

the subjects for discussion relate to the national, state, and local governmental problems and policies of the United States. The program calls for daily public addresses, a daily "open forum," and an extensive series of round-tables, with subjects and leaders as follows: The Agricultural Problem, Professor John D. Black, Harvard University; Women in Public Affairs, President Aurelia H. Reinhardt, Mills College; Our Latin-American Relations, Professor John H. Latané, Johns Hopkins University; Municipal Management, Professor Thomas H. Reed, University of Michigan; County and State Government, Professor Kirk H. Porter, State University of Iowa; Political Parties, Professor A. R. Hatton, Northwestern University; The Tax Problem, Hon. Mark Graves, tax commissioner of the state of New York; The Press in Public Affairs, Dr. Victor Rosewater; Economic and Industrial Development of the South, President Bradford Knapp, Alabama Agricultural and Mechanical College; and Arbitration of Commercial Disputes, Dr. W. A. Sturges, Yale University Law School.

**The Resignation of President and Vice-President.** In his interesting book of reminiscences entitled *As I Knew Them*, Henry L. Stoddard makes the following statement: "Of the four causes of vacancy in the presidency listed in the Constitution, only two are definitely operative. Death, of course, is an obvious fact and the vice-president automatically succeeds; so would be removal by impeachment. But to whom would a president resign? Would he merely walk out of the White House, and notify the vice-president? Law provides for the resignation of every other officer except the president and vice-president. Of course, resignation is a remote contingency, but since it is mentioned, a way to resign ought to be definitely provided. I know that Vice-President Fairbanks was anxious to leave Washington on account of his wife's health. He attributed her death to the exactions of her social duties; he would gladly have resigned if he had had any precedents" (p. 546).

Vice-President Fairbanks had both precedent and legal sanction for his contemplated resignation. On December 28, 1832, John C. Calhoun wrote a letter to Secretary of State Edward Livingston (addressing him mistakenly as "H" Livingston), in which he informed him that, "Having concluded to accept of a seat in the Senate to which I have been elected by the legislature of this state [South Carolina], I herewith resign the office of vice-president of the United States."

The late Gaillard Hunt, in his life of Calhoun, says that Calhoun addressed the secretary of state "because that officer receives the returns of the votes of electors for president and vice-president and transmits them to the president of the Senate and the speaker of the House" (p. 159). Mr. Hunt here fell into a partial error. The Constitution stipulates that the votes of the electors shall be "directed to the president of the Senate." The law of March 1, 1792, relative to the election of president and vice-president, provides that "in case there shall be no president of the Senate at the seat of government on the arrival of the persons entrusted with the lists of the votes of the electors, then such persons shall deliver the lists of votes in their custody into the office of the secretary of state, to be safely kept and delivered over, as soon as may be, to the president of the Senate."

It would be the exception, therefore, rather than the rule for the secretary of state to receive the returns of the electoral votes. Not only that, but Section 11 of this same act of March 1, 1792, specifically enacts, "That the only evidence of a refusal to accept, or of a resignation of the office of president or vice-president, shall be an instrument in writing declaring the same, and subscribed by the person refusing to accept or resigning, as the case may be, and delivered into the office of the secretary of state" (Revised Statutes, Sec. 151). Calhoun undoubtedly was aware of this provision and acted accordingly. No other official action with respect to his resignation appears to have been taken. The Senate had met on December 3, 1832, and, in Calhoun's absence, had elected Hugh L. White of Tennessee president *pro tempore*. When Calhoun presented his credentials as senator he was sworn in in the usual manner.

Since this section of the act of March 1, 1792, has never been repealed, it is to be presumed that any president or vice-president could resign in the manner there provided. To date, Calhoun is the only one who has done so.

*University of Michigan.*

EVERETT S. BROWN.

**County Consolidation in Tennessee.** In an attempt to reduce the cost of government in Tennessee, Mr. T. R. Preston, chairman of the state tax commission recently appointed by the governor, and Mr. A. L. Childress, state tax superintendent, have suggested a reduction in the number of counties. This idea was probably prompted by the startling fact that county government in Tennessee costs nineteen times the amount spent for state government. Governor A. E. Smith,