JOURNAL

of

The House of Representatives,

of the Commonwealth of

KENTUCKY,

Begun and Held in the Town of Frankfort, on Monday the Fourth Day of December, 1815, and of the Commonwealth the Twenty-Third.

Frankfort, (K.)

GERARD & BERRY—Printers for the State.

1815.
JOURNAL

OF THE

HOUSE OF REPRESENTATIVES.

AT A GENERAL ASSEMBLY, begun and held for the state of Kentucky, at the capital, in the town of Frankfort, on Monday the fourth day of December, in the year of our Lord one thousand eight hundred and fifteen, and in the twenty-fourth year of the Commonwealth.

On which day (being that appointed by law for the meeting of the General Assembly,) the following members of the house of Representatives appeared, to-wit:

From the county of Barren and part of Allen, William Thompson; from the county of Boone, John J. Flourney; from the county of Bracken, Robert Smith; from the county of Bourbon, James Robison, Benjamin Mills and James Hughes, jr.; from the county of Breckenridge, James Moorman; from the county of Bullitt, John Hornback; from the counties of Butler and Grayson, Robert E. Yates; from the county of Clark, Chilten Allen and William McGuire; from the county of Christian, Benjamin H. Reeves and Benjamin W. Patton; from the county of Cumberland, James Ferguson; from the county of Casey, William Goode; from the county of Fayette, Henry Payne, James True, jr. and Levi L. Todd; from the county of Floyd, Henry Stratton; from the county of Fleming, Leaken D. Stockton and David Hart; from the county of Franklin, John J. Marshall; from the county of
Garrard, John Yantis and Robert P. Letcher; from the county of Gallatin, David Owen; from the county of Green, Richard A. Buckner and John Emerson; from the counties of Hopkins and Union, William R. Wier; from the county of Hardin, Benjamin Shacklett; from the county of Harrison, William K. Wall and Gresham Forrest; from the county of Henry, Edward George; from the county of Henderson, James M. Mahan; from the county of Jefferson, Richard C. Anderson and James Hunter; from the county of Jessamine, William Caldwell; from the county of Knox, Joseph Eve; from the counties of Lincoln and Rockcastle, Wm. Craig, Wm. Wade; from the county of Logan, John Breathitt and John J. Crittenden; from the county of Mercer, Robert B. McAlfe and James Ray; from the county of Madison, William Williams, Samuel South and William Kerley; from the county of Muhlenberg, William Bell; from the counties of Montgomery and Estill, John Jameson and Jesse Daniel; from the county of Mason, John Chambers and Septimus D. Clarke; from the county of Nelson, John Rowan, Henry Cotten and Austin Hubbard; from the county of Nicholas, Thomas Metcalfe; from the counties of Ohio and Daviess, Philip Thompson; from the county of Palasick, Thomas Dollerhide; from the county of Pendleton, Elijah McClanahan; from the county of Scott, John T. Johnson and Robert M. Hatton; from the county of Shelby, James Ford; from the county of Woodford, William B. Blackburn, and William S. Hunter; from the county of Warren and part of Allen, John B. Smith and Francis Johnson; from the county of Wayne, Lewis Coffee; and, from the county of Washington, Dabney C. Cosby and Thomas G. Harrison:

Who, constituting a quorum, and being severally sworn, as well to support the constitution of this state as that prescribed by an act of the general assembly, entitled "an act more effectually to suppress the practice of duelling," repaired to their seats.

Mr. Robison nominated Mr. William B. Blackburn, as a proper person to fill the office of Speaker of this house during the present session; Mr. Allen nominated Mr. John J. Crittenden; and Mr. Owen nominated Mr. John Rowan. And on taking the vote they stood thus:

None of the nominees having obtained a majority of the votes present, the house proceeded to a second vote between those standing highest on the first, upon which they stood thus:


A majority of votes appearing in favor of Mr. Crittenden, he was thereupon declared duly elected, and conducted to the chair, from whence he made acknowledgments for the honor conferred, and recommended the observance and preservation of good order and decorum.

Robert S. Todd was unanimously elected clerk—Mr. Richard Taylor was unanimously elected Sergeant-at-arms—and, Mr. Roger Devine door-keeper.

Messrs. John Logan, and George B. Knight, members returned to serve in this house, from the county of Shelby, appeared, produced certificates of their election, and of their having taken the necessary oaths, and took their seats.
Messrs. Blackburn, Yantis, Reeves, Weir, P. Thompson, Letcher, Knight, Wall, Sanford, Gaither and F. Johnson;— and such other members as may from time to time choose to attend; who are to meet and adjourn from day to day, and take under consideration, all propositions and grievances which may come legally before them; and all such matters as shall from time to time be referred to them; and report their proceedings, with their opinion thereupon to the house.— And the said committee shall have power to send for persons, papers and records for their information.

Ordered, That a committee of privileges and elections be appointed, and a committee was appointed, consisting of Messrs. Ray, Metcalfe, Givens, Marshall, Todd, Eve, George, Owings and Hughes.

Who are to meet and adjourn from day to day, and take under consideration, and examine all returns for members to serve in this house during the present session of the general assembly, and all questions concerning privileges and elections, and report their proceedings, with their opinion thereupon to the house. And the said committee shall have power to send for persons, papers and records for their information.

Ordered, That a committee of claims be appointed, and a committee was appointed, consisting of Messrs. Bledsoe, S. Hunter, Kersey, Williams, J. T. Johnson, Cosby, Emerson, South and Payne,

Who are to meet and adjourn from day to day, and to take under consideration all public claims, and such other matters as may from time to time be referred to them; and report their proceedings, with their opinion thereupon, to the house; and the said committee shall have power to send for persons, papers and records for their information.

Ordered, That a committee for courts of justice be appointed, and a committee was appointed, consisting of Messrs. Rowan, Allan, Anderson, Mills, Patton, Chambers, W. Thompson, M'Affee and Logan,

Who are to meet and adjourn from day to day, and take under consideration, all matters relating to courts of justice, and such other, as may from time to time be referred to them; and report their proceedings, with their opinion thereupon, to the house. And the said committee is to inspect the journals of the late session, and draw up a statement of the matters then depending and undetermined, and the progress that was made therein. Also to examine what laws, have expired since
the last session, and inspect such temporary laws as will expire with this, or are near expiring; and report the same to the house, with their opinion which of them ought to be revived and continued; and the said committee shall have power to send for persons, papers and records for their information.

Ordered, That a committee of religion be appointed, and a committee was appointed, consisting of Messrs. Robison, Moorman, Mercer, Bell, Owen, Dollerhide, Hart, Jameson, and Mahan,

Who are to meet and adjourn from day to day, and take under consideration all matters and things relating to religion and morality, and such other matters as may from time be referred to them—reporting their proceedings, with their opinion thereupon, to the house; and the said committee shall have power to send for persons, papers and records for their information.

Mr. James Stonestreet, was unanimously elected clerk to the committees of propositions and grievances and privileges and elections.

Mr. F. Johnson, nominated Mr. Jacob T. Swigart as a proper person to fill the office of clerk to the committees of claims, religion, and for courts of justice; and Mr. South nominated Mr. Bela Metcalfe—And on taking the vote they stood thus—

For Mr. Jacob T. Swigart, Mr. Speaker, Messrs. Allan, Anderson, Buckner, Breathitt, Bell, Blackburn, Craig, Cotton, Coffee, Cosby, Dollerhide, Emerson, Eve, Ferguson, Ford, Goode, George, Hornback, J. Hunter, W. S. Hunter, F. Johnson, Knight, Letcher, Logan, Moorman, Marshall Mahan, Owen, Patton, Payne, Reeves, Rowan, Shacklett, Smith, W. Thompson, Truc, Todd, P. Thompson, Wier, Wade and Yates—42.


Mr. Swigart having a majority of all the votes present, was thereupon declared duly elected.

Ordered, That the clerk of this house, be permitted to avail
himself of the assistance of Mr. James Stonestreet, in the execution of his office, during the present session.

Ordered, That a message be sent to the senate, informing them, that this house having formed a quorum, and elected their officers, is now ready to proceed to legislative business; and that Mr. Yantis do carry the said message.

A message from the senate by Mr. Lee their secretary.

Mr. Speaker,

I am directed to inform this house, that the senate having met, and formed a quorum, is now ready to proceed to legislative business—

And then he withdrew.

Ordered, That Messrs. Allan, Blackburn, South, Anderson, Chambers and W. Thompson, be appointed a committee on the part of this house, in conjunction with a committee to be appointed on the part of the senate, to wait on the governor, and inform him that the general assembly have convened, and are now ready to receive any communication, he may think proper to make—that Mr. Allan inform the senate thereof, and request a similar appointment on their part.

A message from the senate by Mr. Lee their secretary.

Mr. Speaker,

I am directed to inform this house, that the Senate, have appointed a committee on their part, in conjunction with the committee, appointed by this house, to wait on the governor, and inform him that the general assembly have convened, and are now ready to receive any communication he may think proper to make.

And then he withdrew.

The said committee then retired, and after some time returned, when Mr. Allan reported that the joint committee had performed the duty assigned them, and were informed by his excellency, that he would by his secretary, make a communication in writing by way of message, to both branches of the legislature in their respective chambers, on to-morrow at twelve o'clock.

On motion,

Ordered, That Messrs. Mills, Blackburn, and South, be appointed a committee, to draft a set of rules for the government of this house during the present session, and make report thereof as soon as practicable.

And then the house adjourned.
Mr. Thomas D. Owings, a member returned to serve in this house from the county of Bath; and Mr. Thompson Ward, a member returned to serve in this house, from the counties of Greenup and Lewis, severally appeared, produced certificates of their election, and of their having taken the necessary oaths, and took their seats.

Mr. Mills from the committee appointed to draft a set of rules for the government of this house during the present session; reported the rules adopted by this house at the last session of the general assembly, with sundry amendments—which being severally twice read, were concurred in; and the said rules as amended were then adopted, as the rules of this house during the present session.

Ordered, That the public printers strike, as soon as may be, one hundred and twenty copies thereof, for the use of the members of this house.

Leave was given to bring in the following bills:

On the motion of Mr. Blackburn—1. A bill to amend the law authorizing the trial of the right of property by jury. On the motion of Mr. Emerson—2. A bill for the benefit of actual settlers. On the motion of Mr. Harrison—3. A bill to authorize the citizens of the town of Lebanon, in Washington county, to appoint trustees in said town, and for other purposes. On the motion of Mr. Patton—4. A bill further to regulate the court of appeals. And, on the motion of Mr. Breathitt—5. A bill further to regulate the payment of the debt due the commonwealth for the sale of vacant lands.

Messrs. Blackburn, E. Johnson and Marshall, were appointed a committee to prepare and bring in the first; Messrs. Emerson, Buckner and Breathitt, the second; Messrs. Harrison, Cosby and Hubbard, the third; Messrs. Patton, Rowan, Breathitt, Letcher and Mills, the fourth; and, Messrs. Breathitt, Patton, W. Thompson and Reeves, the fifth.

The petition of sundry citizens of the counties of Henry and Gallatin, representing their remote situation from their respective seats of justice, and the many inconveniences resulting therefrom; and praying that a new county may be erected out of a part of each; was received, read and referred to the committee of propositions and grievances.

A message from the senate by Mr. Lee, their secretary:

"Mr. Speaker,"

"The senate have adopted a resolution for appointing
joint committees to examine the public offices, in which they request the concurrence of this house; And then he withdrew.

The said resolution was then taken up, twice read, and concurred in as follows, to wit:

"In Senate, December 5, 1815.

Resolved, By the General Assembly of the commonwealth of Kentucky, That a joint committee of three from the senate, and six from the house of representatives, be appointed to examine and report the state of the Auditor's Office: That two from the senate and four from the house of representatives, be appointed to examine and report the state of the Treasurer's Office: That two from the senate and four from the house of representatives, be appointed to examine and report the state of the Register's Office; and, that two from the senate and four from the house of representatives, be appointed to examine and report the state of the Penitentiary House, and the books and accounts thereof.

"Extract, &c. "Willis A. Lee, C. S."

And conformably thereto, Messrs. Mills, Payne, Moorman, George, Eve and Kerley, were appointed a committee (to examine and report the state of the Auditor's Office; Messrs. McHatton, Yates, Reeves and Ward, the Treasurer's Office; Messrs. J. T. Johnson, Smith, P. Thompson & Harrison, the Register's Office; and, Messrs. F. Johnson, Beamchamp, Caldwell and Metcalfe, the Penitentiary House, and the books and accounts thereof.

Ordered, That Mr. F. Johnson inform the senate thereof.

On motion,

Ordered, That Mr. Jos. Buchanan, be permitted to take a seat within the house to the left of the clerk's table, for the purpose of taking a sketch of the proceedings and debates of this house.

Ordered, That the sergeant at arms of this house be directed to procure twenty-four tables, the length of and fronting the settlees in the representative chamber, and cause the floor thereof to be covered with carpeting; and to procure two stoves for the use of the chamber.

Ordered, That the two back seats on each side of the lobby door, be appropriated to the use of the senate, and the officers of government, whenever they may choose to attend the debates of this house; and that Mr. Cosby inform the senate thereof.

A message from the senate by Mr. Y. Ewing.

Mr. Speaker,

The senate have appropriated two seats on the left of the
hay.

r!

[ted

ta

the

om

re

nt

se,

an,

ex.

rs

.

he

p,

ks

n

he

of

c-

t-

te

ng

Ill

'11

Johby door,

for

the use of the members of this house, and the

officers of government, whenever they may choose to attend
the debates of that house;”

And then he withdrew.

A message from the governor by Mr. Secretary Hardin:

Mr. Speaker,

I am directed by the governor to lay before this house, a

message in writing.

And then he withdrew.

The said message was then taken up and read as follows,
to wit:

Gentlemen of the Senate

and of the House of Representatives

WE meet on the present occasion under auspices much more
favorable to our common country, than at any former period.
The blessing of peace are again restored to our land, and the
abundant productions of our fields, furnish to every part of
the state, all the necessaries, and many of the comforts of
life; and demand from us our most grateful acknowledgments
to him from whom we receive so many blessings.

On former occasions it has been my duty to point out to you
the dangers which overhung our country, from a war with
one of the most powerful nations of Europe, brought on us by
his cupidity, envy and ambition, and which, in its progress,
threatened the subversion of our national institutions, and
the prostration of our independence.

Under a long sunshine of peace, we had forgotten much of
the art of war:—Most of those, who in the former war, had
stood the battle’s brunt, and led us to victory, were in the
silent tomb. Of those who remained, age had generally un-
erved the vigor of early life: The generation which had
sprung up in the meantime, had betaken themselves to the
pursuits of civil life. The nature of our government, whose end
and object is the general happiness of the whole of the com-

munity, rendered us averse to war, and solicitous to avoid, by
any honorable means, an appeal to arms. Our forbearance
was considered by the enemies of our institutions, as the re-
sult of weakness in the government, and the loss by its citi-

zens of that high sense of national honor and love of coun-
try, which had once been our distinguishing characteristic.

When at last, that appeal was made, the eyes of the world
were upon us. They considered it as the test of our national
character, and the ordeal which was to prove, whether our
government was capable of sustaining the shock of external
war, aided by internal intrigue. That contest has terminated.
The spirit of the nation which lay dormant, not extinguished, was no sooner roused into action, than it burst upon the heads of our enemies, and struck terror and consternation through their ranks. The haughty grounds taken by our adversary, during a period auspicious to his views, have been abandoned. Terms of peace professed by our ministers at an early period of the negotiation, were finally accepted by our enemy; but not until the negotiation had been spun out to see the events of a pending campaign, and which terminated highly honorable to the American arms. No longer is our character obscured by our forbearance, and our love of peace. Our brilliant successes at sea, and our splendid victories by land, have placed us on high ground among the nations of the earth.

To secure this standing; and to transmit it unimpaired to our posterity; to avail ourselves of the experience which the late war has given us, by providing against those errors in our policy which it has pointed out; and to cherish and improve the blessings of peace, after the privations of war, is the duty of the whole American family, but more especially of its several legislative bodies.

Toward the attainment of these ends:

We should avail ourselves of a period of peace, to increase and improve our fortifications; our arsenals; our armories and every species of military equipment.

We should gradually increase our navy, as the increase of population, and the resources of the nation will permit.

We should re-organize the militia, and consequent thereto, revise the militia law; and as far as practicable, prevent in future those evasions and delays, in complying with executive requisitions for militia, which were so severely felt during the last war.

In short, we should recollect that to be always prepared to resist aggression, is the surest method of escaping it; and that in peace, is the safest and cheapest time to prepare for war.

We should extend the fostering care of government to our infant manufactories:

And we should improve and extend our internal navigation and our highways.

It is true, that to the national government it more properly belongs to provide for, or give impulse to some of the measures here suggested; but much may be done by the state legislatures, by a frank and liberal co-operation on their part on subjects connected therewith, or having an influence thereon.

I particularly recommend to your consideration, the pro-
privilege of establishing a State Magazine; and making provision by law, for procuring arms, ammunition, camp equipage, &c. sufficient to meet any public emergency.

The navigation of the Ohio and Mississippi rivers, by Steam Boats, regularly sailing up and down those waters, afford to our country, a fair prospect of receiving many of our imports upon much cheaper terms than can be obtained by bringing them from the ports of the Eastern States. Should this succeed, it will also be highly advantageous in opening a direct barter of our export produce for our imported goods, thereby saving to the State the commissions and per centages of the intermediate agents and merchants employed in our present circuitous trade.

The experiments which have been made by the steam boats on these waters, give strong assurances of ultimate success. — There has, however, not been a sufficient number of them in operation to enable me to speak with entire confidence. It is believed by many, that a sufficient capital has not yet been employed in that line, to give the experiment a fair trial. I submit to the better information which the general assembly will possess in its collective capacity, the determination of the question, whether it should be left to individual enterprise to ascertain its utility, or whether the state should lend its aid in the undertaking.

Whilst we are reaping the fruits of an honorable peace, we should bear in mind, those brave men, who fell in the war, and whose valor, together with that of their companions in arms, secured to us that peace. Many of them left wives and children who are dependent upon the bounty of their friends. I therefore recommend that provision be made by law for the support of the widows, and for the education of the children of the militia of this state, who were killed or died in public service during the late war.

It will also be proper for the general assembly at their first session after the return of peace, to review the laws fixing the salaries of the civil list. Owing to the rapid increase of our population and to other causes, the duties of some of the officers have been much increased, and their salaries will be found inadequate to the services rendered.

No part of the seven thousand dollars appropriated by the act of the last session, "to provide camp equipage for the troops destined for Detroit," have been used. I was enabled through the Quarter-Master Department of the general government, to supply what was requisite without any advance from the treasury of the state.
I have also been enabled since the adjournment of the general assembly, to pay from the treasury of the state, to the Bank of Kentucky, the sum of twenty-seven thousand dollars of the money borrowed from it; and I have no doubt the debt may be further diminished in the course of the present session of the general assembly.

I assure you, gentlemen, that I shall derive great satisfaction, in co-operating with you in all your measures which may conduce to the welfare of my fellow-citizens.

In a few months the time for electing a citizen to succeed me in administering the government will arrive. I look forward to that period as the termination of my public course. I cannot take my leave of the general assembly without expressing to them the grateful sense I shall always entertain for the favorable light in which my countrymen have viewed my public conduct, and offering to the divine Disposer of all human affairs, my devout acknowledgments for his many favors extended to our country, and my fervent prayers that His protecting arm, may long preside over its destinies.

ISAAC SHELBY.

December 5, 1815.

Ordered, That the public printers strike 500 copies thereof forthwith, for the use of the members of this house.

And then the house adjourned.

WEDNESDAY, DECEMBER 6, 1815.

The speaker laid before the house, a letter from James M. Johnson of Christian county, containing sundry charges against John Purser, a justice of the peace for said county, and praying his removal from office; which was received.

Ordered, That the said petition with the accompanying documents be laid on the table, until Monday the eighteenth instant.

Mr. John Mercer, a member returned to serve in this house from the county of Caldwell, appeared, produced a certificate of his election and of his having taken the necessary oaths, and took his seat.

Ordered, That messrs. Craig, Bannor, Caldwell, Stockton, True, and Flournoy, be appointed a committee of enrollments on the part of this house; that Mr. Craig inform the senate thereof, and request a similar appointment on their part.

The petition of Wm. Kester of Shelby county, representing his purchase of a tract of land in said county, from a certain Adam Shephard, who he has lately discovered had no title to rights in the same, was read; the committee on the subject reported in favor of the application for a certificate, and the house passed it without other observation.

WEDNESDAY, DECEMBER 6, 1815.

The speaker laid before the house, a letter from James M. Johnson of Christian county, containing sundry charges against John Purser, a justice of the peace for said county, and praying his removal from office; which was received.

Ordered, That the said petition with the accompanying documents be laid on the table, until Monday the eighteenth instant.

Mr. John Mercer, a member returned to serve in this house from the county of Caldwell, appeared, produced a certificate of his election and of his having taken the necessary oaths, and took his seat.

Ordered, That messrs. Craig, Bannor, Caldwell, Stockton, True, and Flournoy, be appointed a committee of enrollments on the part of this house; that Mr. Craig inform the senate thereof, and request a similar appointment on their part.

The petition of Wm. Kester of Shelby county, representing his purchase of a tract of land in said county, from a certain Adam Shephard, who he has lately discovered had no title or
right to the same either in law or equity; that himself and those who claim under him, have been in possession for a considerable length of time, and made valuable and lasting improvements thereon, and praying that a law may pass investing him with the legal title thereto:

And the petition of sundry citizens of Christian county representing that they labour under great inconveniences from the want of banking capital, and the improper distribution of the branches of the state bank, and praying that a law may pass establishing an Independent Bank in said county, with a sufficient capital, and under suitable regulations.

And the petition of sundry citizens of the counties of Warren and Butler, on behalf of Jenny Liles, the widow, and the orphans of William Liles deceased, of Warren county, representing that the said William Liles settled on a piece of vacant land, and shortly afterwards died, leaving his widow and children in considerable pecuniary difficulties, and praying that they may be permitted to survey and carry into grant one hundred and fifty acres of land on which they are settled, including their improvements, without paying the state price therefor.

Were severally received, read, and referred; the first to a select committee of Messrs. Knight, Anderson, Logan, and Blackburn, giving said committee leave to report thereon by bill or otherwise; the second to the committee of propositions and grievances; and the third to the committee for courts of justice.

Leave was given to bring in the following bills:

On the motion of Mr. Hubbard—1. A bill to change the mode of summoning jurors.

On the motion of Mr. McAfee—2. A bill for the relief of the heirs of Richard Armstrong, deceased.

On the motion of Mr. McMahau—3. A bill for the relief of Edmund Talbot of Henderson county.

On the motion of Mr. Harrison—4. A bill to amend the law relating to appeals from justices of the peace.

On the motion of Mr. Buckner—5. A bill for the regulation of the town of Greensburgh in Green county.

On the motion of Mr. F. Johnson—6. A bill further to regulate the circuit courts of this commonwealth.

And on the motion of Mr. Metcalfe—7. A bill for the relief of the sheriff of Nicholas county.

Messrs. Hubbard, Allan, Letcher, Rowan, Eve, Patton and South, were appointed a committee to prepare and bring in the first.
Messrs. McFae, Ray, Eve and Williams the second:
Messrs. McMahen, Wier, Breathitt and Mercer the third:
Messrs. Harrison, Cosby and Rowan, the fourth:
Messrs. Buckner, Emerson and W. Thompson the fifth:
Messrs. F. Johnson, Chambers, Anderson, Blackburn, Breathitt, Mills and W. Thompson the sixth:
And, Messrs. Metcalfe, Stockton, Mills and Hughes, the seventh.

Mr. Anderson, moved the following resolution, to wit:
Resolved, That so much of the governor's communication as relates to the navigation of the Mississippi and Ohio, by steam boats, and the appropriation of public funds in aid of individual enterprise, be referred to a select committee, with leave to report by bill or otherwise.

Which being twice read was concurred in; and Messrs. Anderson, Marshall, J. Hunter and Logan appointed a committee conformably thereto.

Mr. Blackburn, moved the following resolutions, to wit:
1. Resolved, By the house of representatives, that so much of the governor's message, as relates to the making provision for the widows and orphans whose husbands or fathers fell in the late war, be referred to a select committee, vested with power to report by bill or otherwise.

2. Resolved, That so much of the governor's message, as relates to the salary of the different public officers of this state be referred to a select committee, vested with power to report by bill or otherwise.

3. Resolved, That so much of the governor's message as relates to the establishment of an arsenal, and the procurement of arms, be referred to a select committee, vested with power to report by bill or otherwise.

Which being severally twice read, were concurred in; and Messrs. Blackburn, Yantis, Rowan and Patton were appointed a committee agreeably to the first resolution; Messrs. Allan, Letsher, Wall and Chambers agreeably to the second, and Messrs. Robinson, Ray, Wier, J. Hunter, F. Johnson and O'wings agreeably to the third resolution.

Mr. Marshall moved the following resolution, to wit:
Resolved, That so much of the governor's message as relates to the improvement of "internal navigation." be referred to a select committee, with power to report by bill or otherwise.

Which being twice read was concurred in; and, Messrs. Marshall, Anderson, George, Caldwell and P. Thompson were appointed a committee conformably thereto.
Mr. F. Johnson moved the following resolution, to wit:

Resolved, That so much of the governor's message as relates to the manufactories, be referred to a select committee, and that they report thereon by bill or otherwise.

Which being twice read was concurred in—and messrs. F. Johnson, Mills, Todd, W. S. Hunter and True, were appointed a committee conformably thereto.

The following bills were reported from the several committees, appointed to prepare and bring in the same.

By Mr. Harrison—A bill to authorize the citizens of the town of Lebanon, in Washington county, to appoint Trustees in said town, and for other purposes. And by Mr. Emerson, a bill for the benefit of actual settlers.

Which bills were received and read the first time, and ordered to be read a second time.

And then the house adjourned.

THURSDAY, DEC. 7, 1815.

The petition of Samuel Searcy, and the heirs of Charles Searcy, dec. representing the mutual exchange of small pieces of land, between Samuel Searcy and the said Charles Searcy, deceased, in his lifetime, and the death of the said Charles, previous to the completion of the contract; and praying that a law may pass appointing a commissioner to convey the legal titles to effectuate the contract.

And the petition of the "Kentucky Abolition Society," praying that the members of said society, may be incorporated.

Were severally received, read and referred to the committee for courts of justice.

Mr. James Cruiksh, a member returned to serve in this house from the county of Hardin, appeared, produced a certificate of his election, and of his having taken the necessary oaths, and took his seat.

On motion,

Ordered, That a committee of finance be appointed, and a committee was appointed, consisting of messrs. Blackburn, Marshall, Payne, W. S. Hunter, South, Breathtn and Chambers; who are to meet and adjourn from day to day, and take under consideration all matters relating to the revenue, the several laws passed on that subject, and such other subjects relating to the finances of this state, as may be deemed advisable, or referred to them; reporting their proceedings with their opinion thereupon to the house. And the said
committee shall have power to send for persons, papers and records, for their information.

Mr. Ray moved the following resolution, to wit:

Resolved, That so much of the governor's message as relates to the revision of the militia law, be referred to a committee, with leave to report by bill or otherwise.

Which being twice read was concurred in; and, messrs. Ray, South, Owings, Kerly, Eve, Mills, and Metcalfe, were appointed a committee conformably thereto.

Leave was given to bring in the following bills:


Messrs. Kerly, South, Letcher, Eve and Patton, were appointed a committee to prepare and bring in the first; messrs. Buckner, P. Thompson, Hughes, Patton, Payne and Flournoy, the second; messrs. Mills, Rowan, Yantis, Todd, and Wall, the third; and, messrs. Yates, Allen, Crutcher, J. T. Johnson, Patton, Yantis, Letcher, Breathitt, Anderson, Buckner, W. Thompson and South, the fourth.

The following bills were reported from the several committees, appointed to prepare and bring in the same.


Which bills were severally received, and read the first time, and ordered to be read a second time.

And thereupon the rule of the house being dispensed with, for that purpose, the former bill was read a second time, and committed to a select committee of messrs. Rowan, Metcalfe, and W. Thompson.

The following bills were severally read a second time, viz.

A bill to authorize the citizens of Lebanon, in the county of Washington, to appoint Trustees in said town, and for other purposes. And, a bill for the relief of actual settlers.

The former (being amended at the clerk's table) was ordered to be engrossed as amended and read a third time, to-morrow; and the latter was referred to a committee of the whole house on the state of the commonwealth.

A message from the governor by mr. Secretary Hardin:
Mr. Speaker,
I am directed by the governor to lay before this house, a
message in writing.
And then he withdrew.
The said message was then taken up and read as follows,
to wit:

Gentlemen of the Senate,
And of the House of Representatives,

PERMIT me at this early stage of your session, to call
your attention to a subject of considerable interest to some of
the citizens of Kentucky.

During the late war, many horses were lost and killed in
the public service belonging to the militia of this state, which
it is believed the United States are in justice bound to pay for;
particularly on the the campaign of 1813. The service of
that year was of such a nature, and the requisition from
the commanding general of the north-western army, so sudden
and emergent, as to render it impossible to reinforce him from
Kentucky, in time to effect the great objects of the campaign,
but by means of mounted volunteers.—That course was re­
sorted to, and was approved by the president of the United
States. But, owing to the suddenness of the requisition;
the great distance to travel to the scene of action; the extreme
badness of the roads; the want of forage on great part of
the way out; and the horses having to be kept upon bare pasture
for more than a month without grain, many of them became
weak, and unable to return through the deep extensive swamps
which lay on the route home; from these and other unavoida-
ble causes, considerable losses of the horses took place.
It may be recollected that it was an important crisis of the
war. That in the early part of the campaign of 1813, gov­
ernment had assigned to the commanding general of the
north-western army, seven thousand regular troops, to make
descent on Canada, and reduce Malden. But these troops
were to be enlisted; and not one third of them ever joined
him. Hence it became late; very late, before the militia were
called for, and required the greatest possible dispatch both
of them and the regiment commanded by col. R. M. Johnson,
to arrive at the scene of action in due time; as without
this aid, the general was unable to advance against Malden,
not even after the enemy’s fleet had been defeated and cap­
tured on lake Erie.

It may also be considered that the tour was performed so
speedily, as to render it the cheapest campaign ever attempted to the same extent. And that great part of the time the army foraged and subsisted upon the enemy, with but little expense to the United States. And that the government has on other similar occasions, paid for losses necessarily sustained to promote the prosecution of the war.

From these considerations, it cannot be doubted, that our claim for horses lost in the public service, will receive that attention, which it justly merits.

I therefore, submit to you gentlemen, the propriety of forwarding to congress, a resolution from the general assembly, expressive of your feelings in relation to compensation for horses unavoidably lost on that campaign and during the war, by the mounted volunteers of Kentucky, as they are designated on the muster rolls.

ISAAC SHELBY.

December 7, 1815.

Ordered, That the said message be referred to a select committee of messrs. McFee, Owings, Chambers, Logan, Blackburn, Mills, Williams, Yantis, and Daniel.

And then the house adjourned.

FRIDAY, DECEMBER 8, 1815.

Mr. Dickson Givens, a member returned to serve in this house, from the county of Livingston; and Mr. Alfred Sandford, a member returned to serve in this house from the county of Campbell, severally appeared, produced certificates of their election, and of their having taken the necessary oaths, and took their seats.

A message from the senate by Mr. Lee, their secretary:

Mr. Speaker,

The Senate have appointed a committee on their part, to examine the different public offices; and they have appointed a committee of enrollments on their part; and they have adopted a resolution for appointing a joint committee to examine the State Bank and its branches—in which they request the concurrence of this house.

And then he withdrew.

The petition of sundry citizens of Louisville, and of the county of Jefferson, praying that a law may pass, authorising the establishment of an independent bank in said town.

The petition of sundry citizens of Henderson county, representing the inconveniences to which they are subjected, from being compelled to ride to the seat of government, to
pay the installments, due on their head-right claims, and other inconveniences arising from the law on the subject of head-right claims to land, and praying an amendment thereto; and praying that the law on the subject of presentments by grand juries may be amended, and that a compensation may be allowed to grand jurors for their services.

The petition of William Reddick, representing that when Sheriff of Campbell county, through misfortune and accident, he failed to pay up the whole amount of the revenue due from said county, and praying that the costs and interest (awarded against him on a judgment obtained by the auditor) may be remitted on his paying up the principal.

