Hon. Emanuel Celler,
Chairman, Committee on the Judiciary,
House of Representatives,
Washington, D.C. 20515

December 23, 1970.

Dear Mr. Chairman:

Our poor, neglected and battered Constitution has just been dealt another body blow, by a faithless Congress and a faithless Supreme Court.

Section 1 of Article II provides:

The President "shall be elected as follows:
Each State shall appoint, in such manner as the legislature may direct, a number of electors", etc.

Section 1 of Article I:

"The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature."

Amendment XVII: "The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof. . . . The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature."

Congress is given authority to change the times, places and manner of holding elections for Senators and Representatives. This cannot apply in any respect other than to method, which does not have anything to do with qualifications for voting.

It could not be stated in plainer language that the qualifications for voting are to be as established by each State for itself. The Congress and the Supreme Court have chosen to ignore the explicit terms, emphasized by the word "shall", and the court has again unwarrantedly departed from its judicial function to act in a legislative capacity. The plain words of the Constitution have been violated so wantonly and flagrantly by those sworn to observe them that the five Justices responsible for the decision should be impeached forthwith and Congress should repeal the 18 years voting act.

Respectfully,

George M. Montross