

The Electoral College in Maryland

Section 1, Article II of the U.S. Constitution provides that "Each state shall appoint, in such manner as the legislature thereof may direct, a number of electors. . . ." Maryland is one of only two states in which the state legislature has allowed qualified voters to cast a ballot for the presidential electors in all 49 presidential elections from 1789 to 1980.⁸

The initial method established by the Maryland General Assembly for selecting presidential electors permitted all qualified voters to cast as many votes as the number of electors which was divided between the Western and Eastern Shores.⁹ This system was changed in 1795, in part because of adverse reaction to the ability of a single subdivision or group of counties to pool its votes.¹⁰ Instead of this "at-large" or general ticket election, the legislature created elector districts in which only voters residing in each of the respective districts were allowed to vote for candidates running for presidential elector in that district. The district system of selecting presidential electors was utilized from 1796 through the 1832 election although changes did occur in the composition of the districts.

Beginning with the 1824 presidential election there was a national movement to popularize the Presidency. Whereas in the first four presidential elections citizens in fewer than half the states were able to vote for presidential electors, 18 out of the 24 states provided for citizen involvement in 1824.¹¹ By 1832 only South Carolina continued to choose presidential electors without a public vote. The trend toward voter participation was accompanied by the increasing utilization of the general ticket system which Maryland had employed in 1789 and 1792. In an interesting historical twist, Maryland was the only state to use a district system of electing presidential electors in 1832 whereas it had been one of three states to use the general ticket system in the first two presidential elections. For the 1836 election, Maryland joined the rest of the Nation in a general ticket system. In passing the appropriate legislation the Preamble of the bill noted:

WHEREAS, the manner of appointing electors of President and Vice President, of the United States, by a general ticket, as directed by the legislatures of a large majority of the states, has the effect of giving the whole electoral vote of each of those states, to one person, for each of those important offices; and the mode adopted and long used in the state of Maryland, of electing in separate districts of the state, one or at most two electors from each district, results in all cases of contest in giving a divided vote to the candidates for the highest offices in the government, and the majority of the citizens of Maryland are thereby deprived of their just weight in the choice of the Chief Magistrate, as compared with the majority of the citizens of most of the other states; . . .¹²

The statutory scheme of voting directly for presidential electors was utilized in Maryland from 1789 through the 1936 election. Because voters selected the individual electors rather than a presidential candidate the possibility existed for a split electoral vote. This, in fact, occurred in all but one presidential election under the district system from 1796 through 1832 and occurred in the 1904 and 1908 presidential elections under