

What would Meshech Weare Do?

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Greetings

The remarkable success of New Hampshire's House of Representatives represents a potential solution to the challenges posed by U.S. House apportionment, district gerrymandering, the Electoral College imbalance and the undue influence of special interest campaign capital on U.S. House of Representatives elections and legislation. I am reaching out to each of you with the hope that you might consider highlighting your State as a model of productive proportional representation.

In contrast to New Hampshire's approach (expanding HR members to 400 to serve a population of 1.4 million), the U.S. Congress has maintained a cap of 435 members for the House of Representatives, which serves a population of 335 million.ⁱ Instead of following New Hampshire's lead by increasing the number of Delegates, Congress has increased individual HR member office staff from two (during Franklin D. Roosevelt's era 1933) to 15 under Joseph Biden (2023), to meet the needs their constituents.ⁱⁱ

Since the 1900 U.S. Census, where the population was 76,212,168, Congressional Districts have grown from 194,000 in 1907 (with the addition of Oklahoma) to over 772,000 constituents in 2023.ⁱⁱⁱ Consequently, these massive Congressional Districts have made it nearly impossible for U.S. citizens to run competitive House campaigns without substantial personal funding or raising millions from lobbyists et al to reach gerrymandered districts that now exceed 770,000 inhabitants.

Due to the need for special interest money to run an effective campaign, candidates^{iv} focus on polarizing issues, leaving moderate contenders struggling for capital and unable to connect with registered voters during the primary election process. The extensive size of congressional districts exacerbates this situation, providing a fertile ground for the practices of cracking, packing, and other gerrymandering techniques. The ever-growing populations within these districts enable politicians to fragment or concentrate groups strategically,^v often navigating around the safeguards established by the Voting Rights Act of 1965.

The large congressional districts have also created an Electoral College^{vi} imbalance. New Hampshire, with a population of 1.39 million, receives four Electoral votes (347,500 inhabitants per vote), while California, with 39.3 million people, gets 54 votes (727,777 inhabitants per vote). The Electoral College imbalance, due to capping the HR at 435, was not the intended representative outcome envisioned by the framers of the US Constitution^{vii} and the First^{viii} & Second^{ix} U.S. Bicameral Congresses. Similar to New Hampshire's constitutional framers, they held a steadfast belief that

preserving small Representative Districts would ensure a robust connection and accountability of House members to the people.

Fortunately, the ratification of a revised *Article the First*^x is not essential for redistributing the House of Representatives. Congress has the authority to limit Congressional Districts to 50,000 (as per the 1789 HR cap), 60,000 (as per the 1789 US Senate cap), or any smaller number above 30,000 through a straightforward majority vote in the House and Senate.

Should Congress embrace the House of Representatives model of New Hampshire and set the cap for Congressional Districts at 50,000 inhabitants as proposed in the 1789 "Bill of Rights", several positive outcomes would result.

- First, it would significantly reduce the expenses associated with House of Representatives campaigns, thus diminishing the influence of special interest campaign funds on HR legislation.
- Second, it would effectively eliminate the practice of Gerrymandering.
- Third, it would address the existing imbalance in the Electoral College.^{xi}
- Fourth, it would facilitate a resurgence of political party bipartisanship within the House of Representatives.
- Fifth, it would substitute the current 435 Representatives and their 6,680 staff members with 6,700 elected officials who would be intimately familiar with their constituents, akin to the level of engagement found in a small-town mayor's office.

In essence, a Congressional District cap of 50,000 individuals would reinstate the collective wisdom of citizen governance over the House of Representatives while effectively ending gerrymandering and the Electoral College imbalance.

Consequently, I encourage you to highlight the accomplishments of New Hampshire's House of Representatives as an effective model for tackling the issues presented by gerrymandering, special interest influence, and the Electoral College imbalance within the existing U.S. House structure.

Enclosed is a contribution of a 1785 "Oath of Allegiance" broadside to the New Hampshire Republican State Committee. Issued under the New Hampshire State^{xii} and Articles of Confederation^{xiii} Constitutions by Meshech Weare,^{xiv} this historical document is offered with the sincere hope that it encourages contemplation of the potential HR apportionment actions these patriots might take today to shape for all of us, a more perfect Union.

Sincerely,

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cc. US President Candidates and Media

ⁱ U.S. Census Bureau projected on 12-28-2023 that the U.S. population will be 335,893,238 at midnight EST, on Jan. 1, 2024

ⁱⁱ (6,680 individual staff in total/435 = 15 as per <https://crsreports.congress.gov/product/pdf/R/R43947>)

ⁱⁱⁱ (335,893,238/435 = 772,168 - as per <https://www.census.gov/newsroom/press-releases/2023/population-new-years-day.html>)

^{iv} When it comes to HR Campaign contributions the old biblical quote "Because thou art lukewarm, and neither cold nor hot, ... I shall spew thee out of my mouth" is the rule and not the exception.

^v For example, here in Louisiana, despite the state population being 2/3rds Black, only one of six congressional districts is majority black.

^{vi} Electoral votes are allocated based on the Census, with each state receiving votes equal to the number of Senators and Representatives in its U.S. Congressional delegation

^{vii} In the 1787 Philadelphia Convention, just before the final signing of the present U.S. Constitution, Delegate Nathaniel Gorham suggested reducing the size of congressional districts from 40,000 to 30,000 citizens. A comparable proposal had been put forward earlier but had fallen short of approval by a single vote. At this crucial juncture, George Washington, serving as the President of the Convention, voiced his support for smaller districts, marking his sole substantive contribution to the Constitution's text. Without further deliberation, the Convention embraced the 30,000 minimum, solidifying its inclusion.

