

Ratifying the proposed amendment to section three of article one of the Constitution of the United States of America, which provides that Senators shall be elected by the people.

WHEREAS, The Congress of the United States of America has, in due form prescribed by law, passed the following Joint Resolution proposing an amendment to section three of article one of the Constitution of the United States; namely:-

JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION PROVIDING THAT SENATORS SHALL BE ELECTED BY THE PEOPLE OF THE SEVERAL STATES.

"RESOLVED, By the Senate and House of Representatives of the <sup>States</sup> United States of America in Congress assembled (two-thirds of each House concurring therein). That in lieu of the first paragraph of section three of article one of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the Legislatures of three-fourths of the States.

"The Senate of the United States shall be composed of two Senators from each State, <sup>121</sup> elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislatures.

"When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: <sup>States</sup> Provided, That the Legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the Legislature may direct.

"This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution."

AND WHEREAS, Said resolution has been submitted to the various States of the United States of America for ratification according to law; therefore, be it

RESOLVED, By the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the said General Assembly of the Commonwealth of Pennsylvania hereby ratifies and approves the amendment to section three in article one of the Constitution of the United States of America, as proposed in said Joint Resolution, passed by the Congress of the United States in the second session of the sixty-second Congress; and be it further

RESOLVED, That a certified copy of the foregoing preamble and of this resolution be forwarded by the Governor to the Secretary of State for the United States of America, in accordance with the law in such case made and provided.

GEO. E. ALTER,

Speaker of the House of Representatives.

D. P. GERBERICH,

President pro tempore of the Senate.

APPROVED - The 15th day of April, A.D., 1913.

JOHN K. TENER,

Governor of the Commonwealth of Pennsylvania.

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Department of State

STATE OF SOUTH DAKOTA

SENATE BILL No. 16.

A JOINT RESOLUTION

OF THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA, RATIFYING AND APPROVING THE PROPOSED AMENDMENT TO THE FIRST PARAGRAPH OF SECTION 3 OF ARTICLE 1 OF THE CONSTITUTION OF THE UNITED STATES, AND IN LIEU OF SO MUCH OF PARAGRAPH 2 OF SAME SECTION AS RELATES TO THE FILLING OF VACANCIES.

Whereas, the Congress of the United States by a Joint Resolution, passed June 12th., 1911, proposed as an Amendment to the First paragraph of Section 3 of Article 1, of the Constitution of the United States, and in lieu of so much of paragraph 2 of same section as relates to the filling of vacancies, and submitted the same to the various states for ratification and approval, which said Amendment is in words and figures as follows:

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite of the most numerous branch of the State Legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies; Provided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

Now, Therefore, Be it Resolved by the Senate of the State of South Dakota, the House of Representatives Concurring:

That the foregoing Joint Resolution of the Congress of the United States, being the 18th. Amendment to the Constitution of the United States, be and the same is hereby adopted, approved and ratified by the Legislature of the State of South Dakota.

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difficult

Address, the Congress of the United States at a joint

BILLING OF ARGUMENTS

STATE OF SOUTH DAKOTA, )  
 ) ss.  
Office of Secretary of State. )

IN RE: [Illegible]

FILED IN OFFICE OF SECRETARY OF STATE

STATE OF SOUTH DAKOTA, )  
 ) ss.  
Office of Secretary of State. )

Filed, Feb. 27, 1913, at 10:10 o'clock A.M.

Frank Glasner,  
Secretary of State,

By

J. T. Nelson,  
Ass't. Sec. of State.

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HOUSE JOINT RESOLUTION NO. 48.

A Joint resolution ratifying an amendment to the Constitution providing that Senators shall be elected by the people of the several States.

Whereas, both Houses of the Sixty-Second Congress of the United States of America, at its second session, by a Constitutional majority of two-thirds thereof, passed a resolution submitting to the several States the following proposition to amend the Constitution of the United States of America in the following words, to-wit:

"Joint resolution proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States.

"Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled (two-thirds of each house concurring therein), That in lieu of the first paragraph of Section 5 of Article I of the Constitution <sup>three</sup> of the United States, and in lieu of so much of paragraph 2 of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the States.

