

voters of the State. The 11th Article of the Bill of Rights declares that the Executive is the Trustee of the Public. The 3^d Article says that "every free white male citizen, having the qualifications prescribed by the Constitution, ought to have the right of suffrage." The 9th Section of the 1st Article of the Constitution declares that the Governor shall be Commander in chief of the land and naval forces of the State, and may call out the Militia, repel invasions, suppress insurrections and enforce the execution of the laws. The next section, ten, declares that the "Governor" shall take care that the laws be faithfully executed. A law is a rule of action prescribed by the supreme power of the State; the Legislature is the law making power. If it should be convened by your Excellency, it would now be the supreme and only law making department of the Government within constitutional limits. As there cannot be two law making powers in existence at the same time, it is evident that the action of the Convention in the matter referred to is nugatory, and should be held to be of no avail. If the law as it now exists is suffered to be overcome or overridden by the unlawful assumptions of the Convention, then are the laws not executed in the State in a matter vital to the best interests of the citizen. The manner of preventing such an outrage upon the rights of the citizen is left to the Executive. It was never intended to be a barren power that was not to be wielded in a crisis like the present. There is no authority to redress the wrong after it is perpetrated. The mischief once done is irreparable. There is no tribunal to which the people can appeal, but to you. You hold their rights and privileges in your keeping. You are a "Trustee" for them, and you have all the discretion and latitude of power to prevent the wrong, as the nature of the case demands. The rejected voters may sue the Judges of Election, but that will not prevent the consummation of the outrage. Whatever the case requires, you have the power commensurate with the necessity. You are to "take care that the laws are faithfully executed"; to take care looks to the past, the present, and the future. It implies to search, look after, guard, protect, defend. I am loyal, and can take the oath required, but the Convention seeks to destroy a great constitutional principle which lies at the very foundation of Government. There is no enemy to be dreaded more than he who cloaks his ulterior and hidden designs under tests and oaths unknown to the laws and violative of great political rights. The true conservative patriot is he who tolerates differences of opinion, and sets up the Constitution and the laws as his constant rule and guide.

The attempt to pass an Election law to be executed in Virginia or elsewhere than where is found the voters' legal residences, and to appoint officers or soldiers in the ranks within Confederate lines Judges of Election, and to receive and count such votes, contrary to the express law in the Code, Article 35, Section 1, which enacts that "the County Commissioners in each County shall appoint three persons for each election district of the County, residents in such districts,