And the petition of Wilson Sullivan of Floyd county, representing that he is confined in the jail of said county, on a charge of murder, and that from the prejudices which exist against him, he cannot obtain a fair and impartial trial, and praying a change of venue to some of the adjacent counties.

Were severally received, read and referred: the first to a select committee of Messrs. Anderson, Allan, Knight, Patton, Rowan and Blackburn.

The second and fourth, to the committee for courts of justice.

And the third, to a select committee of Messrs. Flournoy, Sanford, Wall, M. Clannahan and South.

On motion.

Ordered, That the committee of propositions and grievances be discharged from a further consideration of the petition referred to them on yesterday, from the citizens of Christian county, praying for the erection of an independent bank in said county, and that the same be referred to the select committee, to whom was referred the petition of the citizens of Louisville and Jefferson county, for the establishing of an independent bank in said town.

Mr. Rowan, from the select committee, to whom was referred, a bill for the relief of the Sheriff of Nicholas county, reported the same, with an amendment; which being twice read, was concurred in.

Ordered, That the said bill as amended, be engrossed and read a third time to-morrow.

The speaker laid before the house, a letter from the auditor of public accounts, covering several documents, exhibiting the state of his office—which said letter and documents, were then taken up, and read as follows, to wit:
AUDITOR'S OFFICE, DEC. 8th, 1815.

SIR,

In compliance with my duty as prescribed by law, I here-with present to the general assembly, through you, the enclosed statements A, B and C. Exhibiting the balance of money remaining in the Treasury on the 10th day of November last, together with the estimated amounts of revenue, which will, or may be paid into the treasury the succeeding year, ending the 10th of November, 1816, with the probable expenses of government, within the above period.

A statement of the amount of warrants issued to each department of government; of the amount of warrants paid by the treasurer, and the balance unpaid. Also, a statement of the arrearages of taxes, due for each year from delinquent officers, since the establishment of this commonwealth, all of which are

Respectfully submitted,

GEORGE MADISON, AUD.

The hon'ble the Speaker of the House of Representatives.

(A)

RECEIPTS, &c.

Amount remaining in the Treasury on the tenth of November, 1815, $47,622 08

From which deduct the amount paid on vacant and unappropriated land, taken up under an act approved, sixth of Feb. 1815, reserved by the legislature for future disposition, 3,326 80

Leaving a balance subject to the ordinary expenses of government the current year of 44,345 28

The balance due from Sheriffs for 1814, is 125,088 46

The defalcation in this branch of revenue produced by delinquencies, commission on collection, & wolf scalps, is estimated at 25,017 69.

Leaving a balance, which it is presumed will be paid into the Treasury by the tenth day of November, 1816, of 160,070 77

Amount carried forward, $115,334 05
Amount brought forward, $144,356.05

Of the old standing balances, no certain calculation can be made—but unless some unforeseen accident arises to obstruct the collection of executions now issued and in the hands of the proper officers, there will be collected by the tenth of November next, about the sum of $1,500.

The tax receivable by clerks of courts, on law process, deeds, county seals, appeals, pedlars licences, &c. may be estimated at $6,000.

The state's dividend on her shares in Bank stock, after deducting the interest on so much of the loan of $100,000 as remains unpaid, may be estimated at $35,000.

The amount to be received by the Register for fees of office, may be estimated at $800.

The tax on non-resident's lands, for the ensuing year, at $10,000.

The amount received by the secretary of state on seals of office will not exceed $12.

Of the revenue of 1815, collectable next year by sheriffs, no correct estimate can be made. At this time there are but about one half of the clerks who have forwarded to this office, copies of the commissioners' returns of taxable property; calculating however from such as have been received, it will differ but little from the amount collected this year. But unless the legislature change the time of settlement with sheriffs, but a very small portion of the amount will be paid into the Treasury by the tenth of November next, say about $7,000.

The tax on shares held by individuals in the Bank of Kentucky, and the Insurance company, may be estimated at $2,800.

From the Penitentiary institution, in part of the loan of $2,500— the sum of $2,000.

Making a total of $209,198.05

Amount carried forward.

Amount brought forward, $209,498 0

EXPENDITURES.

The amount of warrants issued the year preceding the tenth of November last, as per exhibited B, $139,551,62.

To ascertain the real expenditures of government, the following amount must be deducted, viz.

For warrants issued in favor of the president of the Bank, in payment of the loan of $100,000, under the head of "miscellaneous claims," $27,000

For "shares subscribed Bank in stock," $22,000

And "drawbacks on vacant lands," 1,573,69—60,778 69

Leaving, 78,777 93

Which sum, with the addition of $2500, the estimated expense of publishing the decisions of the court of appeals, under an act of the last session of the legislature, it is presumed, will be sufficient to cover all the expenditures of government, the ensuing year, unless the legislature make unusual appropriations, or create some new source of expenditure.

Leaving a balance in the Treasury on the tenth of November, 1816, of $128,220.12

There remains of the loan obtained from the Bank of Kentucky, $78,000 yet unpaid. But from the foregoing estimates, I can have no doubt, but a surplusage will be received during the next year, sufficient to pay off the whole of the loan, and leave a considerable balance in the Treasury; provided, the present system of taxation is continued.

E. E. GEORGE MADISON, A. P. A.
A STATEMENT

OF the amount of warrants issued to each department of government, from the tenth day of November, one thousand eight hundred and fourteen, to the tenth day of November, one thousand eight hundred and fifteen; with the payments made by John P. Thomas, treasurer, on warrants issued since the tenth of Nov, 1814, and the balance of warrants remaining unpaid, on the tenth day of November, one thousand eight hundred and fifteen.

To sundry warrants unpaid on the 10th November, 1814.

<table>
<thead>
<tr>
<th>Department</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Judiciary Department</td>
<td>15,862</td>
</tr>
<tr>
<td>Executive Department</td>
<td>8,897</td>
</tr>
<tr>
<td>Executive Offices</td>
<td>1,915</td>
</tr>
<tr>
<td>Assistant Judges</td>
<td>4,708</td>
</tr>
<tr>
<td>Clerks' Services</td>
<td>3,942</td>
</tr>
<tr>
<td>Criminal Prosecutions</td>
<td>5,967</td>
</tr>
<tr>
<td>Military Expenditures</td>
<td>5,934</td>
</tr>
<tr>
<td>Lunatics</td>
<td>3,889</td>
</tr>
<tr>
<td>Circuit Court Jailors</td>
<td>1,448</td>
</tr>
<tr>
<td>Money refunded</td>
<td>2,031</td>
</tr>
<tr>
<td>Purchasers of non-resident lands</td>
<td>11,195</td>
</tr>
<tr>
<td>Drawbacks on vacant lands</td>
<td>1,573</td>
</tr>
<tr>
<td>Shares subscribed in bank stock</td>
<td>32,200</td>
</tr>
<tr>
<td>Public communications</td>
<td>805</td>
</tr>
<tr>
<td>Sheriff's comparing polls</td>
<td>249</td>
</tr>
<tr>
<td>State House</td>
<td>946</td>
</tr>
<tr>
<td>Pensioners</td>
<td>80</td>
</tr>
<tr>
<td>Legislature</td>
<td>20,201</td>
</tr>
<tr>
<td>Sergeant of the court of appeals</td>
<td>663</td>
</tr>
<tr>
<td>Public Printer</td>
<td>1,988</td>
</tr>
<tr>
<td>Miscellaneous claims</td>
<td>27,073</td>
</tr>
<tr>
<td>Negroes Executed</td>
<td>1,175</td>
</tr>
<tr>
<td>Expresses</td>
<td>313</td>
</tr>
</tbody>
</table>

Total: $159,551.62

CONTRA,

By sundry warrants paid by John P. Thomas, treasurer, as per his report.

Balance of Warrants remaining unpaid: $159,210.96

Total: $159,551.62

E. E.

GEORGE MADISON, Aud.
A STATEMENT

Of balances due the Commonwealth of Kentucky, from sheriffs, clerks, and collectors of public revenue, on the tenth day of November, 1815, distinguishing the amount due for each particular year, and total amount.

<table>
<thead>
<tr>
<th>Year</th>
<th>From sheriffs for</th>
<th>D.</th>
<th>C.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1793</td>
<td>52 73</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1794</td>
<td>219 49</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1795</td>
<td>2,556 20</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1796</td>
<td>7,329 23</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1797</td>
<td>101 86</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1798</td>
<td>37</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1799</td>
<td>217 25</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1800</td>
<td>210 37</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1801</td>
<td>233 57</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1802</td>
<td>1,995 85</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1803</td>
<td>42 76</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1804</td>
<td>135 68</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1805</td>
<td>730 85</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1806</td>
<td>517 64</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1807</td>
<td>190 53</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1808</td>
<td>243 10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1809</td>
<td>221 41</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1810</td>
<td>261 28</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1811</td>
<td>460 39</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1812</td>
<td>1,221 81</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1813</td>
<td>125,088 46</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1814</td>
<td>3,175 34</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1815</td>
<td>2,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1,750 96</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>P. Caldwell, clerk to commissioners for granting warrants to settlers on Vacant Land,</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1,929</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total Am't $151,341 38

GEORGE MADISON, AUD. PUB. ACC'T.

On motion,

Ordered, That the sergeant-at-arms procure a small desk, to be constructed to fit the clerk's table, for the more safe and convenient keeping of his books and papers.

Leave was given to bring in the following bills:

On the motion of Mr. Blackburn—A bill to amend the law concerning public roads.—And on the motion of Mr. Hughes—A bill to amend the several acts or parts of acts concerning writs of error.
Messrs. Blackburn, W. S. Hunter, Mills, South and Buckner, were appointed a committee to prepare and bring in the former; and messrs. Hughes, South, Mills and Rowan, the latter.

The following bills were reported from the several committees appointed to prepare and bring in the same.

By Mr. Knight—1st. A bill for the relief of William Kester, senr. By Mr. Mills—2d. A bill further to regulate the general court. By Mr. Harrison—3d. A bill regulating appeals from the justices of the peace in this commonwealth.

By Mr. Buckner—4th. A bill to regulate the town of Greensburg in Green county.

Which bills were severally received and read the first time, and ordered to be read a second time—and thereupon the rule of the house and second reading of the first bill being dispensed with, the same was ordered to be engrossed and read a third time to-morrow.

Mr. South moved for leave to bring in a bill to repeal in part, an act passed February 8th, 1815; respecting the importation of slaves into this state.

And the question being taken upon giving leave to bring in the said bill, it passed in the negative, and so the said leave was rejected.

The yeas and nays being required thereon by Messrs. Blackburn and South, were as follows, to-wit:


Mr. Dollerhide moved for leave to bring in a bill for taking the sense of the good people of this commonwealth, as to the necessity and expediency of calling a convention.

And the question being taken upon giving leave to bring in the said bill, it passed in the negative, and so the said leave was rejected.
The yeas and nays being required thereon by messrs. Dollerhide and South, were as follows, to-wit:


Mr. Robinson moved the following resolution, to-wit:

Resolved, By the House of Representatives of the commonwealth of Kentucky, That it is inexpedient at this time to increase by law, the number of representatives and senators composing the legislature of this state. And that the select committee appointed to draft a bill on the subject of the ratio and representation, be instructed to adhere to this principle in any bill they may report on that subject.

Which being twice read, was committed to a committee of the whole house, on the state of the commonwealth.

Mr. Speaker laid before the house a letter from the keeper of the Penitentiary house, exhibiting the state of that institution, which was taken up and read as follows, to-wit:

Keeper's Office, December 8, 1815.

Sr.—In conformity with an act of the assembly, passed February 7th, 1815, requiring the keeper of the penitentiary to lay before the legislature at their annual meeting, a statement of the situation of the penitentiary institution, I hereby submit a statement of the situation of the institution on the 1st inst.

Amount of articles manufactured in the last year, ending the 1st of this inst. $25,881.48

From which sum deduct for raw materials, 15,208.24

Leaves a balance of $10,673.24
On which amount I am entitled to 10 per cent. $1,065.35
Amount of manufactured articles on hand, $3,877.78
Amount of debts due the institution, 21,912.80
Cash on hand, 1,053.69
Amount of raw materials 3,207.49
Total amount $30,054.27

From which amount deduct for debts due from the institution to individuals, &c., 4,134.63

You will see the total worth of the Institution in debts, manufactured articles, raw materials and money, is twenty-five thousand six hundred and sixteen dollars sixty-five cents.

I have paid into the public treasury in last year $2,000.

I have also paid to the commissioners, for the rebuilding of the State House, in compliance with an appropriation of the last session of the legislature, authorising them to draw from the Penitentiary, the sum of four thousand dollars in articles, $1,742.20.

The victualing of the convicts for the last year, has amounted to $1,103.20.

I should have been able to have manufactured a much larger quantity of articles in the last year, but for the unusual degree of sickness among the convicts; during the summer and fall, at least one third of them were on the sick list; that is, from the middle of June, until the middle of October.—Not one of the convicts, during the summer, escaped a spell of sickness. The charges against the institution have been very large in the last year, in consequence of having had to settle a considerable amount of accounts that came under that head, that were contracted in the year preceding the last; which together with the unhealthiness of the convicts, has lessened the profits of the institution, to a considerable amount for the last year. There were forty-one convicts in confinement, on the first inst.

I have the honor to be
Respectfully, your
Obl't Servant

ANDERSON MILLER.
Keeper Ky., Penitentiary.

The Hon'ble J. J. Crittenden,
Speaker of the House of Representatives.
Ordered, That the said report be referred to the committee who were appointed to examine and report upon the state of that institution.

Mr. M'Affee moved the following resolution, to wit:

Resolved, by the house of representatives, that the auditor of this state, be requested to lay before this house, a statement of the number of free white males above the age of twenty one years within the several counties of this state.

Which being twice read, was concurred in.

An engrossed bill, entitled “an act to authorise the citizens of the town of Lebanon, in Washington county, to appoint trustees in said town, and for other purposes,” was read a third time.

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That Mr. Harrison, carry the said bill to the senate, and request their concurrence.

A bill for the relief of Edmund Talbott, of Henderson county, was read a second time, and committed to a select committee of messrs. M'Mahan, Rowan and Breathitt.

The house then according to the standing order of the day resolved itself into a committee of the whole house on the state of the Commonwealth—Mr. South in the chair; which being resumed by Mr. Speaker, Mr. South reported that the committee had according to order, had under consideration, a bill for the relief of actual settlers, and had gone through the same, with an amendment, which he handed in at the clerk’s table, and which being twice read, was disagreed to.

Ordered, That the said bill be engrossed and read a third time to-morrow.

The house took up a resolution from the senate, appointing a joint committee to examine the State Bank and its branches, which was twice read as follows, to wit:

IN SENATE, December 8, 1815.

Resolved, by the senate and house of representatives of the commonwealth of Kentucky, that five members from the senate and ten from the house of representatives be appointed a committee to examine into the state of the Bank of Kentucky and its branches, pursuant to the charter of the said bank, and make report accordingly.

“Extract &c.

WILLIS A. LEE, Clerk.”

And the following amendments moved thereto, to wit:

Resolved, That said committee enquire of the president and directors, who are instructed to give the necessary informa-
tion, and report to this house, the amount of shares or stock in the bank of Kentucky, held by non-residents.

Resolved, That the said committee further enquire and report to this house, the amount of the greatest sum loaned by the Bank of Kentucky or its branches to an individual at any one time, since said Bank went into operation.

Resolved, Also, that said committee, further enquire and report, the amount of stock subscribed by individuals in the Bank of Kentucky, under the act of 1815.

Ordered, That the said resolution and amendments be laid on the table.

And then the house adjourned.

SATURDAY, DEC. 9, 1815.

The petition of Jeremiah Buckley, representing that he is the owner of a ferry on the Kentucky river, and of the lands on both sides thereof, and praying that he may be permitted to erect a bridge across the river at that place under certain restrictions;

The petition of John Mabry of Christian county, representing the many defects which are to be found in the existing laws, and the necessity of a general revision of the laws of this state, and praying the legislature to take those matters into consideration;

The petition of sundry citizens of Hardin and Breckenridge counties, representing the great disadvantages resulting to individuals, from a claim of Henry Banks and Philip Barbour to 1134.82 1-2 acres of land in said counties, and that the said land has been forfeited to the state for the non-payment of taxes, and praying that those who have settled on said land, may be permitted to purchase the same of the commonwealth at a fair price;

The petition of sundry citizens of Green county, praying that an election precinct may be established in said county within the boundaries therein proposed;

The petition of sundry citizens of Mercer county, praying for the gradual abolition of slavery;

The petition of sundry citizens of the counties of Boone, Pendleton and Gallatin, praying that a new county may be erected out of a part of each.

Were severally received and read: the first was committed to a select committee of messrs. Blackburn, W. S. Hunter, Marshall, George, South and Allan, giving said committee, leave to report thereon, by bill or otherwise;
The third to the committee for courts of justice:
The fourth and sixth to the committee of propositions and grievances: and the second and fifth, were laid on the table until the first day of March next.
The petition of sundry citizens of Bourbon county, praying for the gradual abolition of slavery in this commonwealth, was received, and read.
It was then moved and seconded, to refer the said petition to the proper committee, and the question was put upon referring, both in the affirmative and negative; but before a complete decision of the question was pronounced by Mr. Speaker, Mr. Blackburn, informed the chair, that he wished to make some observations on the subject, before a decision was pronounced; Mr. Speaker declared, that any observations on the subject at that time, would be out of order; from which decision of the chair, Mr. Blackburn appealed to the house, which appeal was immediately withdrawn by him, and renewed by Mr. Chambers. The question was then put, "is the decision of the chair, correct?" upon which it was decided in the affirmative. The question upon referring the petition was then decided in the negative, and so the said petition was rejected.
The Speaker laid before the house, a letter from the treasurer of this state, containing his account of the state of the treasury, from the 10th day of November 1814, until the 10th day of November 1815, which was then taken up and read as follows, to wit:
SIR—This being the sixth day of your session, the law makes it my duty to transmit the within report.

I am, sir, respectfully, your obedient servant,

JOHN P. THOMAS, TR.

Dr. John P. Thomas, treasurer, in account with the state of Kentucky.

1815. To cash in the treasury, the 10th Nov.
Nov. 10. vember, 1814, $31,589 56

do. received from sheriffs, since 10th Novem-
ber, 1814, inclusive,
Clerks of courts, same time,
Green river settlers, do.
Dividends from Banks as interest on stock,
Tax on Bank shares, held by individuals,
Register, for fees of office,
Non-residents,
Tellico land,
Vacant land,
Serjeant of the court of Appeals,
William Trigg,
Jeremiah Stone,
William Morgan,
Hugh White, & co.
J. Dudley,
R. Henndon,
John Chesney,
Spencer Gill,
Secretary of state,
Polley Shields,
George Luce,
Joseph Gray,
Thomas Russell,
James M. Grayham,

$50,887 84
5,525 67
46,794 48
31,678 31
1,500 00
1,107 05
11,921 16
1,255 05
5,326 80
1,558 05
214 00
200 00
128 00
160 00
41 93
36 60
20 00
17 00
16 15
6 52
1 03
37
12
22 00

Total $187,807 67

To cash remaining in the treasury this day, $47,642 39

CONTRA.

1815. By warrants paid from 10th November,
Nov. 10. 1814, to this day inclusive,
For stock at Bank, do.
For lost land,
For military certificates and interest on them
Amount remaining in the treasury this day,

$104,645 74
32,300 00
3,256 13
83 41
47,642 39

Total $187,807 67
Mr. M'Mahan, from the select committee to whom was referred, a bill for the relief of Edmund Talbott of Henderson county, reported the same with an amendment which being twice read, was concurred in, with an amendment.

Ordered, That the said bill as amended, be engrossed, and read a third time on Monday next.

Mr. Rowan, from the committee for courts of justice, reported, as unfinished business of the last session; a bill to amend the law concerning ejections; which was received and read the first time, and ordered to be read a second time.

Mr. Flournoy, from the committee appointed for that purpose, reported a bill for the benefit of William Reddick, former sheriff of Campbell county, which was received and read the first time, and ordered to be read a second time.

The following engrossed bills were severally read a third time, to wit:

- An act for the benefit of actual settlers.
- An act for the relief of the sheriff of Nicholas county.
- An act for the relief William Kester, senior.

The first was committed to a select committee of messrs. Patton, Emerson, Breathitt, Blackburn and W. Thompson.

Resolved, That the second and third bills do pass, and that the titles thereof be as aforesaid.

Ordered, That Mr. Metcalfe, carry the said bills to the senate and request their concurrence.

And then the house adjourned.

MONDAY, DECEMBER 11, 1815.

Mr. John Bates, a member returned to serve in this house, from the county of Clay, appeared, produced a certificate of his election, and of his having taken the necessary oaths and took his seat.

The petition of William M'William Harwood of Breckinridge county, representing, that at the last term of the circuit court of said county, two indictments were preferred against him; that from the influence of the prosecutors to said indictments, he is apprehensive he cannot obtain a fair and impartial trial, and praying a change of venue, to some of the adjacent counties.

And the petition of the executors and executrix of David Johnson deceased, of Lewis county, praying that a law may pass, authorising them to sell a small piece of land, on which their testator resided, during his life-time;
Were severally received, read and referred; the former to a select committee of Messrs. Moorman, Letcher, Yates and P. Thompson, and the latter to a select committee of Messrs. Ward, Mills, Chambers and Hughes, giving said committees leave to report thereon by bills or otherwise.

On motion,

Ordered, That the committee for courts of justice, be discharged from a further consideration of a petition from the Kentucky Abolition Society, praying that the same be incorporated, and that the same be laid on the table, until the first day of March next.

Mr. Patton, from the select committee, to whom was referred an engrossed bill entitled an act for the relief of actual settlers, reported the same with amendments; which being severally twice read, were concurred in, with an amendment, and the said-bill being further amended, was with the amendments, ordered to be laid on the table.

Mr. Speaker, laid before the house, a letter from the auditor of public accounts, in answer to a resolution adopted by this house, requesting him to certify the number of free white males above the age of twenty-one years in this commonwealth, which was then taken up, and read as follows, to wit:

AUDITORS' OFFICE, December 11, 1815.

SIR,

THE failure of a number of clerks of courts in transmitting to this office, the commissioners' books of taxable property for the present year, prevents me from a compliance of my duty, in laying before your house, a statement of the number of free white male inhabitants, above the age of twenty-one years within the several counties. Legal steps have, and will be taken, in every case of delinquency, to procure the books at as early a period as practicable.

I have the honor to be, &c. &c.

GEORGE MADISON, Aud.

The Speaker of the House of Representatives.

On motion,

Ordered, That Mr. Mills be excused from, and Mr. Hughes be added to the joint committee appointed to examine into, and report upon the state of the auditor's office.

Mr. F. Johnson, moved the following resolution, to wit:

Resolved, That a committee be appointed to enquire into the situation of the Transylvania University, and that they report thereon by bill or otherwise:
Which being twice read, was concurred in; and Messrs. F. Johnson, Payne, Marshall, Allan, True, Chambers, Mills, Rowan and Todd, were appointed a committee, conformably thereto.

On motion of Mr. P. Thompson,

Ordered, That leave be given to bring in "a bill to amend an act entitled an act, for the erection of a new county, out of the county of Ohio; and that Messrs. P. Thompson, Moor-man and McMahan, be appointed a committee to prepare and bring in the same.

The following bills were reported from the several committees appointed to prepare and bring in the same.

By Mr. Hubbard, a bill to alter the mode of summoning jurors:

And by Mr. Patton, a bill further to regulate the court of appeals.

Which bills were severally received, and read the first time and ordered to be read a second time.

Ordered, That the public printers strike as soon as may be, one hundred and twenty copies of the latter bill, for the use of the members of this house.

An engrossed bill, entitled "an act for the relief of Edmund Talbott of Henderson county" was read a third time.

Resolved, That the said bill do pass, and that the title thereof, be as aforesaid.

Ordered, That the clock carry the said bill to the senate, and request their concurrence.

The following bills were severally read a second time, to wit:

1, A bill further to regulate the general court:

2, A bill regulating appeals from the judgments of Justices of the peace in this commonwealth:

3, A bill to regulate the town of Greensburgh, in Green county.

4, A bill to amend the law concerning ejectments: And,

5, A bill for the benefit of William Reddick, former sheriff of Campbell county.

The first was committed to a committee of the whole house on the state of the commonwealth; the fourth to a select committee of Messrs. Mills, Knight, Rowan, Chambers and Anderson; the fifth to a select committee of Messrs. Flournoy, Sandford and Rowan; the second was ordered to be laid on the table; and the third was ordered to be engrossed, and read a third time to-morrow.

Mr. Owen, moved the following resolution, to wit:
Resolved, That on each Sunday, during the session of the legislature, the doors of the representative chamber be opened for divine service.

Which being twice read, was concurred in.

A message from the Senate by mr. Simrall:

Mr. Speaker,

The Senate have passed a bill which originated in this house, entitled "an act for the relief of William Kester, senior."

And then he withdrew.

The house then according to the standing order of the day, resolved itself into a committee of the whole house on the state of the commonwealth; Mr. Rowan in the chair—which being resumed by Mr. Speaker, Mr. Rowan reported that the committee had, according to order, had under consideration, "a bill further to regulate the general court," and had made some amendments thereto, but that the committee not having time to go through the same, had instructed him to ask for leave to sit again.

The house took up the resolution from the Senate appointing a joint committee to examine the Bank of Kentucky and its branches, and the amendments thereto, which were laid on the table, on the instant; and which being twice read, and the first resolution offered as an amendment thereto, amended by striking out the word "instructed," and inserting the word "required," and by adding to the third resolution of the amendment, the words "and at what places the subscriptions were made," and by attaching thereto, the following resolution by way of amendment, to wit:

Resolved, That the committee report specially, the amount of capital and dividend of the mother bank and each of her branches separately, and particularly the amount of stock owned by the state,"

Was concurred in.

Ordered, That Mr. Patton inform the Senate thereof, and request their concurrence in the said amendments.

And then the House adjourned.

TUESDAY, December 12, 1815.

The petition of Valentine Peers, Andrew Todd and Wm. Haywood, representing that they have expended a considerable sum, in the erection of suitable buildings for the purpose of carrying on an extensive manufactory in the town of Paris; but from the inadequacy of their own funds are unable
to carry it on to an extent, which their buildings &c. will warrant, and praying an act of incorporation.

And the petition of John A. Markley, representing that he is a nephew of John A. Seitz, deceased, formerly of Lexington, in this state; that at the solicitation and request of the said Seitz, whose intention it was to make him his heir, he came to the United States, but previous to his arrival said Seitz died intestate; that he cannot under the existing laws, claim as his heir at law, (being an alien) and praying legislative relief:

Were severally received, read and referred; the former to a select committee of messrs. Robinson, Mills, Hughes, Allan and W. S. Hunter, giving said committee, leave to report thereon by bill, or otherwise; and the latter to the committee for courts of justice.

Mr. Craig, from the joint committee of enrollments, reported that the committee had examined an enrolled bill, entitled "an act for the relief of William Kester senior," and had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto.

Ordered, That Mr. Craig inform the senate thereof.

Mr. McAfiee from the committee appointed for that purpose made the following report, to wit:

MEMORIAL.

The honorable the Senate and House of Representatives of the United States in Congress Assembled.

The memorial of the Legislature of the state of Kentucky, would respectfully call the attention of Congress, to a subject of considerable importance to many of our citizens, who unfortunately lost their horses during the various campaigns carried on from this state, in the late war with the British & their savage allies; particularly on the north-western frontier, where the losses sustained were peculiarly severe, owing to many circumstances which we will detail, and which at the time, demanded every sacrifice.

The extensive wilderness, bordering upon our north-western frontiers, every part of which was infested by a cruel and savage enemy, made it necessary that large bodies of mounted riflemen should be employed, in order to meet the various attacks of an insidious foe, and to comply with which, the people of the western country never hesitated, or enquired what compensation was to be made them. They relied upon the justice of their country, which they believed would never
be withheld from the soldier, who had risked his life in defence of his country's honor.

The legislature, are aware of the provision made by act of congress for the use and risk of horses lost by mounted men, previous to the declaration of war, and they have no doubt there are some cases which have not as great claims upon the government as others. Yet when the situation of the state of Kentucky is taken into consideration, it will be found that the claims of her citizens to compensation for horses lost during the war, will be found not inferior to any other section of the union. Placed at a considerable distance from the scene of military operations, the calls for men by the government, were generally made at a time when the greatest despatch and energy were required.

In the summer of 1812, the surrender of general Hull—the fall of Detroit, Macinaw and Chicago, and the consequent siege of forts Wayne and Harrison, called aloud for all the patriotism of the state of Kentucky.

The emergency could only be met by mounted men, who in a few days were found filling up the ranks of Generals Harrison and Hopkins; the remaining forts were saved, the frontiers protected, a savage enemy checked in his bloody career, and destruction and retribution carried back into his own country; and the various tribes of hostile Indians, flushed with their recent success, were driven to seek refuge under the cannon of their British friends.

In aid of which important services, the regiment of dragoons under the command of lieutenant colonel Simrall; the volunteer company of captain Smith; and the twelve months volunteers with captain Garrard, contributed their full portion of zeal and patriotism at the battle of Mississinwa in the midst of winter, besides many other important services which lost to them many horses, beside those killed in battle; these are cases which richly deserve the notice of a grateful country.

Early in the year 1813, a regiment of mounted riflemen under the command of colonel Richard M. Johnson, were hurried into service, to relieve Fort Meigs and protect the frontiers of the state of Ohio. This regiment was usefully employed and it is believed fully answered the expectations of their country. Previous to the second investiture of Fort Meigs, they penetrated far into the enemy's country, and by forced marches reached that important post at a critical period, and were employed by the commanding general to procure intelligence of the enemy's movements near Malden, by
which means general Harrison was enabled to carry on his operations in security. These and subsequent marches of unusual celerity, had a tendency to break down and destroy many of the best horses belonging to that corps.

Again, when it was found late in the month of July 1813, that the contemplated force of regular troops could not be collected, and the commanding general of the north-western army was compelled to call upon the governor of Kentucky for an additional militia force.

The lateness of the season, the necessity of the times, the importance of the service required, as well as the critical period which had arrived, in which the hopes of a desponding country were to be realized, or again blasted, all combined to point out to the executive of this state, that mounted men could alone meet the approaching crisis, and render that service so loudly called for by every friend to his country.—

With these views, it is well known that between three and four thousand mounted men, rallied round the standard of their country, which had been unfurled by the venerable Shelby, many of whom had to travel between two and three hundred miles before they reached the point of rendezvous. With these troops, without delaying a single day unnecessarily the governor of Kentucky moved on to the head-quarters of the north-western army, where his arrival was as critical as it was important, and absolutely necessary to meet the views of general Harrison. Forced marches were required and performed; our citizens did not linger on the road, or suffer their spirits to be depressed, for many after losing their horses by fatigue, would keep up with the army on foot to the astonishment as well as pride of their country and fellow soldiers.

We cannot avoid further stating to your honorable body, that in order to take advantage of commodore Perry's success on Lake Erie, and carry the war into the enemy's country, it was necessary to leave the horses of the troops enclosed in the peninsula formed by the Sandusky bay and Portage river, where they subsisted in nature's pasture upwards of one month, which much reduced them, and consequently produced many serious and unavoidable losses on the homeward march, as a sufficiency of forage could not be procured at that place. An important victory was gained, and the most sanguine anticipations of the government realized,—

And will the nation on the return of peace refuse to remunerate our citizens, many of whom are poor, and some of whom have lost their only horse? We trust not! and therefore ear-
nently solicit the attention of Congress to this subject, which though of small moment to the nation at large, yet is important to individuals.

We would also include the cases of horses lost during the fall of 1814, under major P. Dudley, who served with general M'Arthur in upper Canada, who we believe rendered important services to our country in cutting off the supplies of the enemy, and which would have been most severely felt by them in case another campaign had opened in that quarter.

We therefore most seriously request, that the cases of lost horses alluded to in this memorial, be attended to, and that our citizens be fully compensated as far as the justice of their several cases may require: and for the purpose of bringing this subject before Congress, be it

Resolved, By the General Assembly of the commonwealth of Kentucky, that the governor of this state be requested to transmit a copy of the foregoing memorial, to each of our senators and representatives in Congress, with a request that they immediately lay the same before that body, and that they use their best influence to have the same complied with, as soon as the nature of the case will admit.