"The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

"When vacancies happen in the representation of any State in the Senate the executive authority of each State shall issue writs of election to fill such vacancies: Provided, that the legislature of any State may empower the executive thereof to

make temporary appointments until the people fill the vacancies by election as the legislature may direct.

"This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution." - Therefore, be it

Resolved by the Senate and House of Representatives of the State of Tennessee, that the said proposed amendment to the Constitution of the United States of America be, and the same is hereby ratified by the General Assembly of the State of Tennessee; And further be it

Resolved, that certified copies of this Joint resolution be forwarded by the Governor of this State to the Secretary of State at Washington and to the presiding officers of each house of the National Congress.

Adopted April 1st, 1913.

W. H. Stanton,

Speaker of the House of Representatives

Newton H. Hite,

Speaker of the Senate

Approved April 4, 1913.

Ben S. Hooper, Governor. - *Tennessee*

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H. J. R. No. 5.

HOUSE JOINT RESOLUTION

ratifying the amendment to the Constitution of the United States of America proposed by the Sixty-second Congress of the United States of America.

Whereas, both houses of the Sixty-second Congress of the United States of America, at its second session, by a constitutional majority of two-thirds thereof, made the following proposition to amend the Constitution of the United States of America in the following words, to-wit:

Joint Resolution proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States.

Resolved, by the Senate and House of Representatives of the United States of America, in Congress Assembled (two-thirds of each house concurring therein). 5 *Should be one paragraph*

*Stevens*  
That in lieu of the first paragraph of Section 3, Article 1 of the Constitution of the United States, and in lieu of so much of paragraph <sup>two</sup> 2 of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the Legislatures of three-fourths of the States:

"The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislatures.

"When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election, to fill such vacancies: Provided, That the

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Legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election, as the Legislature may direct.

"This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution."

Therefore, be it resolved by the Senate and House of Representatives of the State of Texas, that the said proposed amendment to the Constitution of the United States of America be and the same is hereby ratified by the Legislature of the State of Texas.

That certified copies of this preamble and joint resolution be forwarded by the Governor of this State to the President of the United States, the Secretary of State of the United States, to the presiding officer of the United States Senate, and to the Speaker of the United States House of Representatives.

Chester H. Terrell,  
Speaker of the House.

Will H. Mayes,  
President of the Senate.

APPROVED February 14th, 1913.

O. B. Colquitt,

Governor.

FORKS

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I hereby certify that H. J. R. No. 5, was passed by  
the House on January 31, 1913, by the following vote -  
yeas 116, nays 1.

W. F. Long,  
Chief Clerk of the House.

I hereby certify that H. J. R. No. 5, was passed by the  
Senate on February 7, 1913, by the following 2/3 vote -  
yeas 24, nays 1.

W. V. Howerton,  
Secretary of the Senate.

Received in the Executive Office this 11th day of Feb.

A. D. 1913, at 3 o'clock and 25 minutes P.M.

J. T. Bowman,  
Private Secretary.

Received in Department of State, This 14th day of February

A.D. 1913, at 1 o'clock and 50 minutes P. M.

John L. Wortham,  
Secretary State.

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✓  
Dexter

that the amendment to Section three of Article I of  
the Constitution of the United States of the State of New York

BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES

HOUSE JOINT RESOLUTION NO. 1

Comb. of  
J. M. Howell  
J. Grant Hinkle

direct. This amendment shall not be so construed as to affect  
the election or term of any Senator chosen before it becomes valid  
as part of the Constitution.", be and the same is hereby ratified.

Passed the House February 6, 1913.

Howard D Taylor  
Speaker of the House.

Passed the Senate February 7, 1913.

Louis F. Hart.  
President of the Senate.

(ENDORSED.)

State of Washington, SS.

Filed in the office of Secretary of State Feb 13,

1913.

I. M. HOWELL, Secretary of State

By J Grant Hinkle  
Asst. Sec. of State.

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Senate Chamber

February 18, 1913

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Considered and ratified by the Senate

Guy M. Page  
Assistant Secretary

House of Representatives

February 19, 1913

Taken up and the question being: Will the House ratify  
the within proposed amendment of the United States Constitution?  
It was decided in the affirmative.

