

shortened the terms of Representatives elected to the Seventy-third Congress, by the interval between January 3 and March 4, 1935, and temporarily modified Article I, § 2, clause 1, fixing the terms of Representatives at 2 years.

Section 1 further modifies the Twelfth Amendment in its reference to March 4 as the date by which the House must exercise its choice of a President.

Section 2 supersedes clause 2 of § 4 of Article I. The setting of an exact hour for meeting constitutes a recognition of the long practice of Congress, which in 1867 was for the first time enacted into permanent law,² only to be repealed in 1871.³

When the 3d of January fell on Sunday (in 1937), Congress did by law appoint a different day for its assemblage.⁴

Pursuant to the authority conferred upon it by § 3 of this amendment, Congress shaped the Presidential Succession Act of 1948⁵ to meet the situation which would arise from the failure of both President elect and Vice President elect to qualify on or before the time fixed for the beginning of the new Presidential term.

² Ch. 10, 14 Stat. 378.

³ Ch. 21, § 30, 17 Stat. 12. See 1 A. HINDS' PRECEDENTS OF THE HOUSE OF REPRESENTATIVES § 11 (1907).

⁴ Ch. 713, 49 Stat. 1826.

⁵ Ch. 644, 62 Stat. 672, as amended, 3 U.S.C. § 19. See also the discussion of "Presidential Succession" under the Twenty-fifth Amendment, *infra*.