Mr. Flournoy, from the select committee to whom was referred "a bill for the relief of William Reddick, former sheriff of Campbell county," reported the same with an amendment, which being twice read, was concurred in.

Ordered, That the said bill as amended, be engrossed, and read a third time to-morrow.

The following bills were reported from the several committees appointed to prepare and bring in the same.

By mr. P. Thompson—1, A bill to amend an act entitled "an act for erecting a new county out of the county of Ohio."

By mr. Breathitt—2, A bill further to regulate the payment of the debt due the commonwealth for the sale of vacant lands.

By mr. Blackburn—3, A bill to amend the law authorizing the trial of the right of property by jury.

By mr. Moorman—4, A bill for the benefit of William M'llarwood:

Which bills were severally received and read the first time, and ordered to be read a second time.

And thereupon the rule of the house, and the second reading of the first bill, being dispensed with, the same was ordered to be engrossed and read a third time.
And the rule of the house, and third reading of the said bill being dispensed with, and the same being engrossed,

Resolved, that the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That Mr. P. Thompson carry the said bill to the senate, and request their concurrence.

Ordered, That the public printers strike as soon as may be, 120 copies of the second bill for the use of the members of this house.

Mr. Craig from the joint committee of enrollments, reported that the committee did on this day lay before the governor for his approbation and signature an enrolled bill, which originated in this house, entitled an act for the relief of William Kester, sen.

A message from the governor by Mr. Secretary Hardin:

Mr. Speaker,
The governor did on this day, approve and sign an enrolled bill which originated in this house, entitled "an act for the relief of William Kester, senior."

And then he withdrew.

Ordered, That Mr. Craig inform the senate thereof;

A message from the senate by Mr. Y. Ewing:

Mr. Speaker,
The senate have passed a bill from this house entitled an act to amend an act entitled an act for the erection of a new county out of the county of Ohio, with amendments, in which they request the concurrence of this house.

And then he withdrew.

The house took up an engrossed bill and the amendments thereto, which were laid on the table yesterday; and on the motion of Mr. Patton from the majority on that question, a reconsideration of the vote given on concurring in the second amendment proposed by the select committee to said bill, was had.

And the question being again taken on concurring in the said second amendment, it passed in the negative, and so the said amendment was rejected.

The question was then taken on re-engrossing the said bill, and again reading it a third time, upon which it passed in the affirmative.

The yeas and nays being required thereon by Messrs. Mills and Allan, were as follows, to-wit,

Yeas—Messrs Bates, Buckner, Breathitt, Bell, Blackburn, Crutcher, Craig, Cotton, Coffee, Cosby, Daniel, Dollerhide, Emerson, Eve, Flournoy, Fergus, Forrest, Ford, Goode,


Leave was given to bring in the following bills:

On the motion of Mr. Mills—1st. A bill for the benefit of the heirs and representatives of Robert Johnson, deceased.

On the motion of Mr. Owen—2nd, A bill to exempt houses of public worship, and the lands devoted to that object, on which they stand, from taxation. On the motion of Mr. J. T. Johnson—3d, A bill to extend the April term of the Scott Circuit Court; and on the motion of Mr. W. Thompson—4th, A bill to amend the act entitled an act to reduce into one the several acts, subjecting lands to the payment of debts.

Messrs. Mills, M-Hatton and Allan were appointed a committee to prepare and bring in the first; Messrs. Owen, Rowan and Anderson, the second; Messrs. J. T. Johnson, Blackburn, M-Hatton, Wall and Allan, the third; and Messrs. W. Thompson, Flournoy, Craig, Breathitt and Blackburn, the fourth.

And then the house adjourned.

WEDNESDAY, DECEMBER 13, 1815.

The petition of a number of citizens of Warren county, calling themselves Dunkards, or non-resistants; praying an exemption from militia duty.

The petition of sundry citizens of Jefferson county, praying that an election precinct may be established in said county, within the boundaries therein proposed.

And the petition of sundry citizens of Cynthiana, praying that a law may pass, authorizing the trustees of said town, to cause the main street thereof to be paved:

Were severally received, read & referred; the first and third to the committee of propositions and grievances—and the second to a select committee of Messrs. Anderson, J. Hunter and Logan: giving said committee leave to report thereon by bill or otherwise.
Mr. Rowan from the committee for courts of justice, made the following report, viz:

The committee for courts of justice, have according to order, had under consideration sundry petitions to them referred, and have come to the following resolutions thereupon, to-wit:

1. **Resolved**, That the petition of Samuel Searcy, and the heirs of Charles Searcy deceased, representing the mutual exchange of small pieces of land, between Samuel Searcy and the said Charles Searcy deceased in his lifetime, and the death the said Charles, previous to the completion of the contract, and praying that a law may pass, appointing a commissioner to convey the legal titles to effectuate the contract, is reasonable.

2. **Resolved**, That the petition of sundry citizens of Henderson county, representing the inconveniences to which they are subjected, from being compelled to ride to the seat of government, to pay the installments, due on their head-right claims, and other inconveniences arising from the law on the subject of head-right claims to land, and praying an amendment thereto; and praying that the law on the subject of presentations by grand juries may be amended, and that a compensation may be allowed to grand jurors for their services, be rejected.

3. **Resolved**, That the petition of Wilson Sullivan of Floyd county, representing that he is confined in the jail of said county, on a charge of murder, and that from the prejudices which exist against him, he cannot obtain a fair and impartial trial, and praying a change of venue, to some of the adjacent counties, is reasonable.

4. **Resolved**, That the petition of sundry citizens of the counties of Warren and Butler in behalf of Jenny Liles the widow, and the orphans of William Liles deceased, of Warren county, representing that the said William Liles settled on a piece of vacant land, and shortly afterwards died, leaving his widow and children in considerable pecuniary difficulties, and praying that they may be permitted to survey and carry into grant, one hundred and fifty acres of land on which they are settled including their improvement, without paying the state price therefor, be rejected.

Which being severally twice read, were concurred in.

Ordered, That the said committee prepare and bring in bills pursuant to the first and third resolutions.

Mr. Blackburn moved for leave to bring in "a bill to alter the mode of taking in the lists of taxable property."
And the question being put, it passed in the affirmative.

The yeas and nays being required thereon by messrs. Crutcher, and J. Hunter were as follows, to wit:


Ordered. That messrs. Blackburn, Rowan, Emerson, Anderson, Allan and Crutcher be appointed a committee to prepare and bring in the said bill.

The house took up the memorial and resolution, which was laid on the table on yesterday, relative to compensation for horses lost by the citizens of this state during the late war, while in the service of the United States; and which being twice read and amended by striking out the word 'our' in the third line of the memorial, and inserting the word 'their;' by striking out the word 'honor' in the second line of the second page and inserting 'rights;,' by striking out the word 'lutenant' in the twenty-seventh line of the second page before the word 'Colonel;' by striking out the word 'unfurled' in the third page and nineteenth line, and insert 'erected;' and by striking out the words 'nature's pasture' in the third page and thirty-seventh line, and inserting the words 'the forest,' was concurred in unanimously.

Ordered, That the clerk carry the said memorial to the senate and request their concurrence.

The house took up the amendments proposed by the senate to the bill from this house entitled an act to amend an act entitled an act, for the erection of a new county out of the county of Ohio; and which being severally twice read, were concurred in.

Ordered, That Mr. P. Thompson inform the senate thereof:

The following bills were reported from the several committees appointed to prepare and bring in the same:

By Mr. P. Johnson—1, A bill further to regulate the circuit courts of this commonwealth:
By Mr. Robinson—2, A bill to incorporate the Paris manufacturing company:

By Mr. Anderson—3, A bill for the incorporation of the Farmers' Bank of Kentucky:

By Mr. Anderson—4, A bill to establish an election precinct in Jefferson county: And,

By Mr. J. T. Johnson—5, A bill to extend the April term of the Scott Circuit Court:

Which bills were severally received, and read the first time, and ordered to be read a second time.

Ordered, That the third reading of an engrossed bill, entitled "an act to regulate the town of Greensburg in Green county," and of "an act for the benefit of William Reddick, former Sheriff of Campbell county," be dispensed with.

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the clerk carry the said bills to the senate, and request their concurrence.

An engrossed bill, entitled "an act for the benefit of actual settlers," was read a third time, and the following engrossed clause added thereto, by way of ryder, to wit:

Be it further enacted, That nothing in the tenth section of the above recited act, to which this is an amendment, shall be construed, as to give a preference to any claim held by any person or persons, under the laws of this state, covering the residence of the actual settler, whose settlement with some proportion of land around it has been protected by any former law of this state.

Resolved, That the said bill with the ryder do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk carry the said bill to the senate and request their concurrence.

Ordered, That the second reading of bills of the following titles, to wit:

1. A bill to change the mode of summoning jurors:
2. A bill further to regulate the court of appeals:
3. A bill further to regulate the payment of the debt due the commonwealth for the sale of vacant lands:
4. A bill to amend the law authorizing the trial of the right of property by jury: And,
5. A bill for the benefit of William M'William Harwood, be dispensed with; that the first, second, third and fourth bills be committed to a committee of the whole house on the state of the commonwealth—the second for Friday next—and that the fifth be engrossed and read a third time to-morrow.
On motion,

Ordered, That the serjeant-at-arms procure a competent number of sand-boxes for the representatives chamber.

And then the house adjourned.

THURSDAY, DECEMBER 14, 1815.

The petition of sundry citizens of Barren county, praying that a part of said country may be stricken off, and added to the county of Green.

The petition of sundry citizens of the county of Fayette, and town of Lexington, praying the establishment of an independent bank in said town, with a capital of one million of dollars.

The petition of Abner Field, representing that he was appointed executor of the last will and testament of Christopher McCullough deceased; and that by said will, he is directed to sell a tract of land in Jefferson county and put the proceeds thereof out at interest for the benefit of his widow and children; that his widow is deranged, and consequently incapable of giving her assent to a sale of said land, and praying that a law may pass, to effectuate said will.

The petition of sundry citizens of Henderson county, praying that a law may pass to compel the keepers of private entertainments to obtain licences, and pay a tax therefor.

The petition of Spencer Atkins, a Justice of the peace of Floyd county, representing that in the year 1809 he was commissioned a justice of the peace for said county, and qualified to the same; that the certificate of his qualification has been either lost or mislaid; and praying that a law may pass legalizing his acts while acting as a justice of the peace, exempting him from any penalties, to which he may be liable for acting in that character, and restoring to him his right of seniority which he has lost.

And the petition of the Louisville library company, praying that the said company may be incorporated.

Were severally received and read: the first was laid on the table; the second was referred to a select committee of messrs. Payne, Blackburn, Allan, Todd and True; the sixth to a select committee of messrs. Anderson, J. Hunter and Knight, giving said committees leave to report thereon by bill or otherwise. The third and fifth were committed to the committee of courts of justice; and the question being taken on referring the fourth petition to the proper committee, it passed in the negative, and so the said petition was rejected.
A message from the senate by Mr. Lee, their secretary:

Mr. Speaker,

The senate have passed bills from this house of the following titles: "An act to regulate the Town of Greensburg, in Green county"—and "an act for the relief of the sheriff of Nicholas county," with an amendment to the latter. And they have passed a bill of the following titles: "An act to amend the several acts authorizing the change of venue in civil cases," "an act to extend the time for returning plats and certificates into the Register's office, and for surveying certain lands in this commonwealth;" and "an act for the relief of the surveyor of Montgomery county"—in which amendments and bills they request the concurrence of this house.

And then he withdrew.

Mr. Craig, from the committee of enrollments, reported that the committee had examined an enrolled bill entitled "an act to amend an act entitled an act for the erection of a new county out of the county of Ohio," and had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto.

Ordered, That Mr. Craig inform the senate thereof.

A message from the senate by Mr. Y. Ewing:

Mr. Speaker,

The senate have passed a bill from this house entitled "an act for the relief of Edmund Talbot of Henderson county," with amendments, in which they request the concurrence of this house.

And then he withdrew.

Mr. Flournoy from the joint committee of enrollments, reported that the committee did on this day, lay before the governor for his approbation and signature an enrolled bill entitled an act to amend an act entitled an act for the erection of a new county out of the county of Ohio.

Mr. Anderson moved for leave to bring in a bill to amend and explain an act entitled an act to compel the speedy adjustment of land claims:

And the question being taken on giving leave to bring in the said bill, it passed in the negative.

The yeas and nays being required thereon by messrs. Robinson and Hart, were as follows, to wit:


The following bills were reported from the several committees appointed to prepare and bring in the same.

By mr. Kerley-1, A bill to amend the law concerning the turnpike and wilderness road:

By mr. Owen-2, A bill exempting from taxation houses of public worship and the ground on which they are erected:

And by mr. Buckner-3, A bill prescribing the mode of changing the venue in criminal cases:

Which bills were severally received, and read the first time, and ordered to be read a second time.

The house took up the amendments proposed by the senate to the bill from this house, entitled an act for the relief of the sheriff of Nicholas county; which being severally twice read, were concurred in.

Ordered, That mr. F. Johnson inform the senate thereof.

The house took up the amendments proposed by the senate to the bill from this house, entitled "an act for the relief of Edmund Talbott of Henderson county," and which being severally twice read,

Ordered, That the said amendments be referred to a select committee of messrs. M'Mahan, Patton and Rowan.

An engrossed bill entitled an act for the benefit of William M'William Harwood, was read a third time:

Ordered, That the said bill be laid on the table.

A message from the senate by Mr. Lee, their secretary:

Mr. Speaker,

The senate have passed bills from this house of the following titles: "an act to authorize the citizens of the town of Lebanon in Washington county to appoint trustees in said town and for other purposes"—and "an act for the benefit of actual settlers" with amendments to the latter; in which they request the concurrence of this house.

And then he withdrew.

The following bills were severally read a second time, to wit:

1, A bill further to regulate the circuit courts of this commonwealth:
2, A bill to incorporate the Paris Manufacturing Company: And,

3. A bill to extend the April term of the Scott circuit court:
The first and second were committed to a committee of the
whole house on the state of the commonwealth; the first for
Tuesday next; and the third to a select committee of messrs.
J. T. Johnson, Flournoy, Allan, Sanford and McClandahan.

Ordered, That the second reading of "a bill for the incor-
poration of the Farmers' Bank of Kentucky," and of a bill to
establish an election precinct in Jefferson county, be dispens-
ced with; that the former be committed to a committee of the
whole house on the state of the commonwealth; and that the
latter be engrossed and read a third time to morrow.

Ordered, That the public printers strike as soon as may be,
one hundred and twenty copies of the former bill for the use
of the members of this house.

Bills from the senate of the of the following titles:
1. An act to amend the several acts authorising the change
of venue in civil cases.

2. An act to extend the time for returning plats and cer-
tificates into the register's office and for surveying certain lands
in this commonwealth: 

3. An act for the relief of the surveyor of Montgomery
county:

Were severally read the first time, and ordered to be read
a second time; and thereupon the rule of the house and se-
cond reading of the latter bill being dispensed with, (and
the same being amended) was with the amendments, ordered
to be read a third time; and the rule of the house, and third
reading of the said bill as amended, being dispensed with;

Resolved, That the said bill as amended, do pass and that
the title thereof be amended to read, "an act authorising the
surveyor of Bath county to execute surveys in Montgomery
county."

Ordered, That mr. Daniel inform the senate thereof, and
request their concurrence in the said amendments.

The house took up the amendments proposed by the senate
to the bill from this house, entitled "an act for the benefit of
actual settlers," which being severally twice read, were concurred
in.

Ordered, That mr. Emerson inform the senate thereof.

Mr. McMahon from the select committee to whom was re-
ferred the amendments proposed by the senate to the bill from
this house, entitled "an act for the relief of Edmund Talbott
of Henderson county," reported the same without amend-
and the said amendments being again severally twice read were concurred in.

Ordered, That Mr. McMahan inform the senate thereof.

Mr. Patton read and laid on the table the following resolution, to wit:

Whereas there is a considerable tract of country, lying between the Cumberland and Mississippi rivers and the Tennessee state line, and within the limits of Kentucky, to which the Indian title has not yet been extinguished, and which would be greatly conducive to the general interests of said state if it belonged to her—Therefore.

Resolved, By the General Assembly of the commonwealth of Kentucky, that our senators and representatives in Congress, be requested to use their utmost exertions to have extinguished the said title as speedily as practicable.

Resolved, That the governor of this state be requested to transmit a copy of the foregoing resolution to each of our senators and representatives in congress.

And then the house adjourned.

FRIDAY, DECEMBER 15, 1815.

The petition of sundry citizens of Nicholas county, praying that a law may pass, authorizing a poll to be opened for the purpose of taking the sense of the people of said county, relative to the permanent situation of their seat of justice.

The petition of sundry inhabitants of the counties of Knox and Pulaski counties, praying that a portion of the money received at the turnpike gate near Cumberland Ford, may be appropriated to opening and repairing a road from col. Arthur's on the main state road, passing Barbourville, the mouth of Laurel, Saltburg, the mouth of Rockcastle and thence to Somerset in Pulaski county:

The petition of the citizens of Washington in Mason county, representing that doubts exist as to the power vested in the Trustees of said town, relative to paving the foot-ways in said town, or whether they have power to make regulations relative to the establishment of a fire company, and praying that a law may pass, to explain the laws on those subjects:

And the petition of sundry citizens of Franklin county, praying that an election precinct may be established in said county, within the boundaries therein proposed:

Were severally received, read and referred: the first to the committee of propositions and grievances; the second to a select committee of messrs. Eve, Kerley, South, Letcher and
Bates: the third to a select committee of messrs. Chambers, Clarke and R. Smith: and the fourth to a select committee of messrs. Marshall, Todd and Blackburn, giving said committees, leave to report thereon by bills or otherwise.

Mr. Blackburn from the committee of propositions and grievances made the following report, to wit:

The committee of propositions and grievances, have according to order, had under their consideration sundry petitions to them referred, and have come to the following resolutions thereupon, to wit:

Resolved, That the petition of sundry citizens of Warren county, praying to be exempted from militia duty, be rejected.

Resolved, That the petition of sundry citizens of the town of Cynthiana in Harrison county, praying that the trustees of said town may be vested with power to cause a part of the main street in said town to be paved, is reasonable.

Which being twice read, were concurred in.

Ordered, That said committee prepare and bring in a bill pursuant to the second resolution.

Ordered, That the third reading of an engrossed bill entitled an act to establish an election precinct in Jefferson county be dispensed with:

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That Mr. Anderson carry the said bill to the senate and request their concurrence.

A message from the governor by Mr. Secretary Hardin:

Mr. Speaker,

The governor did on yesterday approve and sign an enrolled bill, which originated in this house entitled "an act to amend an act entitled an act erecting a new county out of the county of Ohio."

And then he withdrew.

Ordered, That Mr. Craig inform the senate thereof.

Ordered, That the second reading of a bill from the senate, entitled "an act to amend the several acts authorising the change of venue in civil cases," and of a bill entitled "an act to extend the time for returning plats and certificates into the register's office, and for surveying certain lands in this commonwealth" be dispensed with; that the former be committed to a select committee of messrs. Blackburn, Yantis, Craig, Mills and J. T. Johnson; and the latter to a select committee of messrs. Breathitt, Mills, Letcher and Given.

Ordered, That the second reading of "a bill to amend the law concerning the turnpike and wilderness road," and of "a
bill prescribing the mode of changing the venue in criminal cases? he dispensed with: and that the former be referred to the committee to whom was referred the petition of the citizens of Knox and Pulaski counties on that subject: and the latter to a committee of the whole house on the state of the commonwealth for the 20th instant.

A bill exempting from taxation houses of public worship, and the ground on which they are erected, was read the second time, and committed to a select committee of messrs. Blackburn, Owen, McAffee, Yantis and Chambers.

Mr. Craig from the joint committee of enrollments, reported that the committee had examined enrolled bills of the following titles:

An act to authorize the citizens of the town of Lebanon, in Washington county, to appoint trustees in said town, and for other purposes.

An act for the benefit of actual settlers.

An act for the relief of the sheriffs of Nicholas and Warren counties.

An act for the relief of Edmund Talbott of Henderson county.

And an act to regulate the town of Greensburg in Green county; and had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto.

Ordered, That Mr. Craig inform the Senate thereof.

The house then according to the standing order of the day, resolved itself into a committee of the whole house on the state of the commonwealth: Mr. Yantis in the chair—which being resumed by Mr. Speaker, Mr. Yantis reported, that the committee had according to order had under consideration, "a bill further to regulate the general court," and had gone through the same with amendments, which he handed in at the clerk's table; the first of which being twice read, was concurred in:

The question was then put, upon concurring in the second amendment, (which proposes giving to the judge of said court, as a salary, the sum of fifteen hundred dollars per annum) upon which it passed in the affirmative.

The yeas and nays being required thereon by messrs. Emerson, and South were as follows, to wit:


Nays—Messrs. Bell, Coffey, Dollerhide, Emerson, Furgus, Hornbeck, Harrison, Jameson, Kerley, Moorman, McGuire, Reeves, Ray, Stratton, South and Williams—16.

The said bill as amended, was then ordered to be engrossed and read a third time to-morrow.

Mr. Yantis further reported that the committee had also had under consideration "a bill to amend the law authorising the trial of the right of property by jury," and had gone through the same with sundry amendments, which he also handed in at the clerk's table, and which being severally twice read, were concurred in:

And the question being taken on engrossing the said bill as amended and reading it a third time, it passed in the negative, and so the said bill was rejected.

And then the house adjourned.

SATURDAY, DECEMBER 16, 1815.

The petition of Henry Speed, representing that there is a suit depending in the court of appeals, wherein he is a party, and that an adjudication of his case cannot be had, owing to the interest of one of the judges, and one of the others being originally employed as counsel against him; and that there are several other cases similarly situated, and praying that a law may pass, establishing some tribunal to adjudicate on such cases:

Was received, read and referred to the committee for courts of justice.

The House took up a bill regulating appeals from the judgment of justices of the peace in this commonwealth.

The said bill being then amended at the clerk's table, and the following amendment moved thereto as an additional section, to wit:

*And be it further enacted, That so much of any law as allows justices of the peace, fees for their services in any case of controversy for sums under five pounds shall be and the same are hereby repealed.*

The said amendment was then amended by inserting after the word "services" in the second line thereof, these words: "in issuing warrants, superses, giving judgments and issu-
ing executions," and by expunging from said amendment the
words in italics:

The question was then taken on concurring in the said
amendment as amended, upon which it passed in the negative.

The yeas and nays being required thereon by messrs. South
and Rowan, were as follows, to wit:

Yea—Messrs. Allan, Buckner, Caldwell, Clarke, Coffey,
Dollard, Emerson, Hart, Harrison, Jameson, J. Johnson,
Kerley, Letcher, Mills, Metcalfe, Owings, Patton, South,
Todd and Williams—20.

Nays—Messrs. Anderson, Bates, Breathitt, Bell, Blackburn,
Crutcher, Craig, Chambers, Cotton, Cosby, Daniel,
Eve, Flournoy, Forrest, Ford, Given, Hornbeck, J. Hunter,
Hubbard, W. S. Hunter, J. T. Johnson, Knight, Logan,
Moorman, McGuire, McClannah, Marshall, McMahen,
McAfee, Owen, Payne, Robinson, Reeves, Ray, Rowan, R.
Smith Stratton, Stockton, Shackleft, J. B. Smith, Sandford,
W. Thompson, True, P. Thompson, Ward, Wier, Wall,
Wade, Yantis and Yates—51.

The said amendment being further amended:

The question was taken on engrossing the said bill as
amended and reading it a third time; upon which it passed
in the negative, and so the said bill was rejected.

Leave was given to bring in the following bills:

On the motion of mrs. Metcalfe—1, A bill for the benefit
of the clerk of the Nicholas circuit court:

On the motion of mrs. Patton—2, A bill further regulating
proceedings of justices and constables:

On the motion of mrs. Yates—3, A bill appointing trustees
for the Grayson seminary: And,

On the motion of mrs. Ward—4, A bill to amend the sev-
eral acts relative to writs of ad quod damnum.

Messrs. Metcalfe, Ray and Mills were appointed a com-
mittee to prepare and bring in the first: messrs. Patton, Breath-
itt, McAfee, Allan and Anderson the second: messrs. Yates,
P. Thompson, Chambers and Crutcher the third: and mersas
Ward, Flournoy and Blackburn the fourth.

The following bills were reported from the several com-
mittees appointed to prepare and bring in the same:

By mrs. Rowan from the committee for courts of justice:
A bill for the relief of Samuel Searcy and the heirs of
Charles Searcy, deceased: And,

By mrs. Ward, a bill for the relief of the representatives
of David Johnson, deceased.
Which bills were severally received, and read the first time, and ordered to be read a second time.

Mr. Blackburn, from the select committee to whom was referred "a bill exempting from taxation houses of public worship and the ground on which they are erected;" reported the same with an amendment, which being twice read:

Ordered, That the said bill and amendment, be laid on the table.

A message from the senate by Mr. Lee their secretary:

Mr. Speaker,

The senate have passed a bill from this house, entitled an act for the relief of William Reddick, former sheriff of Campbell county; they concur in the amendments proposed by this house to the bill from that, entitled "an act for the relief of the surveyor of Montgomery county;" they have adopted a memorial from this house to Congress, relative to compensation for horses lost by the citizens of this state during the late war, while in the service of the United States. They concur in the amendments proposed by this house to the resolution from that, for appointing a joint committee to examine the state bank and its branches, with amendments to the three latter; and they have passed a bill entitled, an act for the relief of Joshua Cates and the trustees of the Harrison seminary; in which amendments and bill they request the concurrence of this house.

And then he withdrew.

Ordered, That an engrossed bill entitled an act further to regulate the general court, be laid on the table.

The house took up the amendments proposed by the senate upon concurring in those proposed by this house, to the bill from that, entitled an act for the relief of the sheriff of Montgomery county; which being severally twice read, were concurred in.

Ordered, That the clerk inform the senate thereof.

The house took up the amendments proposed by the senate upon concurring in those proposed by this house, to the resolution from that for appointing a joint committee to examine the state bank and its branches, which being severally twice read, as follows, to wit:

1. Second amendment line 5th after the word "individual," insert "or individuals." To the second amendment proposed by this house, add the following words, "and how many loans may have been made, and the time when they were made, over the amount of $20,000, except such as may have been made to the quarter master, or contractors of the army."
The first was concurred in, and the second disagreed to.

Ordered, that the clerk inform the senate thereof.

The house took up the amendments proposed by the senate, to the memorial from this house to congress, relative to compensation, for horses lost by the citizens of this state, during the late war, which being twice read as follows, viz:

Page 5, line 32, insert, "Nor can her citizens have a less claim on the justice of their country to remunerate them for lost property, who during an inclement season and through a country peopled by savage enemies only, encountered every danger and difficulty in the wagon department, transporting provisions, forage and camp equipage, for the army and garrisons of the north west; many of whom were induced to embark in that dangerous employ, more from a desire to serve their country than from the prospect of gain. Nor was the services rendered their country by the detachment of Kentucky troops under the command of Col. William Russell, on the Wabash river, less meritorious, or the losses sustained by them less just to remunerate:"

Was concurred in.

Ordered, That the clerk inform the senate thereof.

And then the house adjourned.

MONDAY, DECEMBER 18, 1815.

Mr. Henry Rennick, a member returned to serve in this house from the county of Barren, appeared, produced a certificate of his election, and of his having taken the necessary oaths, and took his seat.

The petition of sundry citizens of Danville, praying that a law may pass authorizing a Lottery for the purpose of paying the main street in said town.

The petition of James Williams of Wayne county, praying that a grant may issue to him for 156 acres of land, on which he is settled, and the state price therefor be remitted, it being represented that he is poor and his family in a distressed situation.

And the petition of sundry citizens of Henry county, counter to those presented at a former day of the session, praying that a new county may be erected out of a part of the counties of Henry and Gallatin:

Were severally received, read and referred: the first to a select committee of messrs. McAfee, Ray, and Letcher; the second to the committee for courts of justice, and the third to the committee of propositions and grievances.
On the motion of Mr. Harrison:

Ordered, That leave be given to bring in a bill to prevent swindling by the way of Lotteries in this commonwealth: and that messrs. Harrison, Patton, McAfee, Kerley, Craig, Anderson and Owings be appointed a committee to prepare and bring in the same.

The house took up the bills and amendments thereto, exempting from taxation houses of public worship and the ground on which they are erected, which were laid on the table on the 16th instant; and said amendments being twice read, were disagreed to:

The said bill being then amended at the clerk’s table, was with the amendments ordered to be engrossed and read a third time to-morrow.

A bill for the relief of Samuel Searcy and the heirs of Charles Searcy, deceased:

A bill for the relief of the representatives of David Johnson, deceased: were severally read a second time, and ordered to be engrossed and read a third time to-morrow.

A bill from the senate entitled “an act for the benefit of Joshua Gates and the trustees of the Harrison seminary,” was read the first time and ordered to be read a second time.

Mr. Brehmiff from the select committee to whom was referred a bill from the senate, entitled an act to extend the time for returning plats and certificates into the register’s office, and for surveying certain lands in this commonwealth, reported the same with an amendment, which being twice read, was concurred in.

Ordered, That the said bill as amended, be read a third time to-morrow.

The house then according to the standing order of the day, resolved itself into a committee of the whole house on the state of the commonwealth: Mr. Robinson in the chair—which being resumed by Mr. Speaker, Mr. Robinson reported, that the committee had according to order, had under consideration, “a bill further to regulate the payment of the debt due the commonwealth for the sale of vacant lands,” and a bill to incorporate the Paris manufacturing company, and gone through the same with amendments to each, which he handed in at the clerk’s table.

The amendments proposed by the committee to the former bill, were then taken up (and the reading thereof being dispensed with) concurred in.

It was then moved and seconded further to amend the said bill by striking out the fourth section thereof which is as follows, to wit:
§ 4. Be it further enacted, That every person who may obtain a certificate under the provisions of this act, as well as those who have heretofore obtained certificates under the provisions of the act passed the 1st February 1813, 21st January 1814, and second of January 1815, further to regulate the payment of the debt due the commonwealth for the sale of vacant land, who shall pay into the public treasury by the first day of January 1817, the whole amount of the state price, or the balance in case of a partial payment already made, shall be entitled to a discount of all the interest due, or to become due thereon.

And the question being taken thereon, it passed in the negative.

The yeas and nays being required thereon by messrs. Blackburn, and Breathitt, were as follows, to wit:


And then the house adjourned.

TUESDAY, DECEMBER 19, 1815.

The petition of sundry citizens of Mercer county, praying that the laws on the subject of public roads, and the duties of the surveyors thereof, may be amended.

And the petition of the Russellville lodge of Free Masons, praying that a law may pass authorising a lottery for the purpose of building a Masonic hall in said town—

Were severally received, read and referred: the former to the select committee who were appointed to prepare and bring in a bill on those subjects; and the latter to a select committee of messrs. Breathitt, Rowan, Allan and F. Johnson, giving said committee leave to report thereon by bill or otherwise.

Ordered, That Mr. McAfee be added to the former committee.
Mr. Blackburn from the committee of propositions and grievances made the following report, to wit:

The committee of propositions and grievances have according to order had under consideration petitions to them referred, and have come to the following resolutions thereupon, to wit:

Resolved, That the petition of sundry citizens of the counties of Henry and Gallatin, praying that a new county may be erected out of a part of each, be rejected.

Resolved, That the petition of sundry citizens of the counties of Gallatin, Boone and Pendleton praying that a new county may be erected out of a part of each, be rejected.

Which being severally twice read, were concurred in.

Mr. Kerley from the select committee to whom was referred "a bill to amend the law concerning the turnpike, and wilderness road," reported the same without amendment.

Ordered, That the said bill be engrossed and read a third time to-morrow.

Leave was given to bring in the following bills:

By the motion of Mr. Eve—A bill to amend the law authorizing the appropriation of the lands acquired by the treaty of Tellico: And,

By Mr. Cosby—A bill for the benefit of the heirs of the late clerk of the Washington circuit and county courts and for other purposes.

Messrs. Eve, Marshall, Letcher, Cosby and Kerley, were appointed a committee to prepare and bring in the former, and messrs. Cosby, Harrison and Rowan the latter.

