

prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

State of Georgia v. Brailsford et al., 2 Dall 402 *Chisholm, ex v State of Georgia*, 2 Dall. 419. *Hollingsworth et al v. Virginia*, 3 Dall 378. *Cohen v Virginia*, 6 Wh 264 *Osborn v United States Bank*, 9 Wh. 738. *United States v. The Planters' Bank*, 9 Wh. 904. *The Governor of Georgia v. Juan Madrazo*, 1 Pet. 110. *Cherokee Nation v. State of Georgia*, 5 Pet 1 *Briscoe v. The Bank of the Commonwealth of Kentucky*, 11 Pet. 257. *Curran v State of Arkansas et al.*, 15 How. 304. *New Hampshire v Louisiana*, 108 U. S 76. *Virginia Coupon Cases*, 114 U S. 270 *Hagood v Southern*, 117 U S. 52. *In re Ayres*, 123 U S. 443 *Lincoln County v. Luning*, 133 U. S 529. *Coupon Cases*, 135 U. S. 662. *Penuoyer v McConaughy*, 140 U S. 1 *In re Taylor*, 149 U S. 164. *Reagan v. Farmers' Loan and Trust Co.*, 154 U. S. 362. *Reagan v Mercantile Trust Co.*, 154 U. S 413. *Scott v Donald*, 165 U. S. 58. *Tindal v. Wesley*, 167 U S. 204. *Smyth v. Ames*, 169 U. S. 466. *Fitts v. McGhee*, 172 U. S. 516. *Prout v Starr*, 188 U. S. 537.

ARTICLE XII.*

The Electors shall meet in their respective states and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;—The President of the Senate shall, in presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House

*The twelfth amendment to the Constitution of the United States was proposed to the legislatures of the several States by the Eighth Congress, on the 12th of December, 1803, in lieu of the original third paragraph of the first section of the second article, and was declared in a proclamation of the Secretary of State, dated the 25th of September, 1804, to have been ratified by the legislatures of three-fourths of the States