

## VOTES AND PROCEEDINGS

The bill to authorise a lottery for the purpose therein mentioned, in Washington county, was read the second time and passed.

The house, according to the order of the day, proceeded to the second reading of the bill for the appointment, by the people, of the justices of the levy courts in the several counties of this state; and on motion by Mr. Donaldson, the question was put, That the following be stricken out of the preamble? to wit:

“And whereas, all doubts of the right of the legislature to pass a law for that purpose, are removed by judicial decisions upon the true construction of the constitution; more particularly by an unanimous decision of the court of appeals upon the act of November session seventeen hundred and eighty-seven, chapter one, in which it was decided, that no offices created by the legislature since the adoption of the constitution, a mode of appointment, otherwise than by the governor and council, might be provided.”

The yeas and nays being required appeared as follow:

## AFFIRMATIVE.

<i>Messrs.</i>	Dooris	Emory	Shriver	Donaldson
Marriott	Smoot	Miers	Sanders	Bowles
Z. Duvall	Veazey	Little	Ferwood	T. B. Hall
Harryman	Moffitt	Tyler	H. Hall	Downey
Stevens	T. Williams	Swearingen	Tillotson	Bærstler
Wainwright	Claude	T. Jones	Pechin	Tomlinson—51.
Tenant	Burgess			

## NEGATIVE.

<i>Messrs.</i>	Reynolds	Brown	Somervell	Bayard
R. Neale	Grahame	Jackson	Callis	A. Jones
H. Neale	Ireland	A. E. Jones	T. N. Williams	Riggs
Barber	Emmerson	Waller	Wilfon	Owens
Frisby	Rogerson	Long	Handy	Evans
Boyer	Stonestreet	Griffith	Quinton	Blair
Spencer	C. Dofey	F. Hall	Street	Cresap
Belt	Randall	Herbert	Willis	Howard—40.
A. Dorsey				

*So it was determined in the negative.*

On motion by Mr. Emory, That the words, “or a majority of them, shall immediately thereupon, or at their next meeting thereafter, elect by ballot,” be stricken out of the seventh clause, for the purpose of inserting the following, to wit: “Shall be empowered thereupon to issue a warrant for a new election, addressed to the sheriff of the county where such vacancy shall have happened, and who shall immediately thereafter serve the same upon the judges of election; and said sheriff shall appoint the day for holding the same, of which ten days notice at least shall be given by said sheriff, under the penalty of ten dollars for each and every such neglect, to elect by ballot.” A division of the question was called for by Mr. R. Neale, and put, on striking out.