The following bills were reported from the several committees appointed to prepare and bring in the same:

By Mr. Metcalfe—1, A bill for the benefit of the clerk of the Nicholas circuit court:

By Mr. M'Afee—2, A bill authorising a lottery for the purpose of raising money to pave the main street of the town of Danville: And,

By Mr. Ward—3, A bill to amend the several acts relative to writs of ad quod damnum:

Which bills were severally received, and read the first time, and ordered to be read a second time.

Mr. M'Hattton from the joint committee appointed to examine into and report upon the state of the Treasurer's Office, made the following report, viz.
Dr. John P. Thomas, treasurer, in account with the state of Kentucky.

1815. To cash in the treasury, the 10th November, 1814, $31,589.56
  do. received from sheriffs, from 10th November, 1814, to this date, 50,687.34
  Clerks of courts, same time, 5,525.07
  Green river settlers, do. 46,794.48
  State's Dividend on Bank stock, 31,678.31
  Tax on Bank shares, held by individuals, 1,500.00
  Register, for fees of office, 1,107.05
  Non-residents, 11,921.16
  Tellico land, 1,235.05
  Vacant land, 3,326.80
  Sergeant of the court of Appeals, 1,558.05
  William Trigg, 214.00
  Jeremiah Stone, 200.00
  William Morgan, 138.00
  Hugh White, & co. 160.00
  J. Dudley, 41.92
  R. Herndon, 36.60
  John Chesney, 20.00
  Spencer Gill, 17.00
  Secretary of state, 16.15
  Polley Shields, 6.52
  George Luce, 102.00
  Joseph Gray, 3.74
  Thomas Russell, 12.00
  James M. Grayham, 92.00

Nov. 10, 1815, Total $187,807.67
To cash remaining in the treasury this day, $47,642.39

CONTRA.

1815. By warrants paid from 10th November, $187,807.67
  Nov. 10, 1814, to this day inclusive, $104,645.74
  For Bank stock, do. 52,200.00
  For lost land, 3,235.13
  For militia certificates and interest on them, 83.41
  Amount remaining in the treasury this day, 47,642.39

  Total $187,807.67
The joint committee of the senate and house of representatives have examined the Treasurer's Office, and compared the vouchers with their entries, and find them correctly entered. A statement herewith reported, is the result of our examination.

From the Senate.
EDMUND BULLOCK,
JOHN FAULKNER.

From the House of Representatives.
BENJ. H. REEVES,
THOMAS WARD,
R. M. JUDD,
ROBERT E. YATES.

Ordered, That a bill further to regulate the payment of the debt due the commonwealth for the sale of vacant lands, be engrossed, and read a third time to-morrow.
The orders of the day being dispensed with.
The house then, according to the standing order of the day, resolved itself into a committee of the whole house on the state of the commonwealth, Mr. Anderson in the chair—which being resumed by Mr. Speaker—Mr. Anderson reported that the committee had according to order, had under consideration "a bill further to regulate the court of appeals," and had made some amendments thereto, but that the committee not having time to go through the same, had instructed him to ask leave to sit again.
And then the house adjourned.

WEDNESDAY, DECEMBER 20, 1815.
The petition of sundry citizens of the counties of Barren and Cumberland, praying that a new county, may be erected out of a part of each: said a petition counter thereto:
The petition of Elizabeth Pritchard and several citizens of Knox county on her behalf, representing that her deceased husband, Thomas Pritchard, died seized and possessed of a tract of land lying in said county, leaving a wife and several children in indigent circumstances, and praying that a law may pass authorizing a grant to issue to her and the children of her said deceased husband for said land, and the balance of the state price due thereon, be remitted.
And the petition of sundry citizens of Barren county, on behalf of Peter Huffman, representing that said Huffman pur-
chased a tract of land in said county, on which part of the state price has been paid: that the said Huffman is a cripple and unable to pay up the balance of the state price, and praying that a law may pass authorizing a grant to issue to him for said land, and a remission of the balance of the state price due thereon:

Weren severally received, read and referred; the first and second to the committee of propositions and grievances; the third to a select committee of messrs. Eve, Bates and Given, giving said committee leave to report thereon, by bill or otherwise; and the fourth to the committee for courts of justice.

Mr. Craig from the joint committee of enrolments, reported, that the committee did on the 18th instant, deposit in the office of the secretary of state, for the approbation and signature of the governor, enrolled bills of the following titles:

A bill for the benefit of actual settlers.

A bill for the relief of the sheriffs of Nicholas and Warren counties.

An act for the relief of Edmund Talbott of Henderson county.

An act to regulate the town of Greensburg in Green county.

An act to authorize the citizens of the town of Lebanon, in Washington county, to appoint trustees in said town, and for other purposes.

And that the committee had examined an enrolled bill entitled "an act for the relief of William Reddick former sheriff of Campbell county," and "a memorial to congress relative to compensation for horses lost by the citizens of this state during the late war, while in the service of the United States," and had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto.

Ordered, That Mr. Craig inform the senate thereof;

Mr. Mills read and laid on the table the following resolution, to wit:

Resolved, By the general assembly of the commonwealth of Kentucky, that they will adjourn on Saturday the 23d instant, until Monday the first day of January next.

Mr. Blackburn from the committee of propositions and grievances made the following report, to wit:

The committee of propositions and grievances having according to order, had under consideration the petition of the citizens of Nicholas county, praying that a law may pass authorising them to vote for a place for the removal of their seat of justice from Ellisville, and have come to the following resolution thereupon, to wit:
Resolved, As the opinion of this committee, that said petition is reasonable.

Which being twice read, was concurred in.

Ordered, That the said committee prepare and bring in a bill pursuant to the said resolution.

Leave was given to bring in the following bills:

On the motion of Mr. Harrison — A bill for the benefit of the manufacturers of salt in this commonwealth; And,

On the motion of Mr. Wier — A bill to legalize the proceedings of the county court of Hopkins at their February and April terms; messrs. Harrison, Logan, Bates, Letcher, and Kerley, were appointed a committee to prepare and bring in the former; and messrs. Wier, Patton and Allen the latter.

The following bills were reported from the several committees appointed to prepare and bring in the same.

By Mr. Blackburn — A bill to alter the mode of taking in the lists of taxable property; And,

By Mr. Cosby — A bill for the benefit of the heirs of the late clerk of the circuit and county courts of Washington, and for other purposes.

Which bills were severally received, and read the first time, and ordered to be read a second time.

A message from the Senate by Mr. Lee, their secretary:

Mr. Speaker,

The Senate recess from their second amendment to those proposed by this house to a resolution from that, for appointing a joint committee to examine the state bank and its branches, and they have appointed a committee on their part, and request a similar appointment on the part of this house.

They have passed a bill from this house, entitled an act to establish an election precinct in Jefferson county.

They have passed bills of the following titles:

An act for the relief of Ann Killam;

An act for the relief of certain clerks in this commonwealth;

And they have adopted the following resolution.

Resolved, By the Senate and House of Representatives, that a joint committee be appointed to consist of two from the Senate, and four from the House of Representatives, to confer with the commissioners appointed to superintend the building of the state house; and receive from them such information as they can give respecting said building, as to the state of the funds, the probable time in which it can be completed, with the probable cost of completing it; and such other information and opinions as the commissioners may communi-
cate, and make report to each house, with their opinion thereon."

Extract, &c.  

WILLIS LEE, C. S.

In which bills and resolution they request the concurrence of this house.

And then he withdrew.

The orders of the day being dispensed with for that purpose:

The house then according to the standing order of the day, resolved itself into a committee of the whole house on the state of the commonwealth; Mr. Robinson in the chair—which, being resumed by Mr. Speaker. Mr. Robinson reported that the committee had according to order had under consideration, "a bill further to regulate the court of appeals," and "a bill further to regulate the circuit courts of this commonwealth," and had gone through the same with amendments to the former, which he handed in at the clerk's table and which being severally twice read, the first, third, fourth, sixth, seventh, eighth, ninth, tenth, eleventh and twelfth were concurred in, and the second and fifth disagreed to.

It was then moved and seconded further to amend the second bill, by striking out the word four in the second line of the first section (being the number of judicial districts contemplated by the bill) and to insert in lieu thereof the word five; a division of the question was called for, and the question put upon striking out; upon which it passed in the negative.

The yeas and nays being required thereon by messrs. Mills and South, were as follows, to wit:


The house being equally divided, Mr. Speaker voted in the negative.

The said bill being further amended:

The house then adjourned.
The petition of Joseph Ward, senior and Joseph Ward, junior, administrators of William Ward deceased, representing that their intestate died seized and possessed of the equitable title to a tract of land in Harrison county, for which suit is depending; that his personal estate is insufficient to pay his debts, and praying that a law may pass authorizing a sale of said land for that purpose:

Was received, read, and referred to a select committee of messrs. Wall, Todd, Chambers and Ward, giving said committee leave to report thereon by bill or otherwise.

The speaker laid before the house, a memorial from William Hunter proposing a sale to the commonwealth of the remaining settle (consisting of about 250) of Littell’s edition of the laws of Kentucky.

Which was taken up and read:

Ordered, That the said memorial be referred to a select committee of messrs. Blackburn, Mills, Wall, Todd and Chambers, giving said committee leave to report thereupon by resolution or otherwise.

Mr. Buckner from the joint committee of enrollments reported that the committee had examined an enrolled bill entitled “an act prescribing certain duties to the surveyors of Bath and Warren counties,” and had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto:

Ordered, That Mr. Buckner inform the senate thereof:

The house took up a resolution which was laid on the table on yesterday for a recess of the general assembly; which being twice read, was conceived in.

The yeas and nays being required thereon by messrs. Hubbard and J. Hunter were as follows, to wit:


Nays—Messrs. Breathitt, Bell, Cotton, Coffey, Dillerehide, Ferguson, Ford, Gordon, Given, Hubbard, Harrison, J. P. Johnson, Kerley, M. Mahan, M. Clamahan, M. Hatton, Robinson,
Ordered, That Mr. Mills carry the said resolution to the senate and request their concurrence.

A message from the governor by Mr. Waggoner:

Mr. Speaker,

The Governor did on this day, approve and sign an enrolled bill which originated in this house, entitled "an act for the relief of William Reddick, former sheriff of Campbell county," and a memorial to Congress relative to compensation for horses lost by the citizens of this state during the late war, while in the service of the United States.

And then he withdrew.

Ordered, that the Mr. Craig inform the senate thereof.

Mr. Yates from the select committee appointed for that purpose reported a bill appointing trustees to the Grayson seminary and for other purposes: which was received and read the first time and ordered to be read a second time.

A message from the senate by Mr. Lee their secretary:

Mr. Speaker,

The senate have adopted a resolution rejecting the propositions of the states of Connecticut and Massachusetts to amend the constitution of the United States, in the following words:

IN SENATE, DECEMBER 20, 1815.

The general assembly of the commonwealth of Kentucky have taken into consideration propositions from the states of Connecticut and Massachusetts, for amending the constitution of the United States submitted to this legislature; together with certain resolutions adopted by the states of New-York, New Jersey and Pennsylvania respectively, rejecting the said proposed amendments; viz.

First. Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective number of free persons, including those bound to serve for a term of years and excluding Indians not taxed, and all other persons.

Second. No new State shall be admitted into the Union by Congress, in virtue of the power granted by the Constitution, without the concurrence of two thirds of both Houses.

Third. Congress shall not have power to lay any embargo on the ships or vessels of the citizens of the United States, in the ports or harbors thereof, for more than sixty days.

Fourth. Congress shall not have power without the concurrence of two thirds of both Houses, to interdict the com-
mmercial intercourse between the United States and any foreign nation, or the dependencies thereof.

Fifth. Congress shall not make or declare war, or authorize acts of hostility against any foreign nation, without the concurrence of two thirds of both houses, except such acts of hostility be in defense of the territories of the United States, when actually invaded.

Sixth. No person who shall hereafter be naturalized, shall be eligible as a member of the Senate or House of Representatives of the United States, nor capable of holding any civil office under the authority of the United States.

Seventh. The same person shall not be elected President of the United States a second time, nor shall the President be elected from the same state two terms in succession.

Resolved, by the General Assembly of the Commonwealth of Kentucky, that the seven foregoing several propositions of amendment to the constitution of the United States be, and the same are hereby rejected.

Resolved, That the Governor of this state be requested to transmit copies of this resolution to the executives of the several states.

Extract, &c. WILLIS A. LEE, c. s.

In which resolution they request the concurrence of this house.

And then he withdrew.

A message from the senate by Lee their secretary:

Mr. Speaker,

The senate concur in the resolution from this house for a recess of the General Assembly, with the following amendment:

"Strike out Monday the first day of January," and insert, "Thursday the twenty-eighth of December," and they have adopted the following resolution, to wit:

IN SENATE, DECEMBER 21, 1815.

Resolved, by the general assembly of the commonwealth of Kentucky, that the Auditor of public accounts be directed to make out a transcript of all the head-right lands sold to individuals at the sales of lands which commenced in November, the number of acres sold; the names of the original holders; the number of the certificate; by whom purchased, and for what amount each claim was sold; which he shall deliver to the public printers, whose duty it shall be to print 700 copies thereof.

Extract, &c. WILLIS A. LEE, c. s.
In which amendment and resolution, they request the concurrence of this house.

And then he withdrew.

The house took up the amendment proposed by the senate to the resolution from this house for a recess of the general assembly; which being twice read, was disagreed to.

Ordered, That Mr. F. Johnson inform the senate thereof.

Ordered, That Messrs. Patton, P. Johnson, Given, South, W. Thompson, Craig, Mills, McAlsey, R. Smith and Letcher, be appointed a committee on the part of this house to examine the state bank and its branches; and that Mr. Patton inform the senate thereof.

Ordered, That the third reading of an engrossed bill entitled an act further to regulate the payment of the debt due the commonwealth for the sale of vacant lands, be dispensed with;

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That Mr. Breathitt carry the said bill to the senate and request their concurrence.

Ordered, That the third reading of a bill from the senate entitled an act to extend the time for returning plats and certificates into the Register's office, and for surveying certain lands in this commonwealth, be dispensed with.

Resolved, That the said bill as amended do pass, and that the title thereof be as aforesaid.

Ordered, That Mr. F. Johnson inform the senate thereof and request their concurrence in the said amendment.

A message from the governor by Mr. Waggoner

Mr. Speaker,

The governor did on this day approve and sign enrolled bills which originated in this house of the following titles, viz.

An act to regulate the town of Greensburg in Green county.
An act for the relief of Edmund Talbott of Henderson county.

An act for the benefit of actual settlers.
An act for the relief of the sheriffs of Nicholas and Warren counties.

An act to authorize the citizens of the town of Lebanon, in Washington county, to appoint trustees in said town, and for other purposes.

And then he withdrew.

Ordered, That Mr. Craig inform the senate thereof.

Engrossed bills of the following titles:

1. An act exempting from taxation houses of public worship and the ground on which they are erected.
2. An act for
the relief of Samuel Searcy, and the heirs of Charles Searcy, deceased. 3, An act for the relief of the representatives of David Johnson, deceased; and 4, an act to amend the law concerning the turnpike and wilderness road.

Were severally read the third time, and the blank in the first filled.

Resolved, That the first, second and third bills do pass; that the title of the first be amended to read, "an act exempting from taxation houses devoted to public worship, and seminaries of learning and the ground on which they are erected:" and those of the second and third be as aforesaid.

Ordered, That Mr. Rowan carry the said bills to the senate and request their concurrence.

Ordered, That the fourth bill be committed to a select committee of Messrs. Craig, Kerley, Bates, Eve and Blackburn.

The following bills were severally read a second time, viz:
1. A bill for the benefit of the clerk of the Nicholas circuit court.
2. A bill authorizing a lottery for the purpose of raising money to pave the main street of the town of Danville.
3. A bill to amend the several acts relative to writs of ad quod damnum.
4. A bill to alter the mode of taking in the lists of taxable property; and
5. A bill for the benefit of the heirs of the late clerk of the circuit and county courts of Washington, and for other purposes.

The first was committed a select committee of Messrs. Breathitt, Metcalfe, Patton and Bell—the second to a select committee of Messrs. Kerley, McAfee, Williams, Craig and Ray; the fourth and fifth were ordered to be laid on the table; and the question being taken on engrossing the third bill, and reading it a third time, it passed in the negative; and so the said bill was rejected.

Ordered, That the public printers strike forthwith 120 copies of the fourth bill for the use of the members of this house.

A message from the senate by Mr. Lee, their secretary:

Mr. Speaker,

The senate recede from the amendment proposed to the resolution from this house for a recess of the general assembly.

And then he withdrew.

And then the house adjourned.
The petition of William Quinton of Casey county, representing that he is the owner of a small tract of land in said county, on which the state price is yet unpaid; that he has a large family, and is unable to pay the state price, and that he is afflicted with a disease occasioned by his arduous services during the revolutionary war, and praying that a law may pass authorizing a remission of the state price, and the emanation of a grant for said land:

Was received, read, and referred to a select committee of Messrs. Goode, McAfee, Dollerhide, Metcalfe and Marshall, giving said committee leave to report thereon by bill or otherwise.

Mr. Kerley from the select committee to whom was referred a bill authorizing a lottery for the purpose of raising money to pave the main street of the town of Danville, reported the same with an amendment; which being twice read, was concurred in.

Ordered, That the said bill as amended, be engrossed and read a third time to-morrow.

On the motion of Mr. Harrison,

Ordered, That leave be given to bring in "a bill to alter the annual meeting of the legislature," and that Messrs. Harrison, Ray, Hubbard, Blackburn and Flournoy, be a appointed a committee to prepare and bring in the same.

The following bills were reported from the several committees appointed to prepare and bring in the same.

By Mr. Blackburn from the committee of propositions and grievances—1, A bill for the removal of the seat of justice of Nicholas county.

By Mr. Eve—2, A bill to amend the law authorizing the appropriation of the lands acquired by the treaty of Tellico.

And by Mr. Harrison—3, A bill to change the time of the annual meeting of the legislature.

Which bills were severally received, and read the first time and ordered to be read a second time; and thereupon the rule of the house and second reading of the first bill being dispensed with, the same was committed to a select committee of Messrs. Metcalfe, Stockton, Blackburn and R. Smith.

A message from the governor by Mr. Waggoner:

Mr. Speaker,
I am directed by the governor to lay before this house a message in writing;
And then he withdrew.
The said message was then taken up and read as follows, viz.

_Gentlemen of the Senate,
And House of Representatives,_

I lay before you a correspondence which took place yesterday between P. W. Humphreys, esq., and myself, together with a letter from his excellency Joseph M. Minn, governor of Tennessee; and the copy of an act of the general assembly of that state, in relation to the establishment of the boundary line between the two states; and have only to observe, that the credentials of Mr. Humphreys shown to me, appear to be ample and complete.

ISAAC SHELBY,

December 22, 1815.

To his excellency Isaac Shelby,
Governor of the State of Kentucky.

SIR—The undersigned respectfully represents that the legislature of the state of Tennessee, at its late session, had the subject of the boundary line between the two states under consideration, and have passed a law for the permanent establishment and settlement of the said boundary line, and wish the general assembly of the state of Kentucky to pass a similar law on the subject; with which act and proposition, the undersigned is charged in order to its being presented to the legislature of Kentucky.

As your excellency is the proper organ of communication with that body, he will at such time as may be prescribed, present his credentials, together with a copy of the law of the state of Tennessee, that such message or proceeding may be had in relation to the subject of his mission as may be thought proper.

Your excellency will accept assurances of the highest consideration and respect,

P. W. HUMPHREYS.

Frankfort, December 21, 1815.

FRANKFORT, DECEMBER 21, 1815.

SIR—I have been honored by the receipt of your note of this day, stating that the legislature of Tennessee have passed an act relative to the settlement of the boundary line between that state and this commonwealth, and that you are charged with communications on that subject to this government, &c.
I shall be happy to see you at my house this evening at 4 o'clock, and will cheerfully receive any communications from you on that subject.

I have the honor to be, most respectfully,

Your obedient servant.

ISAAC SHELBY.

The honorable P. W. Humphreys.

NASHVILLE, NOVEMBER 29, 1815.

His Excellency Isaac Shelby,

SIR,—I have the honor to address you by Parry W. Humphreys, esq. who is appointed a commissioner by virtue of an act of the legislature of the state of Tennessee, passed at their last session, for the purpose of obtaining the consent of the legislature of Kentucky to the establishment of Walker's line as the permanent boundary line between the two states.

To this proposition it is earnestly hoped that the legislature of Kentucky will feel no opposition, more particularly when it is taken into view that Walker's line has always been estimated by the citizens of this state, and perhaps by those of Kentucky, as the only chartered boundary; and in consequence of this acknowledged fact, the counties bordering on that line have always been laid out in strict conformity. And the claim of jurisdiction as to all the purposes of civil government, has not been varied.

In viewing the subject in all its bearings, I feel no hesitation in saying, that if the legislature of Kentucky should feel disposed to meet the views of the legislature of Tennessee, that such joint act would perpetuate the now existing harmony which has always subsisted between the citizens of both states. And that circumstance alone, I view as one of vital importance at the present auspicious period; when the character of both states have arisen to the proudest summit of glory, without personal envy or heart burnings against each other.

With regard to Judge Humphreys, (the commissioner) I beg leave to represent that he has filled the honorable stations of circuit court judge and representative in congress, with much ability and integrity; and is deserving the confidence his country has reposed in him.

I have the honor to be, very

Respectfully, your obedient servant.

JOSEPH MCMINN.

P. S. I should feel myself honored by your writing when convenient.

J. M.
AN ACT

To establish and confirm the boundary line between the state of Kentucky and this state. Whereas, some difficulty has existed between the state of Kentucky and this state respecting the boundary between them; and whereas it is essential to the harmony and interest of both states that the line commonly called Walker's line, heretofore considered and acted on as the boundary between them, should be established as the boundary between the two states; therefore,

§ 1. Be it enacted by the general assembly of the state of Tennessee, That the line commonly called Walker's line be, and the same is hereby established and confirmed as the true boundary between the state of Kentucky and this state.

§ 2. Be it further enacted, That all entries and grants which may have been made or issued for lands on the south side of said line at any time before the first day of November, one thousand eight hundred and fifteen, either under the authority of the state of Kentucky or of this state, be and the same are hereby established and confirmed to the claimants under such entries and grants respectively according to the priority of the dates of said entries and grants. And where entries may have been made under the authority of the state of Kentucky, grants may be issued thereon by said state, in the same manner, as if the land lay within said state of Kentucky; Provided, such entries and grants would have been valid by the laws of the state, under which they were made or obtained.

§ 3. Be it enacted, That the governor shall and he is hereby empowered to appoint some suitable person a commissioner to attend the general assembly of the said state of Kentucky at their next session, and present to them a certified copy of this act, and request them to pass an act confirming the said line; and confirming the titles obtained under the authority of this state or Kentucky, for land on the north side of said line according to the priority of their dates as provided for by this act; and to appoint a commissioner on the part of said state, to act with the commissioner on the part of this state, in running and marking said line. And if the legislature of said state shall pass such an act, then the commissioner on the part of this state, shall have power to act with the commissioner on the part of Kentucky in running and marking said line, or such part thereof as they may deem necessary to run and mark; and shall have power to appoint one surveyor and as many chain carriers and markers as may be necessary.
§ 4. Be it enacted, That the commissioner on the part of this state, shall be allowed five dollars per day; the surveyor four dollars per day, and each chain carrier and marker one dollar per day for each and every day they may be respectively necessarily engaged in business prescribed by this act, to be paid by either of the treasurers of this state; the commissioner on the certificate of the governor of his appointment, and the number of days he may have been engaged; and the surveyor, chain carriers and markers, on the certificate of the commissioner of their employment, and the number of days they may have been respectively engaged in said business.

§ 5. Be it enacted, That if the legislature of Kentucky shall refuse to pass such an act as above stated, this act shall cease to be in force from and after the time of such refusal, except so much thereof as provides for the payment of said commissioner.

JAMES FENTRESS,  
Speaker of the House of Representatives.  
EDWARD WARD,  
Speaker of the Senate.

November 17, 1815.  

JOSEPH M'MINN,  
Governor in and over the State of Tennessee.

To all who shall see these presents:  

Know ye, that the foregoing is a true copy of the act of the general assembly of said state therein specified, taken from the original act deposited in the office of the secretary of state.  

In testimony whereof, I have hereunto set my hand and caused the great seal of the state to be affixed at Nashville, this twenty-ninth day of November, in the year one thousand eight hundred and fifteen.

JOSEPH M'MINN.

By the governor,  
WM. ALEXANDER, Secretary.

Ordered, That the said message with the accompanying documents be referred to a committee of the whole house on the state of the commonwealth, for Thursday the 4th day of January next.

Ordered, That Messrs. Blackburn, Chambers and Yantis, be appointed a committee to wait on the commissioner up.
pointed on behalf of the state of Tennessee, and invite him to appear before the committee, if he should think proper, and give his views to the committee on the subject of his mission.

Bills from the senate of the following titles:
An act for the relief of Asa Kellum, and an act for the relief of certain clerks in this commonwealth; were severally read the first time, and ordered to be read a second time.
And thereupon the rule of the house, and the second and third readings of said bills being dispensed with.

Resolved, That the said bills do pass, and that the titles thereof do pass, and that the titles thereof be as aforesaid.

Ordered, That the clerk inform the senate thereof.

Mr. Craig from the select committee to whom was referred an engrossed bill entitled an act to amend the law concerning the Turnpike and Wilderness road, reported the same with an amendment; which being twice read, was concurred in.

Ordered, That the said bill with the amendment be re-engrossed and again read a third time to-morrow.

Ordered, That a message be sent to the senate requesting a withdrawal of a report made to that house as to the passage of a bill from that house entitled an act to extend the time for returning plats and certificates into the Register's office, and for surveying certain lands in this commonwealth; and that Mr. Mills do carry the said message. Mr. Mills then retired, and after a short time returned with the said bill, and on his motion, a reconsideration of the vote given on the passage thereof was had, and the same was committed to a select committee of Messrs. Mills, Yantis, W. Thompson, Breathitt, Chambers, Given and Logan. Mr. Mills from the said committee immediately reported the said bill to the house with sundry amendments; which being severally twice read, were concurred in.

Resolved, That the said bill as amended do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk inform the senate thereof, and request their concurrence in the said amendments.

A bill from the senate entitled "an act for the benefit of Joshua Cates, and the trustees of the Harrison seminary; and a bill appointing trustees to the Grayson seminary, and for other purposes," were severally read the second time, and the former ordered to be read a third time.

Ordered, That the latter bill be referred to a select committee of Messrs. Metcalfe, Yates and Breathitt.

The order of the day being dispensed with:

Ordered, That Mr. Gaither be stricken from the committee.
of propositions and grievances, and that Mr. Rennick be added thereto.
And then the house adjourned.

SATURDAY, DECEMBER 23, 1815, 10 o'clock, A.M.

A quorum to do business not appearing on to day, the house was then adjourned.

MONDAY, JANUARY 1, 1816.

A quorum to do business not appearing on this day, the house was adjourned.

TUESDAY, JANUARY 2, 1816.

Mr. Jericho Beauchamp a member returned to serve in this house from the county of Washington; appeared, produced a certificate of his election and of his having taken the necessary oaths, and took his seat.

The petition of sundry citizens of Caldwell county, praying the repeal of the law of the last session of the general assembly, authorizing a removal of the seat of justice of said county.

The petition of sundry citizens of Barren county, counter to that presented at a former day of the session, praying for the erection of a new county out of the counties of Barren and Cumberland, or the erection of a new county out of the counties of Barren and Hardin.

The petition of the Hopkinsville library company, praying that a law may pass, to incorporate the said company.

The petition of Isham Browder, sheriff of Hopkins county, representing that in consequence of the indisposition of his own family, and that of his deputy, he was unable to collect the revenue of said county and pay the same into the public treasury, and praying legislative indulgence.

And the petition and memorial of Joseph Crockett, representing that he claims a tract of land in consideration of military services during the revolutionary war, which lies about three quarters of a mile to the south of Walker's line the reputed southern boundary of this state, and praying that in any settlement of the boundary line between the states of Kentucky and Tennessee his rights may not be jeopardized or sacrificed without compensation—

Were severally received, read and referred: the first was committed to a select committee of messrs. Patton, Given, Flourney,
W. Thompson, Beauchamp and Bates; the third to a select committee of messrs. Patton, Marshall, J. T. Johnson, and Reeves; the fourth to a select committee of messrs. Wier, Given, McAfee, Ray and Breathit, giving said committees leave to report thereon by bills or otherwise; the second was referred to the committee of propositions and grievances; and the fifth to the committee of the whole house on the state of the commonwealth for Friday the fifth instant.

The following bills were reported from the several committees appointed to prepare and bring in the same.

By Mr. McAfee—1, a bill for the benefit of the heirs of Richard Armstrong deceased.

By Mr. Wier—2, a bill legalizing the proceedings of the county court of Hopkins at their February and April terms.

By Mr. Harrison—3, a bill to prevent swindling by way of lottery in this commonwealth; And,

By Mr. Breathitt—4, a bill for the benefit of the Russellville Lodge No. 17.

Which bills were severally received, and read the first time and ordered to be read a second time.

Engrossed bills of the following titles:

An act to amend the law concerning the turnpike and wilderness road; And,

An act authorizing a lottery for the purpose of raising money to pave the main street of the town of Danville.

Were severally read the third time.

Resolved, That the former bill do pass and that the title thereof be amended to read "an act to establish ferries over Rockcastle River, on the turnpike and wilderness road."

Ordered, That Mr. Kerley carry the said bill to the senate and request their concurrence.

Ordered, That the latter bill be re-committed to a select committee of messrs. Craig, McAfee and Ray.

A bill from the senate entitled an act for the benefit of Joshua Gates and the trustees of the Harrison Seminary was read, the third time, and committed to a select committee of messrs. Patton, Breathitt and P. Thompson.

The following bills were severally read a second time, to wit:

1. A bill to amend the law authorizing the appropriation of the lands acquired by the treaty of Tellico.

2. A bill to change the time of the annual meeting of the legislature.

Ordered, That the former bill be engrossed and read a third time to-morrow.

The question was then taken on engrossing the latter bill.
and reading it a third time, upon which it passed in the affirmative.

The yeas and nays being required thereon by messrs. Harrison and Logan, were as follows, to wit:


The house took up a resolution from the senate for appointing a joint committee to confer with the commissioners of the public buildings—and a resolution from the senate relative to the register's sale:

And which being severally twice read, were concurred in, and messrs. Marshall, Allan, Mills and Buckner were ap pointed a committee on the part of this house agreeably to the first resolution.

Ordered, That Mr. Marshall inform the senate thereof, and request an appointment on their part.

The house took up a resolution from the senate rejecting the propositions of the states of Connecticut and Massachusetts to amend the constitution of the United States, which being twice read, was ordered to be laid on the table.

Mr. Patton from the select committee to whom was referred a bill from the senate entitled an act for the relief of Joshua Cates and the trustees of the Harrison seminary, reported the same with an amendment, which being twice read was concurred in.

Ordered, That the said bill as amended, be read a third time tomorrow.

The house took up a resolution which was laid on the table on the 14th ultimo, relative to the extinguishment of the Indian title to some of the lands included within the boundaries of this state bordering on the Cumberland and Mississippi rivers and the Tennessee state line, which being twice read, was committed to a select committee of messrs. Patton, Breathitt and Rennick.

Leave was given to bring in the following bills:

On the motion of Breathitt—1. A bill directing the amount of revenue to be collected in the year 1816. And on the mo-
tion of Mr. Mills—2. A bill to extend the act entitled an act to suspend law process in certain cases.

Messrs. Breathitt, Hughes, W. S. Hunter, Marshall, J. T. Johnson, Patton, Mills, Rowan and W. Thompson were appointed to prepare and bring in the first; and messrs. Mills, Letcher, Yarmis, J. Hunter and Ford the second.

The petition of Elizabeth Walter and Robert Jones, heirs and legal representatives of Charles Jones deceased and residents of the state of Virginia, representing that their ancestor became entitled to a tract of land in this state, in consideration of services performed during the revolutionary war, which land has been regularly entered and surveyed, but never carried into grant, owing to the death of their father, the minority of the petitioners, and their total ignorance until very lately of the existence of said claim, and praying that a law may pass authorizing them to carry said survey into grant, upon their paying up the taxes &c. due on said land; was received, read and with the accompanying documents referred to the committee for courts of justice.

