

had a greater number of electoral votes than any other candidate. But a little examination, only, is necessary for its utter refutation.

The Constitution requires that a candidate, to be elected, must have a majority of the whole number of votes given in the electoral college. At the meeting of the Electors, it was ascertained that Gen. Jackson had ninety nine votes; Mr. Adams eighty four; Mr. Crawford forty one; and Mr. Clay thirty seven - making the whole number given to all the candidates two hundred & sixty one. You will remark that General Jackson had a larger number than any other candidate. But that number was only a few more than one third of the whole number. To have been elected, he should have had more than one half, a hundred & thirty one at least, or a majority of the whole. If Mr. Adams & General Jackson had been the only candidates, the votes given to the two, would have been the whole number; and the latter having received any number more than the former, had been duly elected. But it was not so. And the provision to refer the election to the House of Representatives, in the second instance, under the contingency of the people failing to elect in the first, is founded on the fundamental principle, that the majority ought to govern, and that no expression of public sentiment, should be considered as that of a majority of the nation, which is not so, absolutely & unequivocally. But this principle would not have prevailed, if, in the construction of the Constitution, the ninety nine votes given to Gen. Jackson had been considered the majority of two hundred & sixty one, or the whole number. For if the election had been referred to the people again, & restricted to the two highest candidates, the votes given to Messrs. Crawford & Clay would necessarily have been withdrawn from them, & might have been given to Mr. Adams, which would have made his majority of Gen. Jackson overwhelming. But such dispo-