

## REPORT

*Of the Committee appointed to prepare rules to be observed by the House of Representatives, in choosing a President, &c.*

JANUARY 26, 1825.

Read, and committed to Committee of the whole House on the state of the Union.

The Committee appointed “to prepare and report such rules, as, in their opinion, may be proper to be observed by this House, in the choice of a President of the United States, whose term of service is to commence on the fourth day of March next, if, on counting the votes given in the several states in the manner prescribed in the Constitution of the United States, it shall appear, that no person has received a majority of the votes of all the Electors of President and Vice President appointed in the several states,”

### REPORT:

That the following rules be observed by the House in the choice of a President of the United States, whose term is to commence on the fourth day of March 1825, if the choice should constitutionally devolve upon the House.

1st. In the event of its appearing, on opening all the certificates, and counting the votes given by the Electors of the several states for President, that no person has a majority of the votes of the whole number of Electors appointed, and the result shall have been declared, the same shall be entered on the journals of this House.

2d. The roll of the House shall then be called, and, on its appearing that a member or members from two thirds of the states are present, the House shall immediately proceed, by ballot, to choose a President, from the persons having the highest numbers, not exceeding three, on the list of those voted for as President; and in case neither of those persons shall receive the votes of a majority of all the states on the first ballot, the House shall continue to ballot for a President, without interruption by other business until a President be chosen.

3d. The doors of the Hall shall be closed during the balloting, except against members of the Senate and the officers of the House; and the galleries shall be cleared on the request of the delegation of any one state.

4th. From the commencement of the balloting until an election is made, no proposition to adjourn shall be received, unless on the motion of one state, seconded by another state; and the question shall be decided by states. The same rule shall be observed, in regard to any motion to change the usual hour for the meeting of the House.

5th. In balloting, the following mode shall be observed, to wit:—

The Representatives of each state shall be arranged and seated together, beginning with the seats at the right hand of the Speaker's chair, with the members from the state of Maine; thence, proceeding with the members from the states, in the order the states are usually named for receiving petitions, around the Hall of the House, until all are seated.

A ballot box shall be provided for each state.

The Representatives of each state shall, in the first instance, ballot among themselves, in order to ascertain the vote of their state; and they may, if necessary, appoint tellers of their ballots.

After the vote of each state is ascertained, duplicates thereof shall be made out; and in case any one of the persons from whom the choice is to be made, shall receive a majority of the votes given, on any one balloting by the Representatives of a state, the *name* of that person shall be written on each of the duplicates; and in case the votes, so given, shall be divided, so that neither of said persons shall have a majority of the whole number of votes given by such state, on any one balloting, then the word "*divided*" shall be written on each duplicate.

After the delegation from each state shall have ascertained the vote of their state, the clerk shall name the states in the order they are usually named for receiving petitions; and as the name of each is called, the Sergeant-at-arms shall present to the delegation of each, two ballot boxes, in each of which shall be deposited, by some Representative of the state, one of the duplicates made as aforesaid of the vote of said state, in the presence, and subject to the examination, of all the members from said state then present; and where there is more than one Representative from a state, the duplicates shall not both be deposited by the same person.

When the votes of the states are thus all taken in, the Sergeant-at-arms shall carry one of said ballot boxes to one table, and the other to a separate and distinct table.

One person from each state represented in the balloting, shall be appointed by its Representatives, to tell off said ballots; but, in case the Representatives fail to appoint a teller, the Speaker shall appoint.

The said Tellers shall divide themselves into two sets, as nearly equal in number as can be, and one of the said sets of Tellers shall proceed to count the votes in one of said boxes, and the other set the votes in the other box.

When the votes are counted by the different sets of Tellers, the result shall be reported to the House; and if the reports agree, the same shall be accepted as the true votes of the states; but if the reports disagree, the states shall proceed in the same manner as before, to a new ballot.

6th. All questions arising after the balloting commences, requiring the decision of the House, which shall be decided by the House voting per capita, to be incidental to the power of choosing a President, shall be decided by states without debate; and in case of an equal division of the votes of states, the question shall be lost.

7th. When either of the persons from whom the choice is to be made, shall have received a majority of all the states, the Speaker shall declare the same, and that that person is elected President of the United States.

8th. The result shall be immediately communicated to the Senate by message; and a committee of three persons shall be appointed to inform the President of the United States, and the President elect, of said election.

