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Constitutional Guarantees

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CONSTITUTIONAL GUARANTEES

The pertinent constitutional provisions relating to the representation of each State in the Senate of the United States are as follows:

1. "The Senate of the United States shall be composed of two senators from each State, elected by the people thereof."
2. "No person shall be a senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen."
3. "Each house shall be the judge of the elections, returns and qualifications of its own members."

Upon the basis of these provisions the Senate of the United States denied seats to the duly elected senators from the States of Illinois and Pennsylvania some time ago. What is the calm and sober judgment of Americans with respect to that action?

The passage of time and our own geographical location should enable us to view the matter fairly and dispassionately, and so viewed, what is the danger, if any, that is presented?

If the Senate was correct in assuming that the constitutional limitations above quoted are not the only limitations, it would be reasonable to assume, also, that either house may rightfully question the mental, moral, physical or religious qualifications of every person who presents a certificate of election; and, if the assumption of that attitude be conceded, then we have, not elections by the people of the State, but elections by the people of the State with the consent of a majority in the House or Senate. And therein lies the danger, for the moment that we concede the correctness of that attitude, that moment we cast aside our constitutional guarantees and invite that "unbridled official discretion which is the essence of tyranny."