the office of president. The authority of the vice president in such an emergency was prescribed by the provisions of the 15. section in the 5. article.

Now, to my mind it is clear that the president of the senate pro tempore, in the contingency which then occurred, was, under the provisions of the Constitution, vice president of the Republic ad interim.

If by law an individual be invested with all the functions of an office, and charged with the duty of exercising those functions, he is thereby lawfully entitled to such office and in fact becomes to all intents and purposes its incumbent or possessor. If a man is empowered by deed to negotiate or act in any matter of business for another, he thereby becomes, quoad hoc, the attorney in fact of his constituent, although he may not be named as such in the instrument itself.

The president of the senate pro tempore was by the constitution charged with the performance of all the duties of vice-president of the Republic.

It was his duty to preside in the senate and to give the casting vote in case of a tie, and, if the office of president of the Republic had become vacant, during his term, it would have been his duty in person to have filled it.

To the senate, the constitution assigned the important trust of supplying a chief magistrate and thereby preserving the administration of the government, in case the president and vice president