Ordered, That an engrossed bill entitled an act further to regulate the general court, and an act further to regulate the circuit courts of this commonwealth," be taken up, and placed among the orders of the day.

Mr. Breathitt moved the following resolution, to wit:

Resolved, By the house of representatives of the commonwealth of Kentucky, that the secretary of this commonwealth be requested to furnish this house with any documents, or other information in his office, relating to the adjustment of the dispute between this commonwealth and the state of Tennessee, of the boundary line between said states, and of the geographical position of the line commonly called Walker's line.

Which being twice read was concurred in.

And then the house adjourned.

WEDNESDAY, JANUARY 3, 1816.

The petition of sundry citizens of Henderson county, praying that a law may pass to establish an independent bank in the town of Henderson, in said county, with a capital of two hundred and fifty thousand dollars;

And the petition of Robert Alexander of Washington county, representing that he is poor, and has the misfortune to be blind, and lives with a widowed sister, who is unable to support him and her family, and praying an annual allowance out of the treasury of this state for his support.
Were severally received and read: the first was committed to a select committee of Messrs. Mahan, Anderson, Allan, Knight, Patton, Rowan and Blackburn, giving said committee leave to report thereon by bill or otherwise:

And the question being taken on referring the latter to a select committee, it passed in the negative; and so the said petition was rejected.

Mr. Craig from the select committee to whom was referred an engrossed bill entitled "an act authorizing a lottery for the purpose of raising money to pave the main streets of the town of Danville;" reported the same without amendment.

Resolved, That the said bill do pass, and that the title thereof be amended to read, "an act authorizing a lottery for the purpose of raising money to pave the main streets of the towns of Danville and Richmond.

Ordered, That Mr. M'Allee carry the said bill to the senate and request their concurrence.

On the motion of Mr. Allan,

Ordered, That leave be given to bring in a bill authorizing certain advertisements to be inserted in the newspaper entitled the Kentucky Advertiser; and that Messrs. Allan, McGuire and South, be appointed a committee to prepare and bring in the same.

The following bills were reported from the several committees appointed to prepare and bring in the same.

By Mr. Anderson—1, A bill to incorporate the Louisville Library Company. By Mr. Wier—2, A bill for the benefit of the sheriff of Hopkins county. By Mr. Mills—3, A bill for the benefit of the heirs of Robert Johnson, deceased. By Mr. Patton—4, A bill to repeal an act entitled an act for the relief of the citizens of Caldwell county, approved the 27th January, 1815. By Mr. Mills—5, A bill to extend the act entitled an act to suspend law process in certain cases: And by Mr. Allan—6, A bill authorizing certain advertisements to be inserted in the newspaper entitled the Kentucky Advertiser.

Which bills were severally received, and read the first time, and ordered to be read a second time.

And thereupon the rule of the house, and the second reading of the first, third and sixth bills being dispensed with; the first bill was committed to a select committee of Messrs. Patton, Anderson and Marshall: and the third and sixth, ordered to be engrossed and read a third time to-morrow.

A message from the senate by Lee their secretary:

Mr. Speaker,
The senate have appointed a committee on their part to act.
in conjunction with the committee appointed on the part of this house to confer with the commissioners of the public buildings; they concur in the amendments proposed by this house to the bill from that, entitled an act to extend the time for returning plats and certificates into the Register's office, and for surveying certain lands in this commonwealth; and they have passed bills of the following titles: 1. An act regulating appeals from a judgment of a justice of the peace in this commonwealth; 2. An act for the relief of Thomas Griffin; 3. An act for adding a part of the county of Montgomery to the county of Estill; and an act to increase the number of justices of the peace in the counties of Allan and Adair; in which bills they request the concurrence of this house.

And then he withdrew.

A bill from the senate entitled an act for the benefit of Joshua Gates and the trustees of the Harrison seminary; was read the third time as amended.

Resolved, That the said bill as amended do pass, and that the title thereof be as aforesaid.

Ordered, That Mr. Wall inform the senate thereof and request their concurrence in the said amendment.

Engrossed bills of the following titles:
1. An act further to regulate the general court;
2. An act to amend the law authorizing the appropriation of the lands acquired by the treaty of Tellico;
3. An act to change the time of the annual meeting of the legislature:

Were severally read the third time.

Ordered, That the first bill be laid on the table.

Resolved, That the second bill do pass and that the title thereof be as aforesaid.

Ordered, That Mr. Eve carry the said bill to the senate and request their concurrence.

The question was then taken on the passage of the third bill, upon which it passed in the affirmative.

The yeas and nays being required thereon by messrs. Harrison and South, were as follows, to wit:


Nays—Messrs. Allan, Anderson, Buckner, Caldwell, Craig, Chambers, Clarke, Emerson, Ford, Hughes, J. Hunter, Jane—
Resolved, That Mr. Harrison carry the said bill to the senate and request their concurrence.

A message from the senate by Mr. Y. Ewing.

Mr. Speaker,

The senate have adopted the following resolution, to wit:

IN SENATE, JANUARY 3, 1816.

Resolved, By the General Assembly of the commonwealth of Kentucky, that one from the senate and two from the house of representatives be added to the committee appointed to examine the register’s office.

Extract, &c.

IN SENATE, JANUARY 3, 1816.

Resolved, By the General Assembly of the commonwealth of Kentucky, that one from the senate and two from the house of representatives be added to the committee appointed to examine the register’s office.

Extract, &c.

WILLIS A. LEE, C. S.

In which they request the concurrence of this house. And then he withdrew.

A bill further to regulate the circuit courts of this commonwealth, was read the second time, and amended at the clerk’s table.

It was then moved and seconded to strike out the first section of the bill, which is as follows, to wit:

But enacted by the General Assembly of the commonwealth of Kentucky, that so much of any and every law as creates the office of assistant judge, shall be and the same is hereby repealed, and the circuit judge of each circuit court shall alone possess all the power and authority for the trial of criminal and civil cases, as the circuit courts heretofore possessed.

And the question being taken thereon, it passed in the negative.

The yeas and nays being required thereon by messrs. South and Patton, were as follows, to wit:


Ordered, That the said bill as amended, be committed to a select committee of messrs. Beauchamp, Rowan, Mills, Logan, Letcher, Breathitt, Blackburn, Anderson and Chambers. The following bills were severally read a second time, to wit:

1. A bill for the benefit of the heirs of Richard Armstrong, deceased.
2. A bill to legalize the proceedings of the county court of Hopkins at their February and April terms.
3. A bill to prevent swindling by way of lottery in this commonwealth: And
4. A bill for the benefit of the Russellville Lodge, No. 17. The first was committed to a select committee of Messrs. Rowan, McAfee and Ray; and the second, third and fourth, ordered to be engrossed and read a third time to-morrow.

Bills from the senate of the following titles:

An act regulating appeals from the judgment of a justice of the peace in this commonwealth; and an act for the relief of Thomas Griffin; were severally read the first time, and ordered to be read a second time.

Mr. Craig from the joint committee of enrollments, reported, that the committee had examined enrolled bills of the following titles:

An act to establish an election precinct in Jefferson county:
An act to extend the time for returning plats and certificates into the register's office, and for surveying certain lands in this commonwealth:
An act for the relief of certain clerks in this commonwealth:
And, an act for the relief of Asa Killam;
And had found the same truly enrolled:
Whereupon mr. Speaker affixed his signature thereto.
Ordered, that the mr. Craig inform the senate thereof.
And then the house adjourned.

THURSDAY, JANUARY 4, 1818.

The petition of sundry citizens of Livingston county, praying that a law may pass for the gradual abolition of slavery in this commonwealth, and if necessary to attain that end, that a law may pass to call a convention:

The petition of Anne Dupcy and George Woolfolk, executrix and executor of Joseph Dupcy, deceased, praying that a law may pass appointing commissioners to compromise, settle and adjust the land claims belonging to the estate of their testator, to make conveyances to carry his contracts into effect.
The petition of sundry citizens of the town of Danville and its vicinity, praying that a law may pass authorizing the sale and conveyance of a part of the public square in said town, and the appropriation of the proceeds of such sale to the benefit of the town.

The petition of the trustees of the Methodist Brick Chapel, on Mulberry Creek, in Shelby county, representing their purchase of three acres of ground adjoining said chapel, and the advantages which would result from a sale thereof; but that doubts are entertained whether it can be sold by said trustees without legislative permission; and praying that a law may pass authorizing them to make a sale thereof.

The petition of the trustees and administrator of James Dunn, deceased, praying that a law may pass authorizing them to sell a portion of his real estate for the purpose of paying his debts; his personal estate being wholly inadequate for that purpose.

The petition of sundry citizens of Lincoln county, praying that a town called the Crab Orchard, lately laid off in said county, may be established by law, and trustees appointed therein; and,

The petition of sundry citizens of Washington county, praying that a law may pass to establish awarehouse on the land of Juda Livers, in said county, on the Rolling fork of Salt river:

Were severally received and read; the first was ordered to be laid on the table until the first day of May next. The second was referred to a select committee of Messrs. George, Bates, M'Afee and Blackburn; the third to a select committee of Messrs. Letcher, Anderson, M'Afee, Craig, Yantis and Ray; the fourth to a select committee of Messrs. Knight, Logan and Ford; the fifth to a select committee of Messrs. Blackburn, W. S. Hunter and Ford; the sixth to a select committee of Messrs. Craig, Yantis, Letcher and Wade—and the seventh to a select committee of Messrs. Harrison, Cosby, and Beauchamp; giving said committees leave to report thereon by bill or otherwise.

Mr. Blackburn, from the committee of propositions and grievances made the following report, to-wit:

The committee of propositions and grievances have according to order, had under consideration petitions to them referred, and have come to the following resolutions thereupon to-wit:

Resolved, That the petition of sundry citizens of Barren county, praying for the erection of a new county out of the same, be rejected.
Resolved, That the petition of sundry citizens of Green county, praying for an election precinct in said county, is reasonable.

Which being twice read, was concurred in.

Ordered, That the said committee prepare and bring in a bill pursuant to the latter resolution.

Mr. Beauchamp, from the select committee to whom was referred a bill further to regulate the circuit courts of this commonwealth, reported the same with an amendment; which being twice read, was concurred in.

The fifth section of said bill was then read as follows, to wit:

SEC. 5. Be it further enacted, That the circuit judges of this commonwealth, who may hereafter be appointed, shall receive respectively in addition to the salary now allowed by law, the sum of annually, to be drawn quarterly out of the public treasury under the same rules and regulations now in force.

It was then moved and seconded, to amend the said section by striking out the words printed in italics.

And the question being taken thereon, it passed in the negative.

The yeas and nays being required thereon by Messrs. Rowan and Reeves, were as follows, viz.


The said bill being amended to read as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That so much of any and of every law as creates the office of assistant judge, shall be, and the same is hereby repealed; and the circuit judge of each circuit court, shall alone possess all the power and authority for the trial of criminal and civil cases, as the circuit courts heretofore possessed.
Be it further enacted, That any justice of the peace in this state, within his own county, shall have the same power and authority to endorse on any original writ, that bail shall be required, that a circuit or assistant judge now has by law, on proper affidavit being made before him, as now required by law for that purpose.

Be it further enacted, That any two justices of the peace shall have the same power and authority to issue writs of habeas corpus, as the assistant judges heretofore had, and every writ of habeas corpus so issued by said justices, shall be made returnable before the judge of the circuit court, who shall be nearest to the place where the person praying the same may be confined; and the person to whom the said writ shall be directed, shall be allowed one day for making his return for every twenty miles he may necessarily travel, in going to said judge; and if any person or persons shall hereafter fail or refuse to obey any writ of habeas corpus so issued, or issued by a judge of the circuit court in vacation, such person or persons so failing or refusing, shall be subject to the same course of proceedings, liable to the same fine and imprisonment, as the said writ of habeas corpus had issued in term time.

Be it further enacted, That the circuit judges of this commonwealth, who may hereafter be appointed, shall receive respectively in addition to the salary now allowed by law, the sum of annually, to be drawn quarterly out of the public treasury, under the same rules and regulations now in force.

The question was then taken on engrossing the said bill as amended, and reading it a third time, upon which it passed in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Rowan and South, were as follows, viz.


Nay.—Messrs. Bates, Buckner, Breathitt, Bell, Crutcher, Caldwell, Cooley, Cosby, Daniel, Dolphsby, Emerson, Fergus, Goode, George, Hornbeck, Hubbard, Harrison, Jameson, Kerley, Leitcher, Moorman, Marshall, M'Alfe, Metcalfe
Mr. Rowan, from the select committee to whom was referred a bill for the benefit of the heirs of Richard Armstrong, deceased, reported the same with amendments; which being severally twice read, were concurred in.

Ordered, That the said bill and amendments be engrossed and read a third time to-morrow.

Mr. Metcalf, from the select committee to whom was referred a bill appointing trustees to the Grayson Seminary and for other purposes; reported the same without amendment.

Ordered, That the said bill be engrossed and read a third time to-morrow.

Mr. Speaker laid before the house a letter from Robert Alexander, president of the Bank of Kentucky, containing the names of the persons elected directors on the part of the stockholders, for the present year, which was read as follows, viz.

BANK OF KENTUCKY, JANUARY 3, 1816.

SIR,

I take the liberty of requesting you will inform the house, that the stock holders of the bank of Kentucky met on the first instant agreeably to law, and elected the following gentlemen, as directors of the bank on their part, for the present year, viz. Messrs. M. D. Hardin, John Brown, Daniel Wesiger, Nathaniel Hart, John J. Marshall and Alexander J. Mitchell.

I am respectfully, sir,

Your most obedient servant,

ROBERT ALEXANDER.

The Speaker of the House of Representatives.

Mr. Speaker laid before the house a letter from the Secretary of State containing the information required of him by a resolution of this house, accompanied by sundry documents relative to the boundary line between this state and the state of Tennessee; and the reading thereof being dispensed with, the said letter and documents were referred to a committee of the whole house, on the state of the commonwealth; and which are as follows, viz.

SECRETARY'S OFFICE,

The Honble the Speaker of the House of Representatives.

SIR—I was this morning furnished with the resolution of
the House of Representatives, requesting me to furnish the house with any documents or other information in this office, relating to the adjustment of the dispute between this commonwealth and the state of Tennessee, of the boundary line between said states, and of the geographical position of the line commonly called Walker's line.

In complying with the resolution, it may be proper to premise, that the legislature of Virginia by an act approved on the 7th day of December 1791, while Kentucky was a part of that state, established the line commonly called Walker's line as the boundary between that state and North Carolina, (see 1 Bradford edition laws of Kentucky 210; also Virginia revised code of 1802, page 50.) This law, in its preamble recites, that the general assembly of Virginia had received official information, that the legislature of North Carolina had resolved to establish Walker's line.

At what time this act of the legislature of North Carolina passed, I am not enabled to say; but prior to the passage of the law of Virginia above referred to, the state of North Carolina had ceded the country now forming the state of Tennessee both as to sovereignty and soil to the United States; and the cession had been accepted by Congress on the 2nd day of April, 1790, (see 1 vol. laws U. S. page 92.)

As the law of Virginia purports only to establish a boundary between it and the state of North Carolina, it has herefore been considered by the government of Kentucky, as having no influence on the boundary of that part of Virginia which then bordered on a territory of the United States. It is believed that the states of Virginia and Tennessee have uniformly put the same construction on this law, which the government of this state has done; as it is well known that the boundary line of Virginia and Tennessee has been adjusted by running a new line since Tennessee became a state, regardless of the law of Virginia above referred to.

The legislature of this state on the 14th day of December, 1801, passed a law authorising the appointment of commissioners as soon as similar arrangements were made by the state of Tennessee, to run and mark the boundary line between the two states, agreeable to the chartered limits of the state of Virginia and North Carolina, (see acts of 1801, page 16, 3 Litt. 437.)

What communications, or whether any passed between the exectives of the two states, in pursance of this law, I am not enabled to state: The law was however repealed the next year, (see acts of 1802, page 162, 3 Litt. page 89.)
On the 3d November, 1803, the legislature of Tennessee passed a law for ascertaining and running this line, similar in its provisions to those of the law of Kentucky of 1801, which was repealed in 1802. This law was communicated by the governor of Tennessee to the governor of Kentucky, by letter under date of the 18th of November, 1803.

Another letter was received by the governor of this state from the governor of Tennessee, dated the 26th November, 1811, covering a resolution of the general assembly of that state, authorizing the appointment by the governor of Tennessee of commissioners to act under his instructions, in adjusting said line.

By an act of the general assembly of Kentucky, approved 4th February, 1812, the governor of Kentucky was authorized to appoint commissioners to meet the commissioners to be appointed on the part of the state of Tennessee, and to run the line according to its true position, as recognized by the constitutions of North Carolina and Tennessee; and in case of a failure on the part of the state of Tennessee to cooperate in the measures; the commissioners to be appointed on the part of this state were empowered to run and mark the line, unless forbidden by the executive of the state of Tennessee. (See acts 1811, page 188, & Litt. page 288.)

A copy of this law was by the governor of Kentucky communicated to the governor of Tennessee by an official letter under date of the 31st March, 1812, accompanied by a private letter expressive of the views of the governor of Kentucky, and desiring to be notified whether commissioners would be appointed on the part of the state of Tennessee to run the line; and whether in the events contemplated in that law, the commissioners on the part of this state would be permitted to make their observation and mark a line according therewith.

The receipt of those letters were acknowledged: But the executive of this state does not appear to have received notice that commissioners would be appointed on the part of the state of Tennessee, or that our commissioners would be permitted to run the line according to the above mentioned law. No commissioners were therefore appointed by this government under that law.

In the latter part of the year 1812, the executive of this state received from the executive of the state of Tennessee a letter under date of the 20th November, 1812, covering a law of that state of the 21st of October of that year, declaring Walker's line to be the boundary line of that state, so far as
the same had been run, and authorizing the appointment of commission­ers to adjust and establish such parts of said line as had not been run and marked, &c.

At the succeeding session of the general assembly of this state, a law was passed directing the governor of this state to communicate to the executive and legislature of Tennessee, in substance, a determination on the part of this state to adhere to the principles of the law, approved 4th February, 1812, and respectfully to solicit from them a recognition of those principles and the adoption of measures to carry it into effect, (see act of 1812, page 93.)

A copy of this law was by the governor of this state, communicated to the governor of the state of Tennessee, in a letter dated the 30th March, 1813.

No answer was received to this letter.

The respective laws of the two states on this subject contain various provisions relative to the titles to lands held by individuals, under the authority of either state, and bordering on or near the disputed boundary, which can only be understood by a reference to those laws.

The communications made to the governor by Mr. Humphreys, as a commissioner on the part of the state of Tennessee, during this session, and which are already before the house, are the only remaining documents belonging to this office which I have been able to find, relating to the first branch of the resolution of the house of representatives.

It is proper however to remark, that the destruction of the printed laws of the states of North Carolina and Tennessee, in the conflagration of the capitol in 1813, and the loss of some of the papers belonging to this office in that disaster, have no doubt deprived us of some information, and must consequently render this communication less satisfactory than it otherwise might have been.

In relation to the second branch of the enquiry made by the house of representatives, it appears that in December, 1806, Col. Arthur Campbell of Virginia, communicated to the governor of this state, the copy of a certificate or statement of Capt. Meriwether Lewis, then of the United States' army, and on his return from his tour to the Pacific, of the result of his observations and calculations made on Walker's line at Walling's, about two miles from Cumberland Gap on the 23d November, 1806. These observations were taken with the instruments he had on that tour.

By Capt. Lewis' observations, Walker's line was at that point nine miles and one thousand and seventy-seven yards
North of the parallel of North latitude 36 degrees thirty
minutes.

The original certificate of Capt. Lewis was afterwards
forwarded to this office by Col. Campbell.

Since this subject has been before the general assembly of
this state, Col. Joseph Crockett through his son, forwarded
to this office a copy of a survey and report, made by George
Walker and Robert Alexander, esqrs. under an order of the
United States circuit court for this district, in a suit therein
depending between Col. Crockett, plaintiff, and Col. Shelby
and others of the state of Tennessee, defendants. This suit
is for a tract of land, the southern boundary of which is near
two miles south of Walker's line.

By the report of those gentlemen, made in pursuance of
the order of court, it appears that the whole of the land in
contest lies North of 36 30 North latitude.

Their report does not, however, state what is the distance
according to their observation, from that parallel of latitude
to Walker's line.

I submit herewith the original documents from which this
communication has been extracted, as the short notice I have
received has prevented my having them copied; and respect-
fully submit to the house of representatives the propriety of
returning them to this office, when the house shall have acted
on the subject.

I have the honor to be,

Very respectfullly,

Your ob't serv't.

M. D. HARDIN.

Documents accompanying the foregoing.

(Duplicate.)

Knoxville, November 19th, 1803.

I do myself the honor of enclosing to your excellency an act pas-
sed by our legislature, entitled an act "to ascertain and establish
the true boundary line between this state and the state of Kentuc-
ky."

Permit me to inform you, sir, that so soon as your legislature may
take the necessary measures in passing a similar and reciprocal
law, that the executive of this state will immediately co-operate in
having the boundary line extended and designated.

I have the honor to be, sir,
Your excellency's ob't serv't.

JOHN SEVIER.

His excellency the governor of the
State of Kentucky.
AN ACT

To ascertain and establish the true boundary line between this state and the state of Kentucky.

WHEREAS doubts exist relative to the position of the boundary line between this state and the state of Kentucky; Therefore it is expedient that the line between the states aforesaid should be ascertained and established.

SEC. 1st. Be it enacted by the general assembly of the state of Tennessee, That the governor of this state be authorized and required, as soon as he is informed that a commissioner or commissioners are appointed on the part of the state of Kentucky, to appoint one commissioner, who shall also be a mathematician, to meet such commissioner or commissioners, and with him or them to settle and remove all doubts upon the subject aforesaid, by running and marking the line between the states aforesaid, agreeable to the chartered limits of the state of Virginia and North Carolina; and the commissioner so appointed shall have power to employ a surveyor and two markers to extend and identify the aforesaid line.

SEC. 2d. Be it enacted, That the commissioner so appointed shall receive the sum of four dollars per day for every day necessarily engaged in running said line, and the like sum for every twenty-five miles travelling to the place where the line is to commence, and returning from the place where the line terminates. And the surveyor shall receive the sum of two dollars and fifty cents for each and every day he shall attend in running said line, and the like sum for every twenty-five miles travelling to and from the same. And each marker employed as aforesaid, shall receive the sum of one dollar and twenty-five cents for each and every day's attendance, and the like sum for every twenty-five miles travelling to and from the line aforesaid.

And it shall be the duty of the commissioner aforesaid to make report of the proceedings to the governor, as soon as said line is completed, and certify to the governor the number of days they shall have been employed in running said line, and the miles they shall have travelled in going to and returning from the same, and also the attendance and travelling of the surveyor so employed as aforesaid, and likewise the attendance and travelling of the markers employed as aforesaid. Which certificate shall be sworn to and subscribed before some judge or justice of the peace and certified by him, which report and certificate the governor shall lay before the next general assembly; and if the proceedings aforesaid shall be approved by this state and also by the state of Kentucky, the line so run and marked shall be the line forever between the said states, unless altered by mutual consent.

SEC. 3d. Be it enacted, That if any lands claimed under titles derived from the state of Kentucky, shall be found on running the said line to be within the limits of this state, all such claims shall
so soon as a similar and reciprocal law be passed by the legislature of the state of Kentucky, on behalf of persons claiming lands lying within the said state, under titles derived from this state or the state of North Carolina, since the year 1777, be as valid as if derived from this state or the state of North Carolina since the year 1777.

Sec. 4th. Be it enacted, That the sum of three hundred dollars is hereby appropriated, for the purpose of carrying into effect the extension of the aforesaid line, which shall be paid into the hands of the commissioner appointed as aforesaid, upon a warrant drawn by the governor on the treasury.

Sec. 5th. Be it enacted, That the governor, as soon as may be, shall transmit a copy of this act to the executive of the state of Kentucky, with a request that he lay the same before the general assembly of that state, at their next meeting.

JAMES STUART, Speaker of the House of representatives.

JAMES WHITE, Speaker of the Senate.

November 3d, 1803.

I, William Maclin, Secretary of the state of Tennessee, certify that the foregoing instrument of writing is a true copy of an original act of the legislature of said state. Given under my hand this 17th day of May, 1804.

Wm. MACLIN.

(Duplicate.)

Knoxville, (Tennessee,) November 36th, 1811.

SIR,

I have the honor to enclose to you the copy of a resolution of the general assembly of the state of Tennessee, adopted at their late session, relative to a final adjustment of the boundary line between this state and the state of Kentucky; and to request, that you will lay it before the legislature of your state for their consideration and proceeding thereon; and I entertain the hope, that a final adjustment of the boundary between the states will shortly thereafter be made. The interest of the states respectfully seems to require, that a permanent line should be, in the shortest practicable time, determined on; the want of such, occasions much uneasiness among the citizens of each state, who live contiguous to the supposed line. When I may be advised by you, of the appointment of commissioners on the part of Kentucky, and of the time and place of meeting, I will without delay appoint commissioners on the part of Tennessee, to meet them, who will be prepared with necessary instructions to effect the object in view, on just and equitable terms.

I have the honor to be,

With the highest respect,

Your obedient servant,

WILLIE BLOUNT.

His Excellency Charles Scott.
IN GENERAL ASSEMBLY, Nov. 20th, 1811.

Resolved, By the general assembly of the state of Tennessee, That the executive of this state be, and he is hereby empowered and requested to appoint two persons as commissioners for the purpose of negotiating and finally adjusting the boundary between the state of Tennessee and the state of Kentucky; and that he be authorized to give said commissioners such instruction relative thereto, as will in his opinion be calculated best to effect the object on liberal and just terms; which commissioners shall have power, and they are hereby vested with the same to proceed to the state of Kentucky, to act with such person or persons as shall or may be by that state or by the executive thereof, appointed to confer with them on the final adjustment, running and marking the line by them to be agreed on by virtue of the power hereby given; and they are hereby authorized to employ surveyors and markers to run and mark said line; and are further empowered to make such equitable arrangements relative to titles to lands entered by, and granted to citizens of the states respectively, agreeably to the provisions of the statutes in force and use in said states, relative thereto; and that said commissioners be required to make report of their proceedings to the executive of this state, who shall lay the same before the legislature at the first session thereafter.

(Signed) JOHN COCKE, Speaker of the H. R.
(Signed) TH. HENDERSON, Speaker of the senate.

Attest,
J. PECK, Clerk H. R.
Jo. M. ANDERSON, Clerk Senate.

FRANKFORT, March 31st, 1812.

SIR,

I have the honor to transmit to you inclosed a copy of an act of the last session of the legislature of this state, respecting the appointment of commissioners on the part of the same, for the purpose (in conjunction with the commissioners to be appointed on the part of the state of Tennessee, in pursuance of the resolution of the legislature of the same, received heretofore,) of running the boundary line between this state and the state of Tennessee.

I shall proceed to the appointment of commissioners, agreeably to the requisitions of this act, so soon as there appears to be a prospect of their having it in their power to act with effect, and the necessary instruments can be procured, for the purpose of making the proper observations for taking the
latitude with accuracy, of which I shall beg leave to advise you.

I have the honor to be, with sentiments
Of high respect, your obedient servant,

CHARLES SCOTT.

His Excellency,

WILLIE BLOUNT, Governor of the state of Ten.

(PRIVATE.) FRANKFORT, 31st March, 1812.

SIR,

Under this date and accompanying this, you will receive from me an official letter inclosing the copy of an act of the last session of the legislature of this state, respecting the appointment of commissioners for the purpose of running and marking the boundary line between this state and the state of Tennessee. The final adjustment and running of this line, appears to me to be an object highly desirable to both states on many accounts. It will tend to quiet controversy, which ought at all times to be avoided between members of the same great federal family; and it ought never to be forgotten, that our strength as a people consists in our union: And it will moreover indicate to each state, the soil over which it may lawfully claim sovereignty, and the persons over which each may legitimately claim jurisdiction. Nor is it of slight consideration, that individuals, citizens of either state, may from such ascertained of the limits of each, know correctly the foundation of their land titles. To quiet the honest and fair claims of individuals to lands which might have been mistakenly supposed to have been included within the limits of the one state or the other, ought to be an object of amicable policy, as it certainly is of justice between the two states. For it should be regarded as the misfortune, and not the fault of such claimants, that this line has not been herefore correctly run, and plainly marked.

To form, however, the basis of any adjustment between the two states, admitting, which may be possible (although I say this without authority,) this state should feel disposed to yield something of her just and chartered limits, in the spirit of accommodation, and to prevent great inconvenience to a sister state; it has appeared to our legislature proper, that the true position of our southern boundary line, which is mentioned in the copy of the act referred to, should first be distinctly ascertained. For without this, should there even be a disposition to yield something, it could not be known what was accorded, or what retained, if the subject were disputed. A situation
in which the representatives of the people of this state, would not probably, willingly place themselves. You will perceive by the provision in the act mentioned, a prudent precaution against any collision with the proper and constituted authorities of the state of Tennessee, by making the running and marking of this line, by the commissioners of this state, dependant upon the pleasure of the executive of yours, in case of any disagreement between your commissioners and those to be appointed on the part of this state; and this too will claim from the state of Tennessee a just appreciation, of the friendly views which influenced the state of Kentucky, in meeting her overtures for the final adjustment of the boundary line between the two states. When also, it is considered, that our commissioners are authorized to confer with those of your state, as to the most eligible mode of quieting the claims of the citizens of either state, adjacent to this line, which might otherwise be affected by its correction.

I have been thus unofficially frank and explicit, with a view to an object which will materially affect the course I shall feel it my duty to adopt on this occasion. It will at once occur to you to be a useless trouble and expense to appoint commissioners for the purpose contemplated in the act, to make the necessary preparations, and be provided with a surveyor, chain carriers, markers, &c. and after proceeding to the point of operation, for them to be superseded in their progress by a notification to that effect, from the executive of your state. This might tend to produce unnecessary irritation here, and could answer no one good effect. I wish therefore, to be advised by you, whether the commissioners to be appointed on the part of this state, will in case of the events contemplated by that instrument, be permitted to proceed to run and mark the line according to their observations of the true points of latitude, as therein stated, so that at least the information necessary to any final adjustment of this subject, may be had by our legislature. Should your answer be favorable, so soon as the necessary instruments can be obtained, I shall inform you of the appointment of the commissioners for this state, and of the time they will be ready to proceed in the discharge of the trust confided to them.

I am, with high respect, your obedient servant,

CHARLES SCOTT.
Knoxville, May 8th, 1812.

SIR, I have the honor to acknowledge the receipt by last mail of your letter of the 31st March, inclosing a copy of an act passed at the late session of your state legislature, providing for the appointment of commissioners, &c. in relation to the boundary line between this state and the state of Kentucky; and to assure you, that I will do myself the pleasure to write you more fully when more disengaged than at present, having now much official duty of different kinds to perform, which claims more immediate attention.

I have the honor to be,
very respectfully,
your obedient servant,
WILLIE BLOUNT

His excellency Charles Scott,
Frankfort, Kentucky.

Knoxville, May 8th, 1812.

DEAR SIR,

Yours of the 31st March came to hand last mail, and it would afford me satisfaction to answer fully had I now time to do so, but have not, owing to a press of official business, which you know public servants must not neglect, lest a disagreeable noise be heard about it. I shall not however, omit to answer in due time. I send you a copy of a letter about roads, navigation &c. which if obtained would tend greatly to facilitate intercourse with the Atlantic; and much benefit the people of the western world—the want of such keeps us too much on the back ground.

In haste, I have the honor to be,
with highest respect,
your obedient servant,
WILLIE BLOUNT.

Governor Scott.

(Supposed to be intended as an answer to the private letter.)

STATE OF TENNESSEE,
IN GENERAL ASSEMBLY.

November 12th, 1811.

"Resolved, That his excellency the governor of this state, be requested to recommend to our senators and representatives in the congress of the United States, the expediency of stipu-
iting for the nearest possible wagggon road, from Knoxville to Augusta in Georgia, through the Cherokee Indian country."

---

Knoxville December 21st, 1811.

