

## Timothy Pickering Speech in favor of the Twelfth Amendment

Washington, D.C., October 17, 1803 circa.

Autograph document, 2 pages + docket.

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M<sup>r</sup> Speaker –

The People, by their Electors shall elect the President, this is undoubtedly the meaning and the true construction given the Constitution, – then to carry this fully into effect is doubtless pursuing the wishes of the framers of that Instrument: – and I contend that the Amendment under consideration is calculated to accomplish this object and without this amendment, a person not having the confidence of the Nation may be elected – can it be said with this contingent, that the Constitution will inspire so full confidence as if [*inserted*: the] difficulty was removed. – Confidence in a Republican government is important, confidence cannot be placed in such a government if the majority cannot govern. –

But, Sir, we are told that certain great States are determined to usurp all authority and bear down the constitution; that the very place where we are now on is to become Virginia property, and therefore we must not tutch that sacred instrument the constitution. – and, Sir if this be so: Suppose at the time of the late Presidential [*sic*] election, no President had been elected untill after the fourth of March – who would answer for the consequences? would not the great States then have refused (in agreeing to a new Constitution which must then have been formed) to give the small States an equal vote with the larger in the Senate, – and this precious article in the present Constitution cannot ever be altered – privelages injoyed under the present constitution are much greater than could be expected were a new Constitution now to be formed, – to prevent the Constitution from running out by the present amendment is of more importance to the Small States, than can possibly ever be gained to them, by electing a President under the Constitution as it now is. – [2] I believe, Sir we aught not to calculate to turn, or have a wish for the election of a President, in any other way than by the Electors, for without this popular privelage the constitution would not have been adopted – again four small States which send but Eight members to the House of representatives have a right to Sixteen votes for President while a great State, having a right to send say from 18 to 25 Members can add but two to her number in

the choice of a President is [*inserted*: not] this advantage great enough for small States in that particular, under such an institution. –

On the subject of innovation, great clamour is made. I am not in favour of innovation or amendments except for important and weighty considerations; – but were not amendments expected? most certainly they were expected and I will venture & say that without this provision, the constitution would never have been adopted. – And will any Gent.<sup>n</sup> Say that amendments have as yet injured the constitution? it is a well known fact that the amendments already incorporated into the constitution have greatly increased its friends. – Are Gent.<sup>n</sup> afraid this amendment will also increase its friends, and stability and in that way prevent and destroy a favorite object with Some, namely [*sic*], a division of the Union between the northern and southern States? – I will not accuse any gent.<sup>n</sup>. In this house with such base motives but Sir I believe there are men base enough in New England to wish for such a measure.

Under an impression that the proposed amendment if adopted will give Stability and duration to the Constitution I shall give it my hearty support –

[*docket*]

Legislature 1804