but for the additional excitement and manifestation of political [illegible] which would be produced in the public mind by such a step, during the pending of the recent election of electors of President and Vice President of the United States, and I determined to call the General Assembly for that purpose immediately after that election should be over without regard to what extent their influence on the issue by which might be the result of that election.

Conceiving that the spirit of the Constitution and the plain intent of it to [illegible] require that the term of Electors should be terminated by the election of successors every five years so as to [illegible] vacancies may arise, I [illegible] one first object in convening the General Assembly was, that they might pass a law providing for the election of Electors of the Senate in the place of those who had refused or neglected to attend the College and perform their duty. That the General Assembly have the authority to provide by law for a new election in such a case, is a proposition too clear of rational doubt. Not, but for the [illegible] and [illegible] spirit of the day which calls in question the most venerated and best settled doctrines of Constitutional law, and [illegible] in [illegible] the most [illegible] and [illegible], no argument or authority would be deemed proper to sustain it. [illegible] of the requisite Constitutional provision on the subject [illegible] and [illegible] the power to provide for the election in such a case would be ample, but as it stands, [illegible] the Constitutional provision in relation to the times, places and manner of holding elections having been abolished by the amendments of 1798 & 1799 and left to be regulated by law, it would seem [illegible] that [illegible] could be raised on the subject. Yet, being aware that the authority of the General Assembly in this respect has been seriously questioned [illegible] and deem it proper to refer to a few conclusive authorities in support of it. That eminent Jurist, James Kent, late Chancellor of New York, in the 2d Volume of his commentaries, says that "the power of election, or the supplying of members in the room of such as are removed by death or otherwise, is said to be a power incident to, and necessarily implied in, every aggregate corporation, from the principle of self preservation." It was decided in the case of the King [illegible] 3d Term Reports 104 that where the mode of electing corporate officers was not regulated by charter or prescription, the corporation might make bye laws to regulate the election provided they did not infringe the charter. And [illegible] to those authorities in support of this position. Such power being incident to, and necessarily implied in every aggregate corporation, it cannot be doubted that the legislative authority which [illegible] possesses at least equal powers of self preservation.

That there is no existing legal provision for an election to supply the vacancies in the Constitutional electoral College, is, I presume, [illegible] from the [illegible] the punishment [illegible] of the [illegible]