SIR,

In compliance with the above request, I have the honor to solicit your attention to the subject of the above recited copy of the resolution of our assembly; and I will also respectfully observe that the attainment of such a road as is contemplated, to be well opened; and to be put under proper regulation, whereby to be kept in repair, as well as to be permitted to have necessary accommodation afforded thereon, by white persons, for the safety, convenience and comfort of travellers, would produce benefits incalculably great, which would be felt both in East and West Tennessee, to a very desirable extent, but particularly experienced by those who are, or may be settled on the country bordering on the river Tennessee; and it would moreover be found to be a useful road to the people of this state, Kentucky, Madison county, Georgia, North and South Carolina, in their intercourse with each other.

The following is the substance of information obtained from several respectable men who have examined a route for a wagggon road from Maryville to Augusta, to pass over the Unaco mountain, by Big Cowee; thence to the boatable water on the Tuguloo river, a branch of Savannah—say from Maryville to Equonetta, 35 miles,

to Big Cowee, 18

to settlements in Georgia, 35

thence to Augusta, 120

They state, and I rely on the statement, that it is practicable to make a good market wagggon road on the above mentioned route—the distance which would be saved on it, compared to the present, from Knoxville to Augusta, going and returning, is at least one hundred and sixty miles, an object of great importance in different points of view; it should be the route for the contemplated road—the distance from the settlements in East Tennessee to boatable water on Tuguloo, is 35 miles, through the upper Cherokees; about half would be through North Carolina, and the remainder through Georgia—the Indian claim is not extinguished to any part of it—the Indians are few in number, very poor, and very much scattered in their settlements—I am informed they are willing.
a road should go through their country—they are too poor and indolent either to make the road, or to keep it in repair, or to provide for the necessary comfort of travellers—this object should be accomplished in one of two ways, either by an appropriation of money by the general government, or be left to the exertions of individuals, or of a company; to open and keep it in repair would require labor and expense; it had best be opened and kept up &c. by a company, as they would live on and attend to it.

I am of opinion that a company would be formed immediately, who would open a road in such manner, that a four horse team should carry from 25 to 30 hundred weight, from the settlements in East Tennessee, to Tuguloo; provided, the general government would secure to them by a treaty with the Cherokees, the following privileges: A turnpike road to continue for twenty-five years, and to be authorized to collect a toll, on each four wheel carriage—on each two wheel carriage—on each horse,—on each head of cattle,—on each hog or sheep,—the toll to be reasonable on each; this road would cross the Tennessee river, where, a considerable part of the year I presume the river will be fordable; at the time of high water it would be necessary there should be a ferry—at the ferry the company should be permitted to receive, when the river is not fordable, one half the rates of toll allowed at the turnpike; and they should also be permitted to establish about four houses of entertainment for travellers, with a privilege of cultivating as much ground as would furnish grain, hay and fodder for each house during the time.

The principal difficulty in making a good road would be the mountain, a distance, say 20 miles, which would have to be dug; no rock in the way.

The course of the present route from this to Augusta, through the Cherokee country, is S. W. nearly one hundred miles, to Conassauga; thence it turns E. of S. E. and is at least 350 miles, crossing several ferries; it is a turnpike road, kept by Indians, generally in bad order, and many abuses practiced by them on travellers.

The latitude at the head of boatable water on Tuguloo, is ab about 34° 35'—at Maryville, 35° 30'—and at Knoxville, 35° 40': there is not more than a degree of latitude between the settlements in East Tennessee, and the head of boatable water on Tuguloo river. I have full confidence that the president will order and direct that a road on the before mentioned route shall be opened, or permitted to be opened without
delay, for the convenience and accommodation of the people here, who have the acknowledged right to use, and to have roads by the nearest routes leading to the ocean, so that they may go and return with their produce and merchandize.

I am told that boats with heavy goods, can at most seasons of the year descend the Tennessee from Cowee to Tellico, which is 50 miles; below Tellico, the navigation is good.—The difference in the freight on goods from Baltimore to Savannah and Augusta, and the carriage from there here, when compared to the present expenses on transportation in the now common way, would be considerably less, to say nothing of the great saving of time now consumed in going to and from market; the nearest and best routes we can have for roads to the ocean, and the most advantageous streams to us, leading from Tennessee to the ocean, would be such as take their direction towards Georgia and Mobile, passing through the country occupied by the Indians, none of whom, except a few of the lower Creeks, are unwilling to our having the use of roads, and of the water courses leading to those places; the Cherokees and Upper Creeks, are, as I believe, anxious that we should have the use of ways by land and by water from this to Mobile; and from West Tennessee to that place, I have not heard of an objection made by Indians.

It may not be amiss to remark that if the navigation of the Tennessee was improved at the Muscle Shoals, which it is believed might be done at a trifling expense, benefits would be experienced by all those who are settled on the Tennessee between the Shoals, and the Mississippi; the impediments to the navigation at the Shoals, are considered to be large sheets of loose rocks, which being removed, would afford a channel deep, smooth and safe. The navigation of the Tennessee river, is I believe, secured by the treaty of Holston, held at this place in 1791, which would obviate any objection the Indians might make against our improving the bed of that river; though if it was not secured by treaty, it is unnecessary to use arguments to shew that the United States are entitled to exercise the privilege of navigating rivers within the limits, and under the jurisdiction of the United States, and also of improving the beds of them; it is a natural right which may be exercised by the government at will—I should be gratified to find that right exercised in navigating, and in improving the navigation of the rivers leading from Tennessee to Mobile.

The president has ordered that one road should be opened from Tennessee river to Fort Studdard, to begin at the head
of the Muscle Shoals, which the United States’ troops are
now opening, to serve as a military road from one garrison
to another, and to afford the people of Tennessee a more convenient route to the Ocean, for the transportation of their
produce and merchandise; and it is understood, that it is contemplated to open another road, to lead from some point higher up Tennessee river, to Fort Stoddart, which I hope may soon be opened for the convenience of the people of East
Tennessee, who are extremely desirous to enterprize in a
trade with Mobile.

It is known to you, that although one road from Tennessee
to Mobile would be useful, yet it would not promote the interest or convenience of the people of East and West Tennessee
in any tolerable degree, because, if they must travel from either end of the state to get into a road beginning at a point any where near to the centre between the extremes, the ridges and mountains near that centre would be so much in the way, that the convenience of neither would be promoted in a desirable degree. Again, any one road from this to Mobile, would go too far from the Alabama and Tombigby rivers, and
their tributary navigable waters, to be the most desirable to
us, as the free and unmolested use of those streams would be
to us of the utmost importance; the use of one of those rivers is to afford benefits to upwards of one hundred thousand people, and the other to a larger number, now settled in this state, and they unanimously ask for such accommodation as the use of those roads and rivers would afford them.

Mobile is about a S. W. course from Knoxville, and a S.
W. course from Nashville; how far it would be proper to have roads, varying from those courses, you can very well determine, your knowledge of the latitude of Mobile, of Knoxville, and of Nashville, will give you an idea of the distances from each of the latter points to Mobile.

The most eligible and desirable navigable routes from East
Tennessee to Mobile, requiring the shortest portage between
the waters of that river and Tennessee, would be down Ten-
nessee to the mouth of Highwassee, up Highwassee to the
mouth of Amqui, and up it fifteen miles; thence across to the
nearest navigable water of Coosa, distant nine miles; thence down Coosa and Alabama, to Mobile.—Or again, down the Tennessee to its extreme southern bend; thence across to Coosa, at or near Turkey town, distant fifty miles; thence down Coosa and Alabama to Mobile.

The most eligible and desirable navigable routes for the present population of West Tennessee, and which could not
at any future period be altered for the better for them, would be to start from a point on the Tennessee, at or near, to the head of the Muscle Shoals; thence to the Black Warrior, distant forty miles, where it is said to be as large as Elk river; at Fort Hampton; thence down it, to its junction with the Tombigbee, about one hundred miles above Fort St. Stephens. Or again, from that point on the Tennessee, pursuing the route as marked out by captain Gaines, from the head of the Shoals, to the Cotton-Gin-Port on Tombigbee, a distance of eighty seven miles.

The navigation of Tombigbee from the Gin-Port to Tibby river, which is the boundary between the Chickasaws and the Choctaws, is good for batteaux about half the year; from Tibby to St. Stephens very good, except in the driest season; the navigation of Black Warrior, I presume is as good as that of Elk river.

I am informed there is a main leading valley the whole way from Fort St. Stephens to Tennessee river, coming to the river between Cumberland and Lookout mountains, at or near to the Suck; the distance from thence to the Coosa I know not; a road and ferry there would be very useful to a great number of the people of Kentucky, whose interest it would be, to trade to Mobile.

I expressed the foregoing ideas on the subject of roads and navigation, in my letter to general Hampton, of the 30th September last, in answer to his of the 19th August, which communicated to me the pleasing information that the president had ordered that a road should be opened without delay from the vicinity of the Muscle Shoals, to Fort Stoddart, the object of which was, to open a communication between the waters of the Tennessee and those of the Mobile, for the joint purpose of affording accommodation to the inhabitants of Tennessee, and to the public at large.

If the much desired roads and navigation from East and West Tennessee to Mobile, should be granted to us, I would respectfully suggest, that provision for keeping them in good repair, and for the necessary accommodation for travellers to be permitted to be afforded at convenient stands, &c. &c. both by land and by water, should be made, or permitted to be made, in a way similar to that suggested in this letter for keeping, &c. the contemplated road from this to Georgia.

The road from Nashville to Natchez, which thousands of people from Tennessee, Kentucky, Ohio and the territories below, of necessity travel, is in bad order; it probably has not been repaired since it was first opened, way for some
years; most roads are under some regulation; why should not that be well regulated? It has been obtained by stipulation between the general government and the Indians. Abuses practised on travellers on that road by Indians should be checked, if the laws of the United States were enforced there, and the Indians made to pay for damages by them done, and to answer for abuses, it would put a check to them—white people should be permitted to erect and keep houses of entertainment on that road for the accommodation of those who really need better than they now get on it; many travellers get sick, and actually die there, merely for the want of better accommodation than the Indians can afford; a turnpike company authorised to collect toll, and bound to keep that road in good repair, and permitted to keep houses of entertainment thereon, would remedy the evils complained of.

To have a road from Clarksville to the mouth of Duck river, thence to Chickasaw Big Town, thence to unite with the present Natchez road, has been an object for many years, and is still one with those who travel from Ohio, the territories below it, from the lower part of Kentucky and of Tennessee, to Natchez and Orleans, and back, who now have to use the present circuitous route—it has been applied for annually for years past: when the importance of such a road is taken into view, it seems wonderful it has not been granted.

The propriety of an exchange of lands with the Indians who have claims within this state, is so self-evident, that reasoning on that subject is useless—if it was done, it would better the condition of the United States, of this state, and of the Indians—with the first it is an object to add strength to this section of the union, and to have the annual expenses in the Indian department lessened—while the second if important to establish settlement on the Mississippi, and with the Indians plenty of game to be near to them, must be equally an object. For my ideas on this subject, I refer you to my letters of the 3d June, and 6th December, 1810—of the 2d and 30th January, and 24th April, 1811, addressed to the Secretary of the war department, and to the delegation in congress from this state, all which letters they received.

The salubrity of our climate, authorises the expectation that the inhabitants of Tennessee will be favored with long life, and a knowledge of their character and habits induce a belief of their industry; which added to the fertility of our soil, and the common desire felt to improve our natural advantages in a laudable way, shows the propriety of our having as many outlets for our redundancies, through the near-
To the Tennessee Delegation in Congress.

Nashville, Nov. 20th, 1812.

SIR,

In compliance with a request of the general assembly of this state, I have the honor to inclose to your excellency the copy of their act passed at their late session, respecting the boundary line between this state and the state of Kentucky.

I have reason to believe that the general assembly passed this act with the single view most amicably to settle the boundary line between the two states, relying confidently on a corresponding disposition being felt by, and on its influencing the legislature of your state in her proceedings relative thereto.

Of the interior proceedings of your legislature on this subject, I hope in due time to be advised.

And I have the honor to be, most respectfully,

Your excellency's obedient servant,

WILLIE BLOUNT.

Governor Isaac Shelby,

Frankfort Kentucky.

AN ACT

To confirm and establish Walker's line as the boundary between this state and the state of Kentucky.

§ 1. Be it enacted by the general assembly of the state of Tennessee, That the line commonly called and known by the name of Walker's line, shall be and the same is hereby declared to be the boundary line of this state, so far as the same has been run and marked under the direction of Walker, and where it has not been run and marked, the governor of this state is hereby authorized to appoint two persons commissioners on the part of this state, to act with commissioners to be appoint-
ed by the authority of the state of Kentucky, finally to adjust and establish such part of said line as has not been run and marked, praying due regard in running thereof to those established and notorious points in said line at which the latitude has been taken, and places marked by said Walker.

§ 2. Be it enacted, That said commissioners shall appoint one or more surveyors, and markers, who shall plainly mark the line at all places where the same has not been done; each commissioner shall be allowed the sum of four dollars per day, and each surveyor three dollars, and each marker the sum of one dollar per day for each day he shall be engaged in said service, to be paid out of any monies in the treasury, not otherwise appropriated, to be drawn on the warrant of the governor, who is hereby authorized to draw warrants for the same. Said commissioners shall make report of their proceedings to the executive of this state, so soon as they shall have accomplished the same.

§ 3. Be it enacted, That the governor of this state be requested to transmit a copy of this act to the executive of the state of Kentucky.

JOHN COCKE,
Speaker of the House of Representatives.

THOMAS HENDERSON,
Speaker of the Senate.

October 21, 1812.

STATE OF TENNESSEE—SECRETARY'S OFFICE:

1. William G. Blount, secretary of state for the state aforesaid, do hereby certify that the foregoing is a true copy from the original law (to confirm and establish Walker's line as the boundary between this state and the state of Kentucky) deposited in said office.

WILLIAM G. BLOUNT,
Secretary.

WILLIE BLOUNT, Governor in and over the state of Tenn.

To Whom It May Concern:

Be it known, that William G. Blount, whose certificate appears above, is the authorized and acting secretary of this state.

Given under my hand and the seal of the state at Nashville, this 7th day of November, 1812.

WILLIE BLOUNT.

By the Governor,

W. G. BLOUNT, Secretary.
Kentucky, Frankfort, March 30th, 1813.

SIR,

The act of the legislature of this state, which I have the honor to enclose to your Excellency, is so explicit upon the subject contemplated thereby, that it precludes the necessity of a comment. I flatter myself that the importance of the subject is so obviously necessary to be speedily adjusted, that your Excellency, if vested with the powers requisite for establishing the boundary line between this state and that of Tennessee, will not delay in notifying me thereof, that measures may be adopted to carry into effect an object of so great magnitude to the peace and tranquility of both the states.

If, however, your powers upon this subject are so restricted as to prevent your proceeding at this time in the business, I solicit your Excellency to communicate to the legislature of the state of Tennessee at the next session, the desire of this state to terminate speedily and amicably a question of so great moment, by laying before that honorable body for their consideration, the act forwarded herewith.

With consideration of great respect and esteem, I have the honor to be, your excellency's most obedient servant,

ISAAC SHELBY.

His Excellency
The Governor of Tennessee.

Cumberland Gap, November 22, 1806.

SIR,

The copy of the certificate I have annexed, seems to contain matter of such importance to the state of Kentucky, that I deem it proper to send it without delay to your excellency.

Captain Lewis in a conversation further mentioned, that he had taken the latitude of the junction of the Ohio with the Mississippi, with the same instruments and on the same spot Mr. Ellicott took the latitude, with his much approved Zenith Sector, and on calculation he found their observations to agree.

I am sir, your most obedient servant,

ARTHUR CAMPBELL.

His excellency Christopher Gruenup.

Walling's, Nov. 23rd, 1806.

This day in compliance with the request of certain gentlemen, I undertook to settle the latitude of a line usually denominated Walling's line, formerly dividing the states of Virginia and North Carolina. The position selected for this observation was near the habitation of a Mr. E. Walling
two hundred yards south of said line, and about two miles distant from Cumberland Gap. The instruments used in this observation were a sextant on the most approved plan, with a reversing telescope for an eye-piece, and a good micrometer, and an artificial horizon, in which water was used as the reflecting surface. With these instruments, I took the meridian altitude of the sun's lower limb, and calculated the latitude; from which it appeared the place of observation was in North latitude 36° 35' 12 1-10; if, therefore, the charters of the states of North Carolina and Virginia call for a parallel of latitude at 36° 30' N. as a boundary between them, the line of Walker is nine miles and 1077 yards North of its proper position.

This statement, I have given to Colonel Arthur Campbell, at his request, to be presented to the public view, in any manner he may think proper.

MERIWETHER LEWIS, Captain
1st U. S. Regt. Inft.

Tennessee, December 3d, 1806.

SIR,

I wrote you from Cumberland gap, about a week ago, inclosing a communication to your executive. Since, I have read the land law of the state of Tennessee, passed September last; in which the lands to be surveyed, are portioned out into six districts; four of which I believe, are on the west side of Cumberland mountain; and the expression used for the part bordering on Kentucky, "the north boundary of the state," one other district. "by the Virginia line on the north." I inquired of one of the legislative body, why the distinction? He observed, that it was expected the north boundary of Tennessee, would be the same parallel of the late established line of Virginia.

This so ill accords with the astronomical observations of captain M. Lewis, and the compact of Kentucky with Virginia, that it may be worth while for your legislature, to take notice of the act of Tennessee, before they adjourn, as the surveyors of this state have begun to perform the duties designated for them; of course, there may be appropriated upwards of ten miles of the territory of Kentucky, along the southern boundary thereof.

By adverting to the act of Tennessee, you will fully comprehend what I now wish to communicate.

I am sir, your most obedient serv't,

ARTHUR CAMPBELL,

J. Rowan, Esq. Secretary State Kentucky.
SIR,

Your state being most interested in the discovery made by Captain M. Lewis of its true southern limits, I now send you for the use of your government, the original certificate in the handwriting of the captain.

Lately I have been informed that commissioners of the states of South and North Carolina met last winter, and was in a fair way of adjusting the boundary in an amicable manner.

A respectable gentleman in Tennessee lately assented to an observation, that it would be to the interest of his state to lose the nine miles on the northern side, because the same distance would be gained off the Mississippi territory, as it was well known, that the lands on that side, would be of much greater value, both from its local situation and a greater proportion being fit for cultivation; for by the constitution of N. Carolina, they could only claim from latitude 35° north to 35° 30'. Another remark he attached some importance to, that nine miles of latitude on their northern side, would free a considerable portion of inhabitants from painful apprehensions, on account of the claim of Granville's heirs, now before the court of the U. States; of course would make a change of the present line a popular measure.

I suppose you have heard, that last year, there was an hostile attack made by the militia of Buncomb county, on the inhabitants of Warren, lately erected by the legislature of Georgia; because, said the officer that commanded, you have invaded our charter limits, by forming a county north of the 35° of latitude. The legislature of N. Carolina sanctioned the violent removal of the inhabitants, by passing an act to pay their militia, although there was no previous order of the executive, ordering them into actual service. The land law of the state of Tennessee passed last session, will show, that delay in establishing the southern boundary of Kentucky, may give the former state an opportunity to survey and sell a considerable territory, really the right of the latter; of course may bring about evils not at present foreseen.

I am sir, respectfully,

Your most obedient servant,

ARTHUR CAMBELL.

His excellency Christopher Greenup.
Wallings's November 25th, 1806.

This day in compliance with the request of certain gentlemen I undertook to settle the latitude of a line usually denominated Waller's line, formerly dividing the states of Virginia and North-Carolina. The position selected for this observation was near the habitation of Mr. Walling, two hundred yards south of said line, and about two miles distant from Cumberland Gap. The instruments used in this observation were a sextant on the most approved plan, with a reversing telescope for an eye-piece and a good micrometer, and an artificial horizon in which water was used as the reflecting surface. With these instruments, I took the meridian altitude of the sun's lower limb and calculated the latitude; from which it appeared that the place of observation was in north latitude 36° 38' 12" 10; if, therefore, the charters of the states of North Carolina and Virginia call for a parallel of latitude at 36° 30' N. as a boundary between them, the line of Walker is nine miles and 1077 yards north of its proper position.

This statement I have given to Colonel Arthur Campbell at his request, to be presented to public view in any manner he may think proper.

MERIWETHER LEWIS, Captain.
1st U. S. Regt. Infantry.

Claiborne, November 30, 1807.

Sir,

The legislature of Tennessee has been in session for two months, and we have just heard that it adjourned last Saturday. The length of its session has chiefly been caused by the arduous task they had to perform last year in opening a Land Office; and this year from the effort to amend the law. Since last year the number of spurious and fraudulent North Carolina warrants have been found to be of a much greater amount than was first apprehended; and many innocent purchasers likely to be ruined. Whether the present legislature have been so successful as to find out a remedy; another year may give more light into the matter.

I have not failed by means of an influential member, to have Captain Lewis' discovery of the true latitude, made known; but the probability is, that nothing is done on account of the attention of the members, being engrossed by amending their land law. When the new act is printed, I will endeavor to send your excellency a copy that you may be informed whether it has any new bearings on the interests of Kentucky.
To run and mark the former Virginia boundary (as run by D. Walker,) from the Clear Fork of Cumberland, to where it crosses the main river to the north side, may be a useful regulation of your legislature, and prevent future disputes.

I am sir, respectfully,
Your obedient servant.

ARTHUR CAMPBELL.

P. S. Extract from a report of the commissioners for east Tennessee to the Legislature.

Claims of various descriptions examined, 1408:
Amounting to 128,565 acres on valid warrants:
And, 262,057 acres of counterfeits.

His excellency Christopher Greenup,
Governor of Kentucky.

Cumberland Gap, Knox County, January 31, 1810.

SIR,

I observe by the journals of your legislature, that a bill is under deliberation, to appoint commissioners to ascertain the southern boundary of the state of Kentucky.

It may not have been communicated to your excellency, that as captain M. Lewis returned from his travels to the Pacific Ocean, that he halted two days near this place, on one of which he was requested to make celestial observations, with his astronomical instruments, in order to find the true latitude of the Virginia, or as it is commonly called Walker's line, run in 1779. The captain with his usual complaisance acceded to the request, and made the usual observations and calculations, by which it appeared, that the line run in 1779 was several miles too far north.

Mr. Lewis was good enough to make out a written certificate of his observations, and delivered it to me; a copy of which, I soon after forwarded to your predecessor. Whether this document has been before the committee that prepared the bill, I know not, but you will judge whether it may be useful to the commissioner you may appoint, to ascertain the latitude of 36° 30' when he meets the commissioner from the state of Tennessee.

We may attach some importance to the certificate, because I sent another copy to Bishop Madison, in Williamsburg, in order that he might examine the subject, and make his new Map of Virginia correspond with the true latitude. The Bishop wrote me in answer, "that he believed the present southern boundary of Virginia was north of the true latitude,
by observations he had made in Montgomery county; but that his map for sometime, was in the hands of the engraver, and that it was too late to make alterations."

The charters of Virginia and North Carolina and the constitutions of both states, call for latitude 36° 30' making North Carolina and Tennessee, one degree and a half in extent from south to north within these limits, and these only have their governments jurisdiction; of course if captain Lewis and Bishop Madison are correct, the Tennessee government is invading the rights of a sister state, and infringing the provisions of the constitution of the U. States; which all her officers are solemnly bound to support.

If the commissioner you may appoint, needs an active man for a surveyor in extending the line, I will consider it as an obligation, to mention my son James H. Campbell, who has been in the practice of surveying for sometime past.

I am, sir, your most obedient servant,

ARThUR CAMPBELL.

His excellency Charles Scott,
Governor of Kentucky.

January 3d, 1815.

SIR,

Understanding that the House of Representatives of the General Assembly of Kentucky, have requested from your office any documents which you have, relative to the settlement of the boundary line between this state and Tennessee, I must beg the favor to let the enclosed report accompany the same.

Respectfully, your obedient servant,

ROBERT CROCKETT, for

JOSEPH CROCKETT.

Col. Martin D. Hardin,
Secretary of State.

Mr. Craig from the joint committee of enrollments, reported that the committee did on this day deposit in the office of the secretary of state, for the approbation and signature of the governor, enrolled bills of the following titles:

An act to establish an election precinct in Jefferson county; an act to extend the time for returning plats and certificates into the Register's office, and for surveying certain lands in this commonwealth; an act for the relief of certain clerks in this commonwealth; an act for the relief of Asa Killam.
A message from the governor by mr. secretary Hardin:

Mr. Speaker,

The Governor did on this day, approve and sign an enrolled bill which originated in this house, entitled an act to establish an election precinct in Jefferson county.

And then he withdrew.

Ordered, That Mr. Craig inform the senate thereof.

Leave was given to bring in the following bills:

On the motion of Mr. Anderson—1st, A bill to amend the laws relating to the town of Jefferson, in Jefferson county: On the motion of Mr. Marshall—2nd, a bill to extend the July term of the Franklin circuit court—and on the motion of Mr. Anderson—3d, a bill concerning insolvent debtors.

Messrs. Anderson, J. Hunter and Knight, were appointed a committee to prepare and bring in the first. Messrs. Marshall, Blackburn and Todd, the second. Messrs. Anderson, Letcher, J. Hunter and Wall, the third.

Mr. Payne from the committee appointed for that purpose reported of a bill to incorporate the Lexington Bank; which was received and read the first time, and the question being taken on reading the said bill a second time, it passed in the negative, and so the said bill was rejected.

Mr. Mills moved the following resolution, viz.

Resolved, By the house of Representatives of the commonwealth of Kentucky, That a law ought to pass repealing the acts establishing circuit courts, and creating in their stead other courts composed of judges with adequate salaries, directed by law, to hold terms per year, in each county.

Which being twice read, was laid on the table.

And then the house adjourned.

FRIDAY, JANUARY 5, 1816.

Mr. Chambers offered the following resolution, to wit:

Resolved, That the senate be informed that this house will on this day, at 11 o'clock, resolve itself into committee of the whole on the state of the commonwealth, for the purpose of considering the communication of the Governor on the subject of the boundary between this state and Tennessee, and of hearing Mr. Humphreys, the commissioner from Tennessee, on that subject.

Which being twice read, was concurred in.

Ordered, That Mr. Chambers inform the senate thereof.

Mr. Flournoy, from the joint committee of enrollments, reported that the committee had examined an enrolled bill en-
titled an act for the benefit of Joshua Cates, and the trustees of the Harrison seminary. An enrolled resolution appointing a joint committee to confer with the commissioners of the public buildings—and a resolution relative to the Register's sales:

And had found the same truly enrolled:

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Flournoy inform the senate thereof.

The house then according to the standing order of the day, resolved itself into a committee of the whole house, on the state of the commonwealth; Mr. Robinson in the chair:

Which being resumed by Mr. Speaker, Mr. Robinson reported that the committee of the whole house on the state of the commonwealth, had according to order, had under consideration the communication of the governor of this state relative to the boundary line between this state and the state of Tennessee, and had made some progress in the consideration thereof, but that the committee not having time to go through the same, had instructed him to ask for leave to sit again.

The petition of sundry citizens of the counties of Harrison and Nicholas, on the subject of the navigation of Main Licking, and the erection of Mills thereon, and praying that the former laws on that subject may be amended:

Was received, read and referred to a select committee of Messrs. Wall, Forrest, Flournoy, Metcalfe and Stockton, giving said committee leave to report thereon by bill or otherwise.

Mr. Rowan, from the committee for courts of justice, made the following report, to-wit:

The committee for courts of justice, have according to order, had under consideration sundry petitions to them referred, and have come to the following resolutions thereupon, to-wit:

1. Resolved, That the petition of sundry citizens of Hardin and Breckinridge counties, representing the great disadvantages resulting to individuals from a claim of Henry Banks and Philip Barbour, to 113.482 1-2 acres of land in said counties, and that the said land has been forfeited to the state for the non-payment of taxes, and praying that those who have settled on said land, may be permitted to purchase the same of the Commonwealth at a fair price, be rejected.

2. Resolved, That the petition of John A. Markley, representing that he is a nephew of John A. Seitz, dec. formerly of Lexington, in this state; that at the solicitation and request of the said Seitz, whose intention it was to make him his heir, he came to the United States, but previous to his arrival, said Seitz died intestate; that he cannot under the
existing laws claim as his heir at law, (being an alien) and praying legislative relief—is reasonable.

3. Resolved, That the petition of Abner Field, representing that he was appointed executor of the last will and testament of Christopher M'Cullough, deceased, and that by said will, he is directed to sell a tract of land in Jefferson county, and put the proceeds thereof out at interest for the benefit of his widow and children; that his widow is deranged and consequently incapable of giving her assent to a sale of said land, and praying that a law may pass to effectuate said will—is reasonable.

4. Resolved, That the petition of Henry Speed, representing that there is a suit depending in the court of Appeals, wherein he is party, and that an adjudication of his case cannot be had, owing to the interest of one of the judges, and one of the others being originally employed as counsel against him; and that there are several other cases similarly situated, and praying that a law may pass, establishing some tribunal to adjudicate on such cases, is reasonable—and that for remedy of the evil complained of, a fourth judge ought to be added to the court of Appeals:

Which being twice read, the first resolution was concurred in.

It was then moved and seconded to amend the second resolution by striking out the words “is reasonable,” and inserting in lieu thereof, the words “be rejected,” upon which it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Beauchamp and Rowan, were as follows, viz.


The said resolution as amended was then concurred in.

A message from the senate by Mr. Lee, their secretary:

Mr. Speaker,

The senate have received official information that the gov-
The petition of the manufacturers of salt at the Little Sandy salt works, praying that a law may pass, exempting from serving on juries the owners and occupiers of salt furnaces in this state:

The petition of the justices of the county court of Harrison county, praying that a law may pass, authorizing them to sell a part of the public square in said town, and apply the proceeds thereof, to build a court-house:

And a petition counter thereto:

The petition of the German Baptist Society, praying a law may pass, to lessen militia fines for non-attendance at company musters: And,

The petition of sundry citizens of Nicholas county, counter to that heretofore presented, praying the removal of the seat of justice of said county from the town of Ellsville:

Were severally received, and read: the first was committed
to a select committee of messrs. Ward, Metcalfe and Bates; the second, third and fifth, to the committee of propositions and grievances; and the question being taken on referring the fourth petition to the proper committee, it passed in the negative, and so the said petition was rejected.

On the motion of Mr. Stratton:

Ordered, That the committee for courts of justice, be discharged from a further consideration of the petition of Spencer Atkins of Floyd county, presented at a former day of the session, and that leave be given, to withdraw said petition.

The speaker laid before the house a letter from the auditor of public accounts, containing a statement of the number of free white male inhabitants in the several counties of this commonwealth: which letter and statement, were then taken up, and read as follows, to wit:

AUDITOR'S OFFICE, JANUARY 6, 1816.

SIR,

I herewith inclose you a report of free male inhabitants above the age of twenty-one years in the several counties within this commonwealth, per returns made to this office for the year 1815, except for the counties of Henderson and Rockcastle. I have been compelled to resort to the returns of 1814, for the number of free males above the age of twenty-one years from those counties, no returns as yet having been received for the year 1815.

I have the honor to be, sir,
Your most obedient servant,

GEORGE MADISON, A. P. A.

The Honorable,
the Speaker of the
House of Representatives.
AUDITOR'S OFFICE, JANUARY 5, 1816.

A report of the free male inhabitants above the age of twenty one years within the several counties in this commonwealth, per returns made to this office for the year 1815.

