

1 lotteries but the authorization of lottery grants by
2 the General Assembly."

3 Then in a reply brief Mr. Barnes at that
4 time also said "The abandonment of the amendment of
5 the Constitution of 1851 which had been proposed and
6 restriction of the prohibition to lottery grants in both
7 the Constitution of 1964 and 1867." As a result of that
8 he said "There seems to be no doubt that the meaning of
9 lottery grant in Article 3, Section 36 of the Constitu-
10 tion of 1867 prohibited the General Assembly from
11 authorizing lottery grants as they theretofore had been
12 authorized, and this prohibition did not extend to gambling
13 devices, faro tables, or even lottery schemes and
14 tickets not authorized as a grant by the General Assembly
15 itself."

16 Looking back at the history of the lottery,
17 we find that the Legislature would give authority for
18 holding lotteries by grant. This became more and more
19 prevalent to the point where it became abused. It would
20 get so ridiculous that a man would want to open up a
21 cigar store, and in order to be able to have stock to