

Report of the
Committee.

of the Legislature to consider it. The Constitution provides that the Congress whenever two-thirds of both houses shall deem it necessary, propose amendments to this Constitution. The joint resolution says: Be it resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, (two-thirds of both houses concurring,) that the following Article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said Legislatures, shall be valid as part of the Constitution.

The question is, did two-thirds of both houses of the Congress, within the true intent and meaning of the Constitution, concur in this proposition? The Constitution says, "the House of Representatives shall be composed of members chosen every second year by the people of the several States; and the electors in each State shall have the qualifications required for electors of the most numerous branch of the State Legislature. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, &c."

The Constitution proceeds upon the idea that the direct interest of each State in the proceedings of Congress, will, at all times, be a sufficient guarantee of its representation therein. There was no thought of compulsory representation, and certainly none of forcible exclusion of the representatives of any State, and least of all upon any such grounds as those contained in the report.

A Congress in the meaning of the Constitution, consists of Senators and Representatives of all the States composing the United States, duly elected, returned and qualified, who shall present themselves for the discharge of their duties in their respective houses. A majority of each house shall constitute a quorum to do business, but the Constitution never contemplated that a majority should assume to themselves the whole power of Congress by the forcible exclusion of the minority, or any portion of it, on any ground whatever not specially provided for in the Constitution, yet the report of