Benj. Gates  
Assistant Clerk

H. J. Res. 39

Sixty-Second Congress of the United States of America;

At the Second Session,

Began and held at the City of Washington on Monday, the fourth day of December, one thousand nine hundred and eleven.

Joint Resolution

Proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several states.

Resolved by the Senate and House of Representatives of the <sup>States</sup> United States of America in Congress assembled (two-thirds of each House concurring therein), that in lieu of the first paragraph of section three of Article I of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three fourths of the States;

"The Senate of the United States shall be composed of two Senators from each state, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

"When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies; Provided, that the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

"This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution."

Champ Clark,

Speaker of the House of Representatives

J. S. Sherman

Vice-President of the United States and  
President of the Senate

I certify that this Joint Resolution originated in the House of Representatives.

Scuth Trimble  
Clerk

Frank E. Howe  
President of the Senate  
Charles A. Plumley, Speaker of the House of Representatives



Comp'd. M.A.O. to Call C.

W. V. Wagner

HOUSE JOINT SUBSTITUTE RESOLUTION NO. 1

BE IT RESOLVED BY the Senate and House of Representatives of the Thirteenth Legislature of the State of Washington, that the amendment to Section three of Article 1 of the Constitution of the United States, proposed by a joint resolution of the Sixty-second Congress of the United States of America at the second session thereof, begun and held at the city of Washington on Monday, the fourth day of December, 1911, entitled: "Joint Resolution Proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States", said resolution

DIFFERENT TEXT

reading as follows: "Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That in lieu of the first paragraph of section three of Article I of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the States: 'The Senate of the United States shall be composed of two Senators for each state, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislatures. When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may

WV

"When vacancies happen in the representation of any state in the Senate, the executive authority of such state shall issue writs of election to fill such vacancies: Provided, That the Legislature of any state may empower the executive thereof, to make temporary appointments until the people fill the vacancies by election as the Legislature may direct.

"This amendment shall not be construed as to affect the election or term of any Senator before it becomes valid as a part of the Constitution." Therefore be it

Resolved by the Legislature of West Virginia, a majority of the members of each House agreeing thereto: That the said proposed amendment to the Constitution of the United States be and the same is hereby ratified and approved.

Adopted by the House of Delegates, February 1, 1913.

*John Guy Richard*  
Clerk of the House of Delegates.

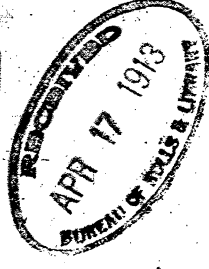
Amended and adopted by the Senate as amended, February 4, 1913.

*Samuel P. Hamer*  
Clerk of the Senate.

Senate amendment agreed to and adopted by the House of Delegates as amended, February 4, 1913.

*John Guy Richard*  
Clerk of the House of Delegates.

(H 234)



DIFFERENT

ENGROSSED HOUSE JOINT RESOLUTION NO. 2.

HOUSE JOINT RESOLUTION NO. 2 -- Joint Resolution of the Legislature of the State of West Virginia, ratifying and approving the proposed amendment to the Constitution of the United States, amending the first paragraph of section 3 of Article 1 of the Constitution of the United States, providing for the election of United States Senators by the people of the several states.

Whereas, the sixty-second Congress of the United States of America at the second session thereof, begun and held in the city of Washington, on Monday, the fourth day of December, one thousand nine hundred and eleven, proposed an amendment to the Constitution of the United States as follows:

"The Senate of the United States shall be composed of two Senators from each state, elected by the people thereof, for six years; and each Senator shall have one vote, the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.

"When vacancies happen in the representation of any state in the Senate, the executive authority of such state shall issue writs of election to fill such vacancies: Provided, That the Legislature of any state may empower the executive thereof, to make temporary appointments until the people fill the vacancies by election as the Legislature may direct.

"This amendment shall not be construed as to affect the election or term of any Senator before it becomes valid as a part of the Constitution." Therefore be it

Resolved by the Legislature of West Virginia, a majority of the members of each House agreeing thereto: That the said proposed amendment to the Constitution of the United States be and the same is hereby ratified and approved.