<table>
<thead>
<tr>
<th>Counties</th>
<th>No. free males</th>
<th>Counties</th>
<th>No. free males</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adair</td>
<td>1486</td>
<td>Harrison</td>
<td>1614</td>
</tr>
<tr>
<td>Allen</td>
<td>761</td>
<td>Henry</td>
<td>1449</td>
</tr>
<tr>
<td>Boone</td>
<td>618</td>
<td>Henderson</td>
<td>467</td>
</tr>
<tr>
<td>Butler</td>
<td>408</td>
<td>Hopkins</td>
<td>578</td>
</tr>
<tr>
<td>Bath</td>
<td>918</td>
<td>Jefferson</td>
<td>1738</td>
</tr>
<tr>
<td>Barren</td>
<td>1803</td>
<td>Jessamine</td>
<td>946</td>
</tr>
<tr>
<td>Bullitt</td>
<td>625</td>
<td>Knox</td>
<td>1076</td>
</tr>
<tr>
<td>Breckinridge</td>
<td>698</td>
<td>Lincoln</td>
<td>1212</td>
</tr>
<tr>
<td>Bracken</td>
<td>670</td>
<td>Logan</td>
<td>1524</td>
</tr>
<tr>
<td>Bourbon</td>
<td>2365</td>
<td>Livingston</td>
<td>522</td>
</tr>
<tr>
<td>Casey</td>
<td>565</td>
<td>Lewis</td>
<td>493</td>
</tr>
<tr>
<td>Campbell</td>
<td>646</td>
<td>Mercer</td>
<td>1546</td>
</tr>
<tr>
<td>Caldwell</td>
<td>328</td>
<td>Madison</td>
<td>2449</td>
</tr>
<tr>
<td>Clark</td>
<td>1594</td>
<td>Mason</td>
<td>1736</td>
</tr>
<tr>
<td>Christian</td>
<td>1929</td>
<td>Muhlenburg</td>
<td>643</td>
</tr>
<tr>
<td>Cumberland</td>
<td>998</td>
<td>Montgomery</td>
<td>1110</td>
</tr>
<tr>
<td>Clay</td>
<td>498</td>
<td>Nelson</td>
<td>1869</td>
</tr>
<tr>
<td>Daviess</td>
<td>340</td>
<td>Nicholas</td>
<td>327</td>
</tr>
<tr>
<td>Estill</td>
<td>489</td>
<td>Ohio</td>
<td>380</td>
</tr>
<tr>
<td>Fayette</td>
<td>2370</td>
<td>Pulaski</td>
<td>1107</td>
</tr>
<tr>
<td>Floyd</td>
<td>687</td>
<td>Pendleton</td>
<td>631</td>
</tr>
<tr>
<td>Fleming</td>
<td>1598</td>
<td>Rockcastle</td>
<td>305</td>
</tr>
<tr>
<td>Franklin</td>
<td>1447</td>
<td>Scott</td>
<td>1553</td>
</tr>
<tr>
<td>Grayson</td>
<td>553</td>
<td>Shelby</td>
<td>2517</td>
</tr>
<tr>
<td>Greenup</td>
<td>420</td>
<td>Union</td>
<td>302</td>
</tr>
<tr>
<td>Garrard</td>
<td>1290</td>
<td>Woodford</td>
<td>1134</td>
</tr>
<tr>
<td>Green</td>
<td>1200</td>
<td>Warren</td>
<td>1325</td>
</tr>
<tr>
<td>Gallatin</td>
<td>660</td>
<td>Wayne</td>
<td>988</td>
</tr>
<tr>
<td>Hardin</td>
<td>1470</td>
<td>Washington</td>
<td>1919</td>
</tr>
</tbody>
</table>

Ordered, That the said letter and statement be referred to the committee who were appointed to prepare and bring in a bill to fix the ratio, and apportion the representation of this commonwealth for the ensuing four years. And that the pub-
The printers forthwith strike one hundred and twenty copies of said statement for the use of the members of this house.

The house took up the third and fourth resolutions reported from the committee for courts of justice on yesterday, which being again twice read, the third resolution was then concurred in.

It was then moved and seconded to amend the fourth resolution, by expunging therefrom these words, "and that for remedy of the evil complained of, a fourth judge ought to be added to the court of Appeals."

And the question being taken thereon, it passed in the affirmative.

The yeas and nays being required thereon by Messrs. South and Rowan, were as follows, to-wit:


The said resolution as amended, was then concurred in.

Ordered, That the said committee prepare and bring in bills pursuant to said resolutions.

Ordered, That an engrossed bill entitled an act for the benefit of William M. W. Harwood, be taken up and placed in the orders of the day.

Leave was given to bring in the following bills:

On the motion of Mr. Given—1st, A bill to legalize the proceedings of the county court of Livingston at their November term last—2nd, a bill to compel the attendance of justice of the peace at their court of claims—on the motion of Mr. Letcher—3d, a bill to provide a mode of trial against justices of the peace, for malfeasance or misfeasance in office—on the motion of Mr. Caldwell—4th, a bill for the relief of the heirs of James C. Price, deceased—on the motion of Mr. Breathitt—5th, a bill directing the mode of choosing electors to vote for a President and Vice President of the U. States—and on the motion of Mr. Blackburn—6th, a bill to improve the navigation of Kentucky river and the Beech and Rolling forks of Salt River.
Messrs. Given, Patton and Wier were appointed a committee to prepare and bring in the first. Messrs. Given, South, Mills, Breathitt and Marshall, the second. Messrs. Letcher, Mills, Rowan, Yantis, Robinson and Eve, the third. Messrs. Caldwell, South, Blackburn and Payne, the fourth. Messrs. Breathitt, Mills, Robinson, Emerson, Fergus, Given and Payne, the fifth; and Messrs. Blackburn, Rowan, Beauchamp, Kerley, Letcher, Yantis and Metcalfe, the sixth.

The following bills were reported from the several committees appointed to prepare and bring in the same:

By Mr. Marshall—1st. A bill establishing an election precinct in the county of Franklin—by Mr. M'Afee—2d, a bill authorizing the sale of a part of the public square in the town of Danville—by Mr. Wall—3d, a bill for the relief of the representatives of William Ward, deceased—and by Mr. Goode—4th, a bill for the benefit of William Quinton:

Which bills were severally received and read the first time, and ordered to be read a second time.

On the motion of Mr. Rowan from the majority on that question,

Resolved, That the vote given on the 16th instant, by which "A bill further to regulate the circuit courts of this commonwealth," was rejected, be reconsidered, and that the said bill with the amendments be recommitted to a select committee of Messrs. Rowan, Chambers, Patton, Buckner, F. Johnson and Bates.

Mr. Blackburn from the select committee appointed for that purpose, reported a bill for the benefit of the widows and orphans of those persons who fell in the late war; which was received and read the first time.

It was then moved and seconded to lay the said bill on the table until the last Monday of July next, upon which it passed in the negative.

The yeas and nays being required thereon by Messrs. George and Letcher, were as follows, to wit:


Nays—Messrs. Allan, Bates, Buckner, Breathitt, Blackburn, Beauchamp, Coffey, Cosby, Dolerhille, Emerson, Eve, Fergus, Ford, Goode, George, Given, W. S. Hunter, Jameson, J. T. Johnson, F. Johnson, Kerley, Logan, M'Guire,

It was then moved and seconded to lay the said bill on the table for the present, upon which it passed in the affirmative.

The yeas and nays being required thereon by Messrs. Kerley and Mills, were as follows, viz:


Mr. Yates moved the following resolution, to-wit:

Resolved, By the house of Representatives, that a committee be appointed to draft a memorial to congress, requesting that a provision be made for the support of the widows and orphans of the militia of this state, who were slain or died in the late war with England and her dependencies:

Which being twice read, was concurred in:

And Messrs. Yates, Rowan, M'Alce, Mills and Allan, appointed a committee conformably thereto.

And then the house adjourned.

MONDAY, JANUARY 3, 1815.

The petition of sundry citizens of Logan county, praying that a law may pass to alter the mode of summoning juries, and allowing jurors a compensation for their services; and that the laws on the subjects of "procisioning lands," "surveyors," and "vagrants," may be severally amended:—

Was read, and ordered to be laid on the table.

A message from the senate by Mr. Y. Ewing:

Mr. Speaker,

The senate have passed a bill from this house, entitled "an act further to regulate the payment of the debt due the commonwealth, for the sale of vacant lands," with amendments, in which they request the concurrence of this house.
And then he withdrew.

On the motion of Mr. Blackburn,

Ordered, That the committee of the whole house on the state of the commonwealth be discharged from a further consideration of the governor's communication, relative to the boundary line, between this state and the state of Tennessee; and that the same be referred to a select committee of Messrs. Blackburn, Mills, Rowan, Kerley, Chambers, Anderson and Breathitt.

Mr. Blackburn from the committee appointed for that purpose, made the following report:

The select committee have, according to order, had under consideration the memorial of William Hunter, to them referred, and have come to the following resolution thereupon, to-wit:

Resolved. As the opinion of this committee, that it is expedient, and that a law ought to pass, authorising the purchase of 250 copies of Littell's laws of Kentucky, for the use of this state:

Which being twice read, it was then moved and seconded to lay the said resolution on the table until the first day of March next, upon which it passed in the affirmative.

The yeas and nays being required thereon by Messrs. Patton and Beauchamp, were as follows, to-wit:


Mr. Patton, from the select committee to whom was referred a bill to incorporate the Louisville Library Company, reported the same with an amendment; which being twice read was concurred in.

Ordered, That the said bill as amended be engrossed and read a third time to-morrow.

Leave was given to bring in the following bills:
On the motion of Mr. Beachamp—1st, A bill to amend the penal laws of this commonwealth; on the motion of Mr. F. Johnson—2d, a bill to authorize the trustees of the town of Bowling Green to dispose of a part of the public ground in said town; on the motion of Mr. Crutcher—3d, a bill better to enable the masters of slaves to protect them from the violence of the wanton and unfeeling—On the motion of Mr. Hart—4th, a bill to provide for the revision of the statute laws of a general nature in this commonwealth; on the motion of Mr. Caldwell—5th, a bill to amend the law concerning duelling; on the motion of Mr. Mills—6th, a bill to provide for carrying into effect the decrees and judgments of the late supreme court for the district of Kentucky—and on the motion of Mr. Emerson—7th, a bill for the benefit of William Buckner.

Messrs. Beachamp, Mills, Blackburn, Rowan and Crutcher, were appointed a committee to prepare and bring in the first. Messrs. F. Johnson, Blackburn, J. B. Smith and Flourney, the second. Messrs. Crutcher, Hughes, South Rowan, Allan, and Payne, the third. Messrs. Hart, Harrison, Metcalf, Patton, and Letcher, the fourth. Messrs. Caldwell, Patton, Wall, J. Hunter and Williams, the fifth. Messrs. Mills, M'Alty, Ray, Xantis and Emerson, the sixth. Messrs. Emerson, Kemick and Buckner, the seventh.

Mr. Daniel moved for leave to bring in a bill to authorize the raising by way of lottery, one thousand dollars to assist the people in building a court house in Estill county, and the question being taken on giving leave to bring in the said bill, it passed in the negative.

The following bills were reported from the several committees appointed to prepare and bring in the same.

By Mr. Anderson—1, A bill concerning insolvent debtors.
By Mr. Letcher—2, A bill providing a mode of trial against justices of the peace, for malfeasance or misfeasance in office.
By Mr. Blackburn, from the committee of propositions and grievances—3, A bill establishing an election precinct in the county of Green. And, 4, A bill to authorize Jeremiah Buckley to build a bridge across Kentucky river. And, by Mr. Marshall—5, A bill to extend the July term of the Franklin circuit court for the trial of chancery causes:

Which bills were severally received and read the first time and ordered to be read a second time.

The petition and remonstrance of sundry citizens of Allen county, against the acts of the county court of said county, and the commissioners appointed by them, in letting out the building of the court house and other public buildings at their
seat of justice, and praying that their acts may be set aside; and other commissioners appointed by the legislature:

The petition of the widow and guardians of the heirs and legal representatives of Job Carter, deceased, praying that they may be permitted to sell one hundred acres of land, belonging to the estate of said Carter, and to invest the proceeds in Bank stock, or put the same out at interest, for the benefit of said widow and heirs:

And the petition of sundry citizens of Allen county, praying that a part of said county, may be stricken off, and added to the county of Warren:

Were severally received, read and together with the accompanying documents, referred: the first and third to the committee of propositions and grievances; and the second to the committee for courts of justice.

The house took up the amendments proposed by the senate to bills from this house of the following titles, "an act to establish ferries, over Rockcastle river on the turnpike and wilderness road," and "an act further to regulate the payment of the debt due the commonwealth for the sale of vacant lands, which being severally twice read, were concurred in, with an amendment to the latter amendment proposed to the second bill.

Ordered, That the clerk inform the senate thereof, and request their concurrence in the said amendment.

Engrossed bills of the following titles:
1. An act for the benefit of William McWilliam Harwood.
2. An act to legalize the proceedings of the county court of Hopkins, at their February and April terms.
3. An act to prevent swindling by way of lottery in this commonwealth.
4. An act for the benefit of the Russellville Lodge, No. 17.
5. An act for the benefit of the heirs of Robert Johnson, deceased.
6. An act authorizing certain advertisements to be inserted in the newspaper entitled the "Winchester Advertiser;"
7. An act appointing trustees to the Grayson Seminary and other purposes; And,
8. An act for the benefit of the heirs of Richard Armstrong, deceased.

Were severally read the third time, and the following engrossed sections added to the last bill, by way of rider, viz.

Be it further enacted, That it shall and may be lawful for the heirs of Charles Jones, deceased, to wit: Elizabeth Walker and Robert Jones, to return the platt and certificate of a
military survey on part of a warrant No. 208, containing two hundred and forty four acres, lying on the north fork of the west fork of Red river to the register's office; who shall issue a grant to said heirs for the same, as in other cases:

Provided, That nothing herein contained, shall be so construed as to give to said grant, any validity against prior claims derived from the laws of Virginia or this state.

Be it further enacted, That it shall and may be lawful for the heirs and representatives of Lian Banks, deceased, to return a plat and certificate of a military survey on part of a warrant No. 1978, formerly lying in Green county, (now Adair) containing one hundred and nineteen acres, who shall issue a grant to said heirs for the same as in other cases:

Provided, That nothing herein contained shall be so construed as to give to said grant, any validity against prior claims derived from the laws of this state or Virginia.

Resolved, That the first, second, fourth, sixth, seventh and eighth bills do pass, that the titles of the first, second, fourth, sixth and seventh bills be as aforesaid, and that of the latter be amended by adding thereto the words "and others."

Ordered, that the clerk carry the first, second, sixth, seventh and eighth, and Mr. Breathitt the fourth bills to the senate and request their concurrence.

Ordered, That the third bill be re-committed to a select committee of messrs. W. Thompson, Harrison, Blackburn, Marshall, Rowan and Letcher; and the fifth to a select committee of messrs. Mills, McFic, Chambers and McHatton.

A message from the senate by Mr. Y. Ewing:

Mr. Speaker,

The senate concur in the amendment proposed by this house, upon concouring in the last amendment proposed by that house to the bill from this, entitled an act further to regulate the payment of the debt due the commonwealth for the sale of vacant lands.

And then he withdrew.

And then the house adjourned.

TUESDAY, JANUARY 9, 1846.

The petition of William Richards of the state of Virginia, representing that he purchased of William T. Tibbs, the heir at law of Daniel Tibbs, deceased, a survey for 500 acres of land, the plat and certificate of which survey has been assigned to him, but by mistake a patent has issued therefor, in the name of Daniel Tibbs; that in consequence of said mistake, his
land has been struck off to the state, for the non-payment of taxes, although his agent in this country was supplied with funds to pay them, and praying that the right of the state may be transferred to him:

Was received, read and referred to the committee for courts of justice.

Mr. Mills, from the select committee to whom was referred an engrossed bill entitled "an act for the benefit of the heirs of Robert Johnson, deceased," reported the same with sundry amendments; which being severally twice read, were concurred in.

Ordered, That the said bill as amended, be re-engrossed and again read a third time.

Mr. Yates from the committee appointed for that purpose, made the following report, to wit:

To the honorable Congress of the United States of America:

The memorial of the legislature of the state of Kentucky, would respectfully represent, that of the militia of this state who volunteered in the service of their country at the commencement and during the progress of the late war, or who engaged in it in obedience to the nation's call; many (as was expected) never returned to their families. They perished in the service of their country. The nation enjoys the benefits and the glory of which their blood was the price. Their widows and their orphans sustained a loss, which, while it excites the sympathies of the good people of this state, has a strong claim upon the justice of the nation. The bereavement, so far as it addresses itself to the wounded sensibilities of the widow and the child, in those characters, admits of no equivalent, and but little palliation. But so far as it has diminished the means of sustenance, and inflicted want upon the mother and the orphan, it is susceptible of redress. For that redress, an appeal in the opinion of this legislature, may be justly, and will be successfully made to the congress of the American republic—to the enlightened representatives of that nation, in the maintenance of whose nearest rights, they so nobly and so lavishly sacrificed their lives—in behalf of those widows and orphans, this address is now made by the representatives of their state to those of their nation. It has been thought sound policy in all, and it has been the practice in most nations, to pay well their soldiers, and to provide liberally for the widows and orphans of such as fell in their country's battles. In our government, the citizens are to us
what their soldiers are to them—the nation's strength. The
motives with as to make this just and liberal provision, are
stronger than with them, in proportion as our government is
more excellent than theirs; as an army of citizens (soldiers
only in time of war) is more desirable than an army of mer-
cenaries; the nation's terror in time of peace—in fine, as the
rights of citizens and of freemen rank those of subjects and
d of vassals. Influenced by the foregoing and the other views which
flow from a just consideration of the nature of government,
and the transcendent character of our own; from the nature
of our late arduous, but (in its event) glorious contest, in
connection with the importance of the matters involved in
that contest—as also by a just estimate of the nature of the
service and sacrifice required of, and rendered by those brave
but helpless men, this legislature cannot hesitate to invoke the
congress to make a prompt and liberal allowance for those
widows and orphans, in money or in land, as shall be most
practicable.

Resolved. By the legislature of the commonwealth of Ken-
tucky, that a copy of the foregoing memorial be transmitted
by the governor of this state to each of our senators and rep-
resentatives in congress, with a request that the same be
laid before that body, and that they use their best efforts to
effectuate its object.

And thereupon the rule of the house being dispensed with
for that purpose, the said memorial was taken up, twice read
and unanimously concurred in.

Ordered. That Mr. Yates carry the said memorial to the
senate, and request their concurrence.

The following bills were reported from the several com-
mitties appointed to prepare and bring in the same:

By Mr. McMillan—1st, A bill to incorporate the bank of
Henderson. By Mr. Ward—2d, a bill to exempt salt makers
from serving on juries. By Mr. Emerson—3d, a bill for the
benefit of William Buckner. By Mr. Anderson—4th, a bill
concerning the town of Jefferson, in Jefferson county. By
Mr. Yates—5th, a bill fixing the ratio and apportioning the
representation for the next four years—and by Mr. Breath-
hitt—6th, a bill directing the mode of choosing electors to vote
for President and Vice President of the United States.

Which bills were severally received and read the first time,
and the third, fourth, fifth and sixth ordered to be read a sec-
ond time.

And the question being taken on reading the first and sec-
ond bills a second time, it passed in the negative, and so the
said bills were rejected.
Mr. Rowan from the select committee to whom was referred a bill further to regulate the circuit courts of this commonwealth, reported the same with an amendment:

Which being twice read, was concurred in.

Mr. Mills then moved for a reconsideration of the vote given on a former day, rejecting the amendment proposed to the fifth section of said bill, which proposed expunging therefrom the words "thereafter to be appointed," and the question being taken on reconsidering the said vote, it passed in the affirmative.

The question was then again put on expunging from the said section the words aforesaid, upon which it passed in the affirmative.

The yeas and nays being required thereon by Messrs. South and Rowan, were as follows, viz.

Yea--Messrs. Bates, Buckner, Breathitt, Bell, Bean, champ, Crutchers, Caldwell, Craig, Chambers, Clarke, Cosby, Dolphuside, Emerson, Flourney, Fergus, Given, Hubbard, Harrison, F. Johnson, Knight, Marshall, M'Afee, M'Clandman, M'Hatton, Patton, Payne, Rennick, Reeves, Ray, Rowan, R. Smith, Stockton, Shacklefett, W. Thompson, Todd, P. Thompson, Wier, Wade, Yantis and Yates.--10


Ordered. That the said bill as amended be engrossed and read a third time to-morrow.

Mr. Craig from the joint committee of enrollments, reported that the committee had examined enrolled bills of the following titles:

An act further to regulate the payment of the debt due the commonwealth for the sale of vacant lands. An act to establish ferries over Rockcastle river, on the Turnpike and Wilderness road. An act for the relief of Samuel Seavey, and the heirs of Charles Seavey, deceased. And an act for the relief of the representatives of David Johnson, deceased:

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered. That Mr. Craig inform the senate thereof.

Mr. Letcher read and laid on the table the following resolution, to-wit:
Resolved, By the senate and house of representatives, that the legislature will proceed next by a joint vote of both houses, to the election of a President and six Directors to the Bank of Kentucky, on the part of the state for the present year.

The house, then according to the standing order of the day, resolved itself into a committee of the whole house on the state of the commonwealth—Mr. Craig in the chair; which being resumed by Mr. Speaker, Mr. Craig reported, that the committee had according to order, had under consideration "a bill for the incorporation of the Farmer's Bank of Kentucky," and had made some progress therein; but that the committee not having time to go through the same, had instructed him to ask for leave to sit again.

And then the house adjourned.

WEDNESDAY, JANUARY 10, 1816.

The petition of Betsey Irwin of Bourbon county, widow of David Irwin, deceased; representing that her father Thomas Jones, deceased, devised in trust for her use during life, and at her death, to her heirs, a lot of ground adjoining Paris, on which her deceased husband made some improvements; and praying that a law may pass authorizing a sale of the said lot, and the investment of the proceeds in bank stock, subject to the devise aforesaid.

Was received, read and referred to the committee for courts of justice.

Mr. Blackburn from the committee of propositions and grievances, made the following report, to-wit:

The committee of propositions and grievances, have according to order, had under consideration the petition of sundry citizens of Nicholas county, counter to that heretofore presented, praying for the removal of the seat of justice of said county, and have come to the following resolution thereupon, to-wit:

Resolved, That the said petition be rejected.

Which being twice read, was concurred in.

Mr. Metcalfe from the select committee to whom was referred "a bill for the removal of the seat of justice in Nicholas county," reported the same with an amendment; which being twice read, was concurred in.

Ordered, That the said bill and amendment be re-committed to a select committee of messrs. Chambers, Metcalfe and Clarke.
Mr. W. Thompson from the select committee to whom was referred, an engrossed bill entitled an "act to prevent swindling by way of lottery in this commonwealth," reported the same with amendments; which being severally twice read, were concurred in with amendments.

Ordered, That the said bill as amended, be re-ingrossed and again read a third time to-morrow:

Leave was given to bring in the following bills:

On the motion of Mr. Wall—1st, A bill for the relief of the twentieth regiment of the militia of this state. On the motion of Mr. Beauchamp—2nd, A bill further to regulate the sales of non-residents' lands in this commonwealth. On the motion of Mr. Patton—3rd, A bill further regulating civil proceedings. On the motion of Mr. Stockton—4th, A bill to add a part of the county of Nicholas to the county of Fleming.

Messrs. Wall, Forrest, Mills, J. T. Johnson and Marshall were appointed a committee to prepare and bring in the first; Messrs. Beauchamp, Breathitt, McAfee, Marshall and M. Mahan the second; Messrs. Patton, Stockton and Cosby the third; and Messrs. Stockton, Metcalfe and Chambers the fourth.

The petition of Sarah Patillo, representing that she claims a tract of land in Warren county, containing 200 acres, a part of the state price for which only has been paid; that from her unfortunate situation she is unable to pay up the balance; and praying that the balance of the state price may be remitted to her, and a grant authorized to be issued to her for said land, or that indulgence may be granted for the payment of such balance until her youngest child shall arrive at age:

Was received, read and referred to the committee of propositions and grievances.

The following bills were reported from the several committees appointed to prepare and bring in the same:

By Mr. Rowan from the committee for courts of justice—
1. A bill for the relief of Wilson Sullivan. By Mr. Given—2. A bill to legalize the proceedings of the county court of Livingston at their November term, 1815. By Mr. Blackburn—3. A bill for the benefit of the heirs of James Dunn, deceased. By Mr. Wall—4. A bill increasing the powers of the trustees of the town of Cyntihana. By Mr. F. Johnson—5. A bill to authorize the sale of part of the public ground in the town of Bowling Green. By Mr. W. Thompson—6. A bill to amend the act entitled an act to reduce into one the
several acts, subjecting lands to the payment of debts. By
Mr. Hart—7. A bill to provide for the revision of the statute
laws of this commonwealth; and by Mr. Blackburn—8. A
bill to improve the navigation of the Kentucky river and the
Beach and Rolling forks of Salt river:

Which bills were severally received and read the first time;
and the first, second, third, fourth, fifth, sixth, and eighth or-
dered to be read a second time:

And the question being taken on reading the seventh bill a
second time, it passed in the negative, and so the said bill
was rejected:

And thereupon the rule of the house and second reading
of the third bill being dispensed with, the same was ordered
be engrossed, and read a third time tomorrow.

An engrossed bill entitled an act further to regulate the
circuit courts of this commonwealth was read a third time.

It was then moved and seconded to fill up the blank in the
fifth section of the bill with $750, in addition to the annual
salary of the circuit judges of this state now allowed them:

And the question being taken thereon, it passed in the nega-
tive.

The yeas and nays being required thereon by Messrs.
Hughes and Coffey, were as follows, to-wit:

Yea.—Messrs. Anderson, Chambers, Cosby, J. Hunter,
E. Johnson, Knight, Logan, Mills, Marshall, Patton, Ren-
nick, Rowan, R. Smith, Stockton, Shackleford, Todd, P. Thomp-
sion, and Ward—48.

Nay.—Messrs. Allen, Backer, Breathitt, Bell, Black-
burn, Bonnchamp, Crutcher, Caldwell, Craig, Clarke, Cotton,
Coffey, Daniel, DeBartole, Emerick, Ewe, Flannery, Fer-
gus, Forrest, Ford, Goode, George, Given, Hughes, Horn-
beck, Hart, Hubbard, Harrison, W. S. Hunter, Jameson, J.
T. Johnson, Kerley, Letcher, Moorman, M'Guire, M'Mahan,
Mae, Metcalfe, M'Cleman, M'Paton, Owen, Payne,
Robinson, Reeves, Ray, Stratton, Smith, J. B. Smith, Sand-
ford, W. Thompson, Trac, Ware, Wall, Williams, Wade, Van-
tis and Yates—57.

It was then moved and seconded to fill the said blank with
$850.

And the question being taken thereon it passed in the nega-
tive.

The yeas and nays being required thereon by Messrs. Cof-
ney and DeBartole, were as follows, to-wit:

Yea.—Messrs. Anderson, Bates, Breathitt, Black-
burn, Crutcher, Caldwell, Craig, Chambers, Clarke, Cotton,


It was then moved and seconded to fill the said blank with two hundred and fifty dollars, upon which it passed in the affirmative.

The yeas and nays being required thereon by messrs. Coffey and Dollerhide, were as follows, to-wit:


The question was then taken on the passage of the said bill, upon which it passed in the affirmative.

The yeas and nays being required thereon by messrs. Mills and Reeves, were as follows, to-wit:


Ordered, That the title of said bill be as aforesaid; and that Mr. Rowan carry the same to the Senate and request their concurrence.

A message from the Senate by Mr. Lee, their secretary:

Mr. Speaker,

The Senate have adopted a memorial to Congress, requesting a provision be made for the widows and orphans of those who were slain or died in the late war with England and her dependencies.

They have passed bills from this house of the following titles:

An act to legalize the proceedings of the county court of Hopkins at their February and April terms. An act authorizing a lottery for the purpose of raising money to pave the main streets of the towns of Danville and Richmond. An act appointing trustees to the Grayson seminary and for other purposes—and an act authorizing certain advertisements to be inserted in the newspaper entitled the “Kentucky Advertiser,” with amendments to the three latter.

And they have passed bills of the following titles:

An act for the better regulation of the town of Mount Sterling in Montgomery county—and an act to authorize the running and marking the division line between the counties of Shelby and Henry, in which amendments and bills they request the concurrence of this house.

And then he withdrew.

And then the house adjourned.

THURSDAY, JANUARY 11, 1816.

The house took up the resolution which was laid on the table on the 9th instant, fixing a day on which to elect a president and six directors to the bank of Kentucky:

And which being twice read, and amended to read as follows, viz:

Resolved, By the Senate and House of representatives, that the legislature will proceed on Wednesday the 17th instant, by a joint vote of both houses, to the election of a treasurer and public printer to this commonwealth, and a president and six directors to the bank of Kentucky, on the part of the state for the present year—

Was concurred in.
Ordered, That the clerk carry the said resolution to the senate and request their concurrence.

Ordered, That a bill to alter the mode of taking in the lists of taxable property, be taken up and placed in the orders of the day.

Mr. Chambers from the select committee to whom was referred, a bill for the removal of the seat of justice of Nicholas county, reported the same with an amendment; which being twice read, was concurred in.

Ordered, That the said bill and amendments be committed to a select committee of messrs. Metcalfe, Mills and South.

A message from the governor by mr. secretary Hardin:

Mr. Speaker,

The governor did on this day, approve and sign enrolled bills which originated in this house of the following titles:

An act further to regulate the payment of the debt due the commonwealth for the sale of vacant land.

An act to establish ferries across Rockcastle river on the turnpike and wilderness road.

An act for the relief of the representatives of David Johnson, deceased.

Ordered, That mr. Craig inform the senate thereof.

The house took up a bill further to regulate the Court of Appeals:

Ordered, That the said bill with the amendments, be committed to a select committee of messrs. Mills, Patton, Breathitt, Craig, Letcher, Rowan, Reeves, Crutcher, Robinson, Given, W. Thompson, Bates, Yantis, Daniel, Dullerhide, Rennick and Beauchamp.

The house took up a resolution from the senate, adding an additional number of members to the committee appointed to examine the Register's office:

Which being twice read, was concurred in—and messrs. Williams and Breathitt, appointed a committee conformably thereunto.

Ordered, That the clerk inform the senate thereof.

A message from the senate by mr. R. Ewing:

Mr. Speaker,

The senate have passed a bill entitled "an act for the relief of Charles F. Wing," in which they request the concurrence of this house.

And then be withdrew.

The following bills were reported from the several committees appointed to prepare and bring in the same.
By Mr. Caldwell—A bill for the benefit of the heirs of James C. Price, deceased. And by Mr. Wall—A bill for the relief of the 20th regiment of the militia of this state.

Which bills were severally received and read the first time, and ordered to be read a second time.

The house then, according to the standing order of the day, resolved itself into a committee of the whole house on the state of the commonwealth, Mr. George in the chair—which being resumed by Mr. Speaker—Mr. George reported that the committee had, according to order, had under consideration "a bill to incorporate the Farmer's Bank of Kentucky," and had made some further progress therein, but that the committee not having time to go through the same, had instructed him to ask leave to sit again.

A message from the Senate by Mr. Lee their secretary.

Mr. Speaker,

The Senate disagree to a bill from this house, entitled "an act to change the time of the annual meeting of the legislature"—they have passed bills from this house of the following titles: "an act to amend the law authorizing the appropriation of the lands acquired by the treaty of Tellico." And an act for the benefit of the Russellville lodge number seventeen, with amendments; and they have passed bills of the following titles, "an act to incorporate the Gallatin Ohio steam boat company," and an act for the benefit of Mary Roundtree; in which amendments and bills they request the concurrence of this house.

And then he withdrew.

Mr. Craig from the joint committee of enrollments reported, that the committee did on this day, deposit in the office of the secretary of state, for the approbation and signature of the governor, enrolled bills of the following titles.

An act for the relief of the representatives of David Johnson, deceased.

An act for the relief of Samuel Searcy and the heirs of Charles Searcy, deceased.

An act to establish ferries across Rockcastle river on the turnpike and wilderness road.

An act further to regulate the payment of the debt due the commonwealth for the sale of vacant lands.

And then the house adjourned.

FRIDAY, JANUARY 12, 1816.

The petition of James Swan, of the state of Massachusetts (and of Seth Hunt, the agent of the said Swan) sever-
ally representing that the said Swan is entitled to 300,000 acres of land on Big Sandy river, the taxes on which were regularly paid until the year 1841, when owing to the absence of said agent from the United States, the said land was struck off to the commonwealth, for the non-payment of taxes, and the time of redemption past before his return; and praying he may be permitted to redeem the same by paying up the taxes due thereon, with a reasonable interest.

W...
Which bills were severally received and read the first time, and ordered to be read a second time.

Mr. Beauchamp, moved for leave to bring in a bill authorizing the taking of judgment bonds and notes in this commonwealth; and the question being taken on giving leave to bring in said bill, it passed in the negative.

A bill from the senate, entitled “an act for the relief of the sheriff of Cumberland county,” was read the first time, and ordered to be read a second time, and thereupon the rule of the house and second reading of said bill being dispensed with, (and the same being amended at the clerk’s table,) the said bill was ordered to be read a third time to-morrow.

