

fluences over its action are recognized by this General Assembly, other than a sense of right and the will of the people.

Which was read the first, and

On motion of Mr. Randall,

Read the second time by a special order.

Mr. Lecompte moved to amend said preamble and resolution, by adding at the end thereof the following :

*Resolved*, That the decision of the house on the foregoing resolution is not intended, in the remotest degree, to reflect upon the integrity of any past Legislature, but as an assurance to the people of this State, that the pretensions of such as presume to hold out the appearance of any influence such as indicated, is unfounded, and thereby secure our citizens from the plunders of this class of the community.

Which was read and accepted by Mr. Randall.

After some debat thereon the Speaker announced the following messages as having been received from the senate.

*By the Senate,*

December 31, 1840.

*Gentlemen of the House of Delegates :*

We have received your message of this morning proposing an interchange of services between the Rev. Mr. Guest and the Rev. Mr. McElhiney, the chaplain of the senate, and agree thereto.

By order,

Jos. H. Nicholson, clk.

*By the Senate,*

December 31, 1840.

*Gentlemen of the House of Delegates*

We have received the message of your honorable body proposing to go into the election of a United States Senator this day at 12 o'clock, and concur therein. We have appointed Messrs. Potts and Turner, to join the gentlemen on the part of your honorable body to count the ballots and report the result.

No other gentleman is put in nomination by the senate.

By order,

Jos. H. Nicholson, clk.

Which were read.

Twelve o'clock having arrived, the house proceeded to the election of United States Senator, to fill the vacancy occasioned by the death of the Hon. John S. Spence.]

The ballot box was prepared, and the ballots deposited therein. It was then delivered to Messrs. Gaither and Nicols, who had been appointed, conjointly with the committee of the Senate, to count the ballots and report the result. They retired, and after a time returned and reported, that on examination of the ballot box, it appeared there had been ninety-two votes given in all, of which John Leeds Kerr, esquire, received seventy votes, and there were nineteen blanks and three scattering.