Adopted by the House of Delegates, February 1, 1913.

*John Guy* Clerk of the House of Delegates..

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Amended and adopted by the Senate as amended, February 4, 1913.

*John S. Harner*  
Clerk of the Senate.

Senate amendment agreed to and adopted by the House of Delegates as amended, February 4, 1913.

*R. L. Richardson*

[Jt. Res. 46, S.]

# Joint Resolution

Ratifying an amendment to the constitution of the United States, relating to popular election of United States Senators.

WHEREAS, Both houses of the sixty-second congress of the United States of America, at its second session, by a constitutional majority of two-thirds thereof, made the following proposition to amend the constitution of the United States of America in the following words, to wit:

## JOINT RESOLUTION

Proposing an amendment to the constitution providing that senators shall be elected by the people of the several states.

"Resolved by the senate and house of representatives of the United States of America in congress assembled (two-thirds of each house concurring therein), that in lieu of the first paragraph of section three of article one of the constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the constitution, which shall be valid to all intents and purposes as part of the constitution when ratified by the legislatures of three-fourths of the states:

"The senate of the United States shall be composed of two senators from each state, elected by the people thereof, for six years; and each senator shall

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*Illis*

make temporary appointments until the people fill the vacancies by election, as the legislature may direct.

"This amendment shall not be so construed as to affect the election or term of any senator chosen before it becomes valid as part of the constitution."

Therefore, be it

*Resolved, by the senate, the assembly concurring.* That the said proposed amendment to the constitution of the United States of America be, and the same hereby is ratified by the legislature of the state of Wisconsin, and be it further

*Resolved.* That copies of this joint resolution, certified by the secretary of state, be forwarded by the governor to the secretary of state at Washington, and to the presiding officers of each house of the national congress.

Senate: Ayes, 32; Noes, 0.

Assembly: Ayes, 76; Noes, 0.

*James M. Smith*  
\_\_\_\_\_  
PRESIDENT OF THE SENATE.

*Myler Hull*  
\_\_\_\_\_  
SPEAKER OF THE ASSEMBLY.

*F. W. Wylie*  
\_\_\_\_\_  
CHIEF CLERK OF THE SENATE.

*C. E. Shaffer*  
\_\_\_\_\_  
CHIEF CLERK OF THE ASSEMBLY.

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STATE OF WYOMING  
OFFICE OF THE CLERK

ORIGINAL HOUSE  
JOINT RESOLUTION  
NO. 1.  
ASSEMBLY OF SENATE  
COMMITTEE TO STATE  
ONE COPY TO STATE

*Amended*

Original House  
Joint Resolution  
No. 1.

(TWELFTH LEGISLATURE OF THE STATE OF WYOMING)

Enrolled Joint Resolution No. 1, House of  
Representatives, State of Wyoming.

*DIFFERENT TEXT*

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF  
THE STATE OF WYOMING, THE SENATE CONCURRING:

That the amendment to the Constitution of the United  
States proposed by the Sixty-second Congress of the United States,  
whereby in lieu of the first paragraph of Section 3 of Article 1 of  
the Constitution of the United States, and in lieu of so much of  
paragraph two of the same section as relates to the filling of  
vacancies, the following be substituted, to-wit:

"The Senate of the United States shall be composed of  
two Senators from each State, elected by the people thereof, for  
six years; and each Senator shall have one vote. The electors  
in each State shall have the qualifications requisite for electors  
of the most numerous branch of the State Legislatures.

When vacancies happen in the representation of any  
State in the Senate, the executive authority of such State shall  
issue writs of election to fill such vacancies: Provided, that  
the Legislature of any State may empower the executive thereof  
to make temporary appointments until the people fill the vacancies  
by election as the Legislature may direct.

This amendment shall not be so construed as to affect  
the election or term of any Senator chosen before it becomes valid  
as part of the Constitution"

be and the same is hereby ratified by the Legislature of the State  
of Wyoming.

*(Signature)*

MARTIN L. PRATT, Speaker of the House.

BIRNEY H. SAGE, President of the Senate.

Approved 12:15 P. M. February 11th, 1913.

JOSEPH M. CAREY, Governor.

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