^{viii} In the First Bicameral Congress, the inaugural House of Representatives passed its "Bill of Rights," with its "Article the First" or its First Amendment capping Congressional Districts at 50,000 inhabitants. Simultaneously, the first U.S. Senate passed its "*Bill of Rights*" with its First Amendment establishing a cap of 60,000 inhabitants for Congressional Districts. It was during the 1789 House of Representatives and US Senate Bill of Rights Conference Committees meeting that its members agreed to adopt the HR version of the First Amendment by replacing the word "less" in the penultimate line ("in the last line but one") with the word "more". Unfortunately, during the presentation of the Bill of Rights on the House of Representatives floor, either the HR Clerk or HR *Bill of Rights* Committee Chairman James Madison erroneously introduced the wrong verbiage that struck out the word "less" in the final place, as opposed to changing it in the penultimate line, in *Article the First* and substituted it with the word "more". This mistake resulted in the incorrect replacement of "less" with "more" in *Article the First*, rendering the proposed First Amendment dysfunctional. Regrettably, this error went unnoticed for the majority of the ratification process, with eight states, including New Hampshire on January 25, 1790, ratifying Article the First before Vermont achieved statehood on March 4, 1791.

^{ix} In the Second Bicameral Congress, following the states' failure to ratify the dysfunctional First Amendment, Congress responded by enacting the Apportionment Act of 1792. However, this legislative measure was flawed, as it sought to reduce eight Constitutional Districts below the constitutional population minimum of 30,000 inhabitants. Despite President George Washington's preference for smaller Congressional Districts and his role in reducing the minimum size from 40,000 to 30,000, he, after extensive deliberation with Attorney General Randolph and Secretary of State Thomas Jefferson, exercised the first U.S. Presidential veto. In his statement, he highlighted that "*the Bill has allotted to eight of the States more than one [representative] for thirty thousand.*" Today, it remains unclear on why the Second Congress did not rectify the verbiage error and resubmit Article the First to the States. It is essential to emphasize that despite the states' failure to ratify the proposed amendment, the Congressional District 50,000 inhabitant cap endured through the U.S. Censuses of 1790, 1800, 1810, 1820, and 1830. In 1840, the Whig Party secured majorities in both the Senate and House of Representatives, advocating for Congress's supremacy over the Presidency and endorsing a modernization program that included abandoning the Congressional District 50,000 Citizens Cap outlined in Article the First. Over the subsequent decades, the Whigs incrementally expanded Congressional Districts, growing from 53,000 citizens in the 1830s to over 80,000 in the 1840s and exceeding 100,000 citizens in the 1850s. Following the Republican Party's control of Congress in the 1860s, the Republican majority continued this trajectory, enlarging Congressional Districts from 135,000 in the 1870s to 200,000 citizens by the 1900s.

Finally, in 1929, Congress enacted the Permanent Apportionment Act, which permanently set the maximum number of representatives at 435. Additionally, the law established a procedure for automatic reapportionment of House seats three years after each census resulting in Congressional Districts now exceeding 772,000 inhabitants.

* Article the First is the Congressional Apportionment Amendment, which was the proposed first amendment to the United States Constitution in the "Bill of Rights" and was not ratified. The amendment addresses the number of seats in the House of Representatives capping congressional district sizes to 50,000 inhabitants.

^{xi} Implementing a 50,000 House of Representatives (HR) cap addresses the Electoral College imbalance without necessitating a constitutional amendment. Under this cap, New Hampshire, with a population of 1.39 million, would receive 30 Electoral votes, averaging 46,666 inhabitants per vote. In contrast, California, with a population of 39.3 million, would have 788 votes, resulting in 49,873 inhabitants per vote.

^{xii} On July 2, 1776, in the United Colonies of North American Continental Congress, New Hampshire was the first Colony to vote for Independence: <https://youtu.be/5s-YdvukLml> . On January 5, 1776, New Hampshire's provincial congress adopted the first state constitution.

^{xiii} New Hampshire was the seventh State to ratify the Articles of Confederation on March 4th, 1778.

^{xiv} Weare, Meshech - Dated May 18, 1785, this ornate typeset partially-printed document bears the signature "M Weare" as (President). The document, measuring 15.75" x 12.75", is a historic directive ordering the maintenance of peace in Rockingham County, New Hampshire. Adorned with a large 2.75" paper and wax official embossed Seal of the State of New Hampshire at the upper left, the document is boldly signed by Meshech Weare in a deep brown ink, with his signature spanning approximately 3" in length. This uncommon document, which includes an "Oath of Allegiance" " appoints several Justices of the Peace and is a valuable historical artifact from the era. It reads, in part: -- "...punish all persons... who shall threaten any others in the Persons or in burning their houses ...and if they shall refute to find such Security, then to cause them to be safely kept in Prison in Portsmouth or Exeter..." -- "Know Ye, That you, and each of you, are assigned jointly and severally Justices to keep the Peace in the County of Rockingham within the said State of New-Hampshire... and if they shall refuse to find such Security, then to cause them to be safely kept in the Prison in Portsmouth or Exeter in said County, until they find such security." -- Notation on the blank reverse noting two persons having taken the "Oath of Allegiance" on May 31, 1785 at Exeter; Nathaniel Peabody and Joseph Gelman. The broadside is in nice condition with expected folds, small pinholes and minor fold wear paper loss, and age. "Printed by Melcher & Osborne, Print. 1785." All text within ornate typeset outer marginal border designs