Bills from the senate of the following titles:

1. An act for the relief of Thomas Griffin. And an act regulating appeals from the judgment of a justice of the peace in this commonwealth:

Were severally read a second time, and the first ordered to be read a third time to-morrow—and the second committed to a select committee of messrs. Hubbard, M’Afee, South, Cotton, Harrison and Beauchamp.

The following bills were severally read a second time, viz.

1. A bill for the benefit of the sheriff of Hopkins county.
2. A bill repealing the act entitled an act for the relief of the citizens of Caldwell county, approved the 27th January, 1815.
3. A bill to extend the act entitled an act to suspend law process in certain cases.
4. A bill establishing an election precinct in Franklin county.
5. A bill authorizing the sale of a part of the public square in the town of Danville.
7. A bill for the benefit of William Quinton.
8. A bill concerning insolvent debtors.
9. A bill providing a mode of trial against justices of the peace for malfeasance or misfeasance in office.
10. A bill establishing an election precinct in the county of Green.
11. A bill to authorize Jeremiah Buckley to build a bridge across the Kentucky river.
12. A bill to extend the July term of the Franklin circuit court, for the trial of chancery causes.
15. A bill fixing the ratio and apportioning the representation for the next four years: And,
16. A bill directing the mode of choosing electors to vote for a president and vice-president of the United States.

The first, sixth, seventh, ninth, tenth, eleventh, twelfth, thirteenth and sixteenth bills were ordered to be engrossed and read a third time to-morrow—the second was ordered to be laid on the table—the third was committed to a select committee of messrs Mills, Breathitt, Allan and Blackburn—the fourth to a select committee of messrs. Beauchamp, McClenahan and Marshall—the fifth to a select committee of messrs. Rowan, Flournoy and Marshall—the eighth to a select committee of messrs. Blackburn, Anderson and Cosby—the fourteenth to a select committee of messrs. Crutcher, Rowan, Anderson and Bates—and the fifteenth to a committee of the whole house on the state of the commonwealth.

And then the house adjourned.

SATURDAY, JANUARY 13, 1816.

Mr. Metcalfe from the select committee to whom was referred a bill for the removal of the seat of justice in Nicholas county, reported the same with an amendment, which being twice read, was concurred in.

Ordered, That the said bill be engrossed as amended, and read a third time on Monday next.

Mr. Mills from the committee appointed to prepare and bring in the same, reported a bill to provide for carrying into effect the decrees and judgments of the late supreme court for the district of Kentucky; which was received and read the first time.

Ordered, That the said bill be laid on the table, and that the public printers strike 120 copies thereof for the use of the members of this house.

A message from the senate by Mr. Sharp:

Mr. Speaker,

The senate have passed a bill from this house, entitled "an act for the benefit of William M. William Harwood," with amendments, in which they request the concurrence of this house, and they have, in pursuance to the resolution of both houses, added two members to the joint committee appointed to examine the register's office.

And then he withdrew.

Mr. Rowan, from the select committee to whom was referred a bill authorizing the sale of a part of the public square
in the town of Danville, reported the same with an amendment.

Ordered, That the said bill and amendment be laid on the table.

Mr. Blackburn, from the select committee to whom was referred the message of the governor on the subject of the boundary between this state and Tennessee, made the following report, to wit:

The select committee to whom the governor's communication with respect to the southern boundary of this state was referred, have had the same under consideration, and have come to the following resolution thereupon, to wit:

Resolved, As the opinion of this committee, that a law ought to pass, establishing Walker's line as the line between the states of Tennessee and Kentucky; and providing for the appointment of commissioners to run and remark said line, and to ascertain the true chartered limits of said states; upon condition that the state of Tennessee, will guarantee the title to the claimants to all the land which may be included within the chartered limits of the state of Kentucky, and south of Walker's line; granted, either by the state of Virginia, or Kentucky; and the state of Kentucky shall guarantee all the claims to lands which have been granted by the states of North Carolina or Tennessee, which shall lie within the chartered limits of Tennessee, and north of Walker's line.

Which being twice read, was amended by striking out the whole of the resolution after the words "Walker's line," where it first occurs, and inserting in lieu thereof, the following, to wit:

As the boundary of jurisdiction between the states of Kentucky and Tennessee, upon the condition that the state of Tennessee will compensate the state of Kentucky, for the land within the chartered limits of Kentucky, and south of Walker's line, if that should be the case; and that the state of Kentucky shall compensate the state of Tennessee for the land south of the chartered line, and between that and Walker's line if it should be the case, and providing for the appointment of commissioners to ascertain in concert with commissioners from that state, the relative position of those lines, and the quantity and value of the land to be paid for, by either state.

Ordered, That the said resolution as amended, be committed to a committee of the whole house on the state of the commonwealth.

Leave was given to bring in the following bills:
On the motion of Mr. Marshall—1, A bill further to regulate ware houses and inspections. On the motion of Mr. Rennick—2, A bill for the appropriation of money.

Messrs. Marshall, Rowan, Blackburn, Anderson and Chambers, were appointed a committee to prepare and bring in the first; and messrs. Rennick, South, W. Thompson, Mills, Payne, Rowan, Flournoy and Chambers, the second.

A message from the senate by Mr. Lee their secretary.

Mr. Speaker,

The senate have passed bills of the following titles:

An act to authorize the governor to subscribe to the State bank, certain monies that have been, and may be received by the treasurer. And an act for founding and establishing a public Hospital in Fayette county:

In which bills they request the concurrence of this house.

And then he withdrew.

Mr. Mills from the select committee to whom was referred a bill to extend the act entitled, an act to suspend law process in certain cases, reported the same, with an amendment, which being twice read, was concurred in with an amendment.

It was then moved and seconded, further to amend the said bill as amended, by attaching thereto the following as additional sections, to wit:

Be it further enacted, That where any officer has or shall hereafter take any land or slaves in execution, it shall be his duty to apply to the county clerk of his county and get an attested copy from said clerk of the valuation set upon said property by the owner thereof for taxation, and where he takes any other property in execution, he shall at the request of the owner or his, her or their agent or friend, summon three disinterested creditable persons to value said property, who shall swear or affirm that they will impartially, without favor or affection to either party, value said property, which oath shall be administered by such officer, or where such application shall not be made, the officer shall set a valuation on it himself.

Be it further enacted, That if any of the different kinds of property taken in execution as aforesaid, will not sell for three fourths of its value ascertained as aforesaid, the officer shall make his return setting forth the true nature of the case, whereupon an order of sale shall issue on the request of the plaintiff, his, her or their agent or attorney, and the property shall then be sold for what it will fetch at twelve month's credit, taking bond and security in the name of the plaintiff or plaintiffs for the debt, interest and cost, and a bond
in the name of the defendant or defendants for the overplus of sale, if any; which bond or bonds, shall have the force and effect of a judgment; and when due, an execution shall issue on the request of the party or parties entitled thereto, and it shall be the duty of the clerk or justice of the peace, as the case may be, to endorse on the execution "that no security shall be taken."

And the question being taken on concurring therein, it passed in the negative.

The yeas and nays being required thereon bymessrs. Beauchamp and Breathitt, were as follows, to wit:


It was then moved and seconded, further to amend said bill by attaching thereto the following, as an additional section, to wit:

Be it further enacted, That hereafter when any suit shall be brought for a specific sum in money due upon contract, it shall be the duty of the plaintiff to endorse upon the original writ or petition and summons, that the whole, or any part of the amount claimed by him in that suit, may be discharged by the payment of treasury notes, notes on the bank of Kentucky or its branches, or notes on any other incorporated bank of this state; and upon failure by any such plaintiff to make the above endorsement, he shall not be permitted to make the endorsement upon his execution pursuant to the provisions of this act; and the like endorsement shall be made upon any warrant issued for a specific sum, subject to the like penalty. The clerk or magistrate when he issues any execution shall note thereon, that no endorsement was made upon the original writ, petition and summons or warrant, pursuant to the provisions of this section, if such shall have been the case.

This section shall not take effect until the first day of April next.
And the question being taken on concurring therein, it passed in the negative.

The yeas and nays being required thereon by messrs. Mills and Rowan, were as follows to wit:


A further amendment being moved thereto,

The house then adjourned.

MONDAY, JANUARY 15, 1816.

The petition of sundry citizens of Louisville in Jefferson county, praying that a law may pass, authorizing the trustees of said town to levy a tax on the inhabitants thereof, for the purpose of keeping in repair the road leading from Louisville to Shippingport, in lieu of personal services in working on said road,

The petition of James Simpson, next friend to the heirs of David Simpson, deceased, representing that said David, was entitled to a tract of land in Wayne county, which has descended to his heirs, on which one installment has been paid—that the grandfather of said heirs, paid into the hands of John Simpson, junior, the full amount of the state price to be paid into the treasury, who has failed to do so, in consequence of which, and the death of said John, the land aforesaid, has been struck off to the state, and praying that he may be permitted to redeem the same in a reasonable time:

And the petition of sundry citizens of the county of Clark, Bourbon and Montgomery, praying that the laws of this commonwealth on the subject of inspections of Tobacco, may be amended:

Were severally received, read and referred: the first to a select committee of messrs. Anderson, J. Hunter and Knight; the second to a select committee of messrs. Coffey, South and Wade; and third to the committee who were appointed to pre-
pate and bring in a bill on that subject; giving said committees leave to report thereon by bills or otherwise.

Mr. Nathan Gaither, a member returned to serve in this house from the county of Adair, appeared, produced a certificate of his election, and of his having taken the necessary oaths, and took his seat.

Leave was given to bring in the following bills:

On the motion of Mr. Owen—1, A bill to establish the town of Bedford in the county of Henry. On the motion of Mr. Mills—2, A bill to amend the act entitled, an act for establishing the Bourbon Academy. On the motion of Mr. Beauchamp—3, A bill to authorize mills to be built on the Rolling fork of Salt river. On the motion of Mr. W. Thompson—4, A bill for the benefit of the sheriff of Barren county. And on the motion of Mr. W. Thompson—5, A bill for the benefit of Benjamin Williams.

Messrs. Owen, George and F. Johnson, were appointed a committee to prepare and bring in the first; Messrs. Mills, Hughes and Robinson, the second; Messrs. Beauchamp, Harrison and Cosby, the third; Messrs. W. Thompson, Rennick and Sandford, the fourth; and Messrs. W. Thompson, Rennick, and J. B. Smith, the fifth.

The following bills were reported from the several committees appointed to prepare and bring in the same:

By Mr. Goode—1, A bill to legalize the appointment of commissioners to take in lists of taxable property for the county of Casey. By Mr. Eve—2, A bill for the benefit of Elizabeth Pritchard. By Mr. Given—3, A bill to compel the attendance of justices of the peace at the court of claims. By Mr. Mills—4, A bill to amend the act entitled, an act for establishing the Bourbon Academy. On the motion of Mr. Chambers—5, A bill to vest certain powers in the trustees of Washington. And by Mr. F. Johnson—6, A bill for the relief William White.

Which bills were severally received and read the first time, and ordered to be read a second time.

And thereupon the rule of the house and second reading of the fourth and fifth bills being dispensed with, the fourth bill was committed to a select committee of Messrs. Mills, Eve and Chambers—and the fourth was ordered to be engrossed and read a third time to-morrow.

Mr. McAfee moved the following resolution, to wit:

Resolved, By the House of Representatives, that a committee of five be appointed to examine the register's office as to the practice of surveying and returning plats and certificates.
on Virginia Land Office treasury warrants on the vacant lands of this commonwealth at this time, and that they be authorized to report by bill or otherwise.

Which being twice read, was concurred in: and messrs. McAfee, Mills, Flournoy and Blackburn, appointed a committee conformably thereto.

On the motion of mr. F. Johnson:

Ordered, That the committee appointed under a resolution of this house to enquire into the state of the Transylvania University, be vested with power to send for persons, papers and records for their information.

A bill from the senate entitled, an act for the relief of the sheriff of Cumberland county, was read a third time as amended, and an engrossed clause added thereto, by way of rider.

Resolved, That the said bill as amended do pass, and that the title thereof be amended to read an act for the relief of sundry sheriffs.

Ordered, That the clerk inform the senate thereof, and request their concurrence in the said amendments.

Ordered, That the committee of the whole house on the state of the commonwealth, be discharged from a further consideration of "a bill to change the mode of summoning jurors," and that the same be committed to a select committee of messrs. South, Hubbard, McAfee, Breathitt and Mills.

The house resumed the consideration of a bill and the amendment moved thereto on the 13th instant, to extend the act entitled, an act to suspend law process in certain cases, which proposes adding thereto, the following proviso, viz.

Provided, However, that the provisions of this act shall not be construed so as to extend to any judgment or judgments which may be recovered against the president and directors of the bank of Kentucky, or to any judgment or judgments obtained against the president and directors of any of the branches thereof, or to any judgment or judgments obtained against the president and directors of the insurance company, in their corporate capacity.

And the question being taken on concurring therein, it passed in the negative.

The yeas and nays being required thereon, by messrs. Beuchamp and Rowan, were as follows, to wit:


Nays—Messrs. Allan, Anderson, Bates, Buckner, Breathitt, Bell, Blackburn, Crutcher, Craig, Chambers, Clarke,
The question was then taken on engrossing the said bill as amended, upon which it passed in the affirmative.

The yeas and nays being required thereon by messrs. Mills and Yantis, were as follows, viz.


The following bills were severally read a second time, viz.

1. A bill for the relief of Wilson Sullivan. 2. A bill to legalize the proceedings of the county court of Livingston at their November term, 1845. 3. A bill increasing the powers of the trustees of the town of Cynthiana. 4. A bill to authorize the sale of part of the public ground in the town of Bowling Green. 5. A bill to amend the act entitled an act to reduce into one the several acts subjecting lands to the payment of debts. 6. A bill to improve the navigation of the Kentucky river, and the Beech and Rolling forks of Salt river. 7. A bill for the benefit of the heirs of James C. Price, deceased. 8. A bill for the relief of the 20th regiment of the militia of this state. 9. A bill prescribing the mode of changing the venue in criminal cases. 10. A bill to amend the penal laws of this commonwealth: And 11. A bill authorizing and directing the surveyor of Logan county to record certain plats and certificates of survey.

The first was committed to a select committee of messrs. Stratton, South and Mills; the second to a select committee of messrs. Given, Patton, Reeves and Breathitt; the seventh to a select committee of messrs. Marshall, Caldwell, Black-

burn and Ray: The third, fourth, sixth, eighth, ninth, tenth and eleventh, (the sixth, tenth and eleventh being amended at the clerk's table) were ordered to be engrossed and read a third time to-morrow.

And the question being taken on engrossing the fifth bill and reading it a third time, it passed in the negative; and so the said bill was rejected.

A bill to alter the mode of taking in the lists of taxable property, was then taken up and amended at the clerk's table. The question was then taken on engrossing the said bill as amended, and reading it a third time; upon which, it passed in the affirmative.

The yeas and nays being required thereon by messrs. South and Mills, were as follows, to-wit. Yeas—Messrs. Allan, Anderson, Bates, Buckner, Breathitt, Bell, Blackburn, Beauchamp, Crutcher, Craig, Chambers, Clarke, Cotton, Cosby, Emerson, Eve, Flournoy, Forrest, Ford, Gaither, George, Hornbeck, J. Hunter, Hubbard, Harrison, J. T. Johnson, Letcher, Marshall, McClanahan, Owings, Owen, Payne, Reamick, Rowan, Stockton, Shacklett, Sandford, W. Thompson, Todd, P. Thompson, Wade, Yantis and Yates—35.


Bills from the senate of the following titles:
1. An act for adding a part of the county of Montgomery to the county of Estill.
2. An act for the benefit of the heirs of Richard Young, and Sandford Carroll, deceased.
3. An act to increase the number of justices of the peace in Allen and Adair.
4. An act to incorporate the Fayette paper manufacturing company.
5. An act for the relief of William Vawter and the heirs of Merry Walker.
6. An act for the better regulation of the town of Mount Sterling, in Montgomery county.
7. An act to authorize the running and marking the division line between the counties of Henry and Shelby.
8. An act for the relief of Charles F. Wing, clerk of the Muhlenburg court.
9. An act to incorporate the Gallatin Ohio steam boat company: And 10, an act for the benefit of Mary Rountree.

Which bills were severally received and read the first time, and ordered to be read a second time.

And thereupon the rule of the house and second reading of
the first and second bills being dispensed with, the said bills were ordered to be read a third time.

And thereupon the rule, as to the third reading of the first bill being dispensed with:

Resolved, That the said bill do pass, and that the title there-of be as aforesaid.

Ordered, That Mr. Daniel inform the Senate thereof.
And then the house adjourned,

TUESDAY, JANUARY 16, 1816.

The petition of sundry citizens of Jefferson county, praying that an election precinct may be established therein, within the boundaries proposed.

The petition of sundry citizens of the counties of Knox, Clay and Rockcastle, praying that a new county may be erected out of a part of each, and a petition counter thereto.

The petition of John McComb of the county of Barren, representing that he is entitled to a tract of 200 acres of land in said county, on which a part of the state price has been paid, but from his misfortunes and poverty is unable to pay the balance, and praying that the same be remitted, and that a grant may issue to him for said land.

The petition of Peter Catrow, and Henry Gardiner of Wayne county, representing that they have made considerable progress in boring for salt water, but in their present situation, cannot avail themselves of the provisions of an act of the general assembly, authorizing the appropriation of vacant lands adjacent to salt works, and are apprehensive that the lands will be appropriated before they can procure salt water, and praying a special law authorizing the appropriation of the adjacent vacant lands for the benefit of said salt works.

The petition of George Robinson and N. P. Robinson, of Nicholas county, counter to that presented at a former day of the session, from sundry citizens of Harrison county, praying that the dam built by Peter F. Marble, over main Licking, may remain at its present height: The petitioners representing that they are much injured by the dam of the said Marble, it being higher than is authorized to be built, and without a slope as contemplated by law, and praying a redress of their grievances. And the petition of Leah McGonegal of Cumberland county, representing that she is entitled to 50 acres of land in said county, on which, part of the state price has been paid; that from the circumstance of her having a
large family to support, and her poverty, she is unable to pay up the balance, and praying that a law may pass remitting to her such balance and authorizing the emanation of a grant for said land, to her or her children:

Were severally received, read and referred; the first to a select committee of messrs. Anderson, J. Hunter and Flournoy; the fourth to a select committee of messrs. Coffey, Cosby, Fergus and Hubbard; the sixth to a select committee of messrs. Fergus, Gaither and Buckner; giving said committees leave to report thereon by bills or otherwise; the second and fifth to the committee of propositions and grievances; and the third to the committee for courts of justice.

Mr. Buckner from the joint committee of enrollments, reported that the committee had examined an enrolled bill entitled, an act legalizing the proceedings of the county court of Hopkins at their February and April terms; and a memorial to congress, requesting a provision to be made for the widows and orphans of those who were slain or died in the late war with England and her dependencies; and had found the same truly enrolled.

Whereupon, the speaker affixed his signature thereto.

Ordered, That mr. Buckner inform the senate thereof.

On motion,

Ordered, That mr. Letcher be excused from a further attendance as a member of the committee of propositions and grievances, and that mr. South be added to said committee in his stead.

Mr. Crutcher from the select committee to whom was referred a bill concerning the town of Jefferson in Jefferson county, reported the same without amendment.

Ordered, That the said bill be engrossed and read a third time to-morrow.

Mr. Mills from the select committee to whom was referred, a bill to amend the act entitled, an act for establishing the Bourbon Academy, reported the same with an amendment; which being twice read, was concurred in.

Ordered, That the said bill, as amended, be engrossed and read a third time to-morrow.

The house took up a bill which was laid on the table on the 12th instant, repealing the act entitled, an act for the relief of the citizens of Caldwell county, approved the 27th January, 1815.

Ordered, That the said bill be committed to a select committee of messrs. Beauchamp, Patton, Letcher Rowan and Mills.
A message from the senate by Mr. Simrall:

Mr. Speaker,

The senate have passed a bill entitled, an act to amend the act entitled, an act to reduce into one, the several acts respecting the militia; in which they request the concurrence of this house.

And then he withdrew.

The following bills were reported from the several committees appointed to prepare and bring in the same.

By Mr. Beauchamp—1, A bill to repeal an act concerning chandlery and maintenance, approved 22nd December, 1798.

By Mr. Crutcher—2, A bill to enable owners of slaves to protect them from the violence of the wanton and unfeeling. And by Mr. Owen—3, A bill to establish the town of Bedford in the county of Henry.

Which bills were severally received and read the first time, and ordered to be read a second time.

A message from the senate by Mr. Lee, their secretary:

Mr. Speaker,

The senate concur in the amendments proposed by this house to the bill from that, entitled, an act for the relief of the sheriff of Cumberland county, with amendments; and they have passed bills of the following titles: an act for the relief of Polly Robertson and the heirs of Thomas Robertson, deceased; an act to amend the law respecting the town of Maysville in Mason county; an act to compel the manufacturers of salt petre, to enclose their works prior to making petre; and an act to explain and amend the several acts concerning the trial of slaves; in which amendment and bills they request the concurrence of this house.

And then he withdrew.

Mr. Mills from the select committee to whom was referred, a bill further to regulate the court of appeals, reported the same with amendments; which being twice read, the first was concurred in, and Mr. Speaker declared the second amendment out of order, being repugnant to former votes of the house.

Mr. Cosby from the majority, then moved for a reconsideration of the vote given, by which 'Woodford county,' was struck off from the first judicial district; and the question being taken on reconsidering said vote, it passed in the negative.

It was then moved and seconded to lay the said bill and amendments on the table, until the first day of March next, upon which it passed in the negative.
The yeas and nays being required thereon by messrs. Harrison and W. Thompson, were as follows, to wit:


Some further amendments being made to said bill, it was then moved and seconded to reconsider the vote, by which Sanford in Lincoln county, was designated as the place for holding the courts for the fourth appellate judicial district; which being decided in the affirmative, a motion was made, to strike out Sanford, and insert in lieu thereof Danville, in Mercer county. A division of the question was called for, and the question put on striking out; upon which it passed in the affirmative.

The question was then put on inserting Danville; upon which it passed in the affirmative.

The yeas and nays being required thereon, by messrs. Beauchamp and Blackburn, were as follows, to wit:

Yea.—Messrs. Breathitt, Bell, Blackburn, Beauchamp, Crutcher, Caldwell, Craig, Cotton, Coffey, Cosby, Dollerhide, Emerson, Flournoy, Fergus, Ford, Gaither, Goode, George, Hornbeck, Hart, Hubbard, Harrison, J. T. Johnson, F. Johnson, Mills, M'Guire, M'Mahan, M'Clannaham, Owings, Owen, Rennick, Reeves, Rowan, Stratton, Shacklett, J. R. Smith, Sanford, W. Thompson, True, P. Thompson, Ward, Wier, and Williams.—43.

It was then moved and seconded, to fill up the blank in said bill, with "the town of Mountsterling, in Montgomery county," as the place for holding the court for the first district; and the question being taken thereon, it passed in the negative.

The yeas and nays being required thereon by messrs. Owings and Ward, were as follows, to-wit:


The said blank was then filled up with the town of Cynthiana, in Harrison county.

And then the house adjourned.

WEDNESDAY, JANUARY 17, 1816.

The petition of Adam Beatty, of Washington, in Mason county, counter to the petition of sundry citizens of the said town, praying that the trustees thereof may be vested with power to compel the owners of lots in said town, to pave before their respective lots, it being represented by the petitioner that it would operate to his own disadvantage, and to that of others, who own lots on main street, south of York street, and praying that the levy law may pass on that subject may be confined in its provisions to the owners of lots on the North of York street:

Was received, read and referred to a select committee of Messrs. Clarke, Chambers, and Mills.

Ordered, That an engrossed bill entitled an act to vest certain powers in the trustees of Washington, be referred to the said committee.

A message from the senate by Mr. Y. Ewing:

Mr. Speaker,

The senate have adapted a resolution from this house fixing a day on which to elect a Treasurer and Public Printer, and
a President and six Directors to the Bank of Kentucky for the present year.

And then he withdrew.

Mr. Marshall from the select committee to whom was referred, a bill for the relief of the heirs of James C. Price, deceased, reported the same with an amendment; which being twice read, was concurred in.

Ordered, That the said bill as amended, be engrossed and read a third time to-morrow.

Mr. Craig from the joint committee of enrollments, reported that the committee deposited in the office of the secretary of state, on this day, for the approbation and signature of the governor:

A memorial to congress requesting a provision to be made for the widows and orphans of those who were slain and died in the late war with England and her dependencies.

And an enrolled bill entitled an act legalizing the proceedings of the county court of Hopkins at their February and April terms—

And had examined enrolled resolutions of the following titles:

A resolution for appointing a joint committee to examine the state Bank and its branches. And a resolution fixing a day for the election of a Treasurer and Public Printer to this commonwealth; and a President and six Directors to the Bank of Kentucky—and had found the same truly enrolled:

Whereupon the speaker affixed his signature thereto.

Ordered, That Mr. Craig inform the senate thereof.

Mr. J. T. Johnson from the joint committee appointed to examine into, and report the state of the Register's office, made the following report, to wit:

The joint committee appointed by both branches of the legislature, to examine and report the situation of the Register's office, have performed the duty assigned them, and beg leave to report:

The grants which issued on surveys transmitted from Virginia are recorded in sixteen volumes, with an alphabet new and in good order. Your committee find the records of military warrants in two volumes, with alphabets new and in good order. A list of treasury warrants, the record of proclamation warrants, and volume of warrants under the proclamation of 1763; the two latter have alphabets and all in good order. Two volumes of commissioners' books, much mutilated by use, but have lately been neatly transcribed in two volumes. They beg leave to recommend that the Regis-
ter be directed to compare the transcripts with the original, and have an alphabet completed for the same, and that a compensation be allowed therefor. The committee find the original record book of surveys from Lincoln county, lodged in the Register's office, not bound nor in a situation to be bound. The sale books of non-residents land for the year 1800-1-2 and 4, have a general alphabet entirely new and in good order. The books in which the sales of 1805-6-7-8-9-10-11-12 13-14 and 15, are recorded, we find with alphabets in good order. Two volumes in which surveys have been registered since 1792, in good order. The surveys are in bundles neatly tied up. The record of those surveys compose 13 volumes, and alphabeted, all in complete order, except the binding of the same. The surveys upon head right claims are registered in 3 volumes, with alphabets in good order. The original plats &c. filed in bundles neatly tied up, 10,782 of which are recorded in 11 volumes, in good order; grants issued on them recorded in 18 volumes, alphabeted and all in good order. Land warrants issued by this state, surveys and grants on the same, we find in three volumes, in good order, and one volume in which those surveys have been registered in like order—one volume of surveys under the proclamation of 1763, with a new alphabet, both in good order.

Two volumes of commissioners' books of 1796, and three volumes of 1798, in good order, one of which is newly transcribed. Anderson's and Croghan's books of entries, with alphabets; in good order. The copy of Lincoln entries transmitted to the Register's office, in bad order, and the transcript is represented to the committee as being incorrect. May's entries transcribed in five volumes, in good order; to these are two alphabets on an improved plan, entirely new and in good order. One volume of Green's deputy register of surveys, made previous to 1792, we find in tolerable order. One volume of relinquishments in good order. A list of Kentucky land warrants in one volume, a record of the same in one volume, and surveys returned by virtue thereof, registered in one volume (under the late law for appropriating the vacant lands of this commonwealth, no grants yet due,) all in good order. Three volumes in which caveats have been recorded, in good order.

The original surveys transmitted from Virginia, were so mutilated by removal, time and use, that many of them were hardly legible, and in many instances a reference to the grants which issued thereon, became necessary to supply the mutilations. These surveys, together with all the assignments, the
Register has caused to be transcribed in conformity to the act of 1808. They are comprised in eleven large folio volumes, and the record of these is now completed.

The work is executed in a manner which does credit to the present Register of the land office. The plats are neatly executed; the certificates of survey, and the assignments are recorded in a strong hand, with marginal notes, showing for whom the surveys were made, the assignments, date of grant, &c. The labor of transcribing them has been attended with great expense to the Register, requiring the employment of clerks especially for the purpose, and owing to the mutilations aforesaid, the clerks could progress but slowly. These surveys were of the first importance to the preservation and investigation of land titles in this state. These evidences of title were rapidly decaying. By the great labor and indefatigable industry of the Register, they have been renewed and preserved from oblivion.

The importance of the work and the manner in which it has been executed, entitles the Register (in the opinion of your committee) to the thanks of the legislature, and to a just and liberal compensation.

Your committee further recommend that the Register be authorized to compare the transcript with the original, and to make out a complete index to the whole of those volumes, and that a compensation therefor, be allowed him to be paid when the work is finished. 9342 surveys, 900 of which have been paid for—see appropriation act of last session.

From the Senate,

SAMUEL CHURCHILL,
YOUNG EWING.

From the House of Representatives,

JOHN T. JOHNSON,
ROBERT SMITH,
THOS. G. HARRISON,
WILLIAM WILLIAMS,
JOHN BREATHITT.

Which was received and read.

Ordered, That the said committee prepare and bring in a bill pursuant to said report.
Mr. Craig from the joint committee of enrollments, reported that the committee had deposited on this day, in the office of the secretary of state for the approbation and signature of the governor:

A resolution for appointing a joint committee to examine the State bank, and its branches.

A resolution fixing a day for the election of a Treasurer and Public Printer to this commonwealth, and a President and six Directors to the Bank of Kentucky.

A message from the governor by Mr. Secretary Hardin:

Mr. Speaker,

The governor did on this day approve and sign enrolled bills, resolutions, &c. which originated in this house, of the following titles.

A resolution fixing a day for the election of a Treasurer, and Public Printer to this commonwealth, and a President and six Directors to the Bank of Kentucky.

A memorial to Congress requesting a provision to be made for the widows and orphans of those who were slain or died in the late war with England and her dependencies.

And an act legalizing the proceedings of the county court of Hopkins at their February and April terms.

Ordered, That Mr. Craig inform the senate thereof.

The following bills were reported from the several committees appointed to prepare and bring in the same:

By Mr. Eve—1, A bill appropriating part of the turnpike money to opening the road to Somerset. By Mr. Stockton—2, A bill adding a part of the county of Nicholas to the county of Fleming. By Mr. McAfee—3, A bill regulating certain surveys in this commonwealth. By Mr. Patton—4, A bill to amend the act entitled, "an act more effectually to suppress the practice of duelling." And by Mr. Beauchamp—5, A bill authorizing mills to be built on the Rolling fork of Salt river.

Which bills were severally received and read the first time, and ordered to be read a second time.

And thereupon the rule of the house and second reading of the second bill being dispensed with, the same was ordered to be engrossed and read a third time to-morrow:

Mr. Mills nominated Mr. John P. Thomas as Treasurer for this commonwealth for the ensuing twelve months; messrs. Gerard & Berry, as Public Printers; and Mr. Robert Alexander as president of the Bank of Kentucky, for the same period; and Mr. South, nominated messrs. George M. Bibb, Anderson Miller, Richard Taylor, junior, John M. Kinney, Silas M. Noel, Willis A. Lee, Peter Dudley, John M. Foster,
William Gerard and Charles S. Todd as directors of that institution.

Ordered, That Mr. Robinson inform the Senate of the said nominations: and that this house is now ready, by a joint vote with the Senate, to proceed to the said elections.

A message from the Senate by Mr. Lee their Secretary:

Mr. Speaker,

The Senate have passed a bill entitled, an act to continue in force an act to suspend law process in certain cases, and an act concerning county levies and certain officer's fees, in which they request the concurrence of this House.

I am directed to inform this House, that the Senate are now ready to proceed in the election of Public Printer, Treasurer, and a President and Directors of the State Bank on the part of the State; and the same gentlemen stand on the nomination respectively as are reported to be before this House:

And then he withdrew.

The House then proceeded to the said election, upon which Mr. John P. Thomas and Robert Alexander, had an unanimous vote, and Messrs. Gerard & Berry, a majority of votes; the first as Treasurer of this Commonwealth—the second as President of the Bank of Kentucky—and the latter as Public Printers. And having taken a vote for six Directors of the Bank, Messrs. Anderson, Robinson and Kerley, were appointed a committee on the part of this House, to meet a committee from the Senate, to compare the votes, and report in whose favor a majority should be found.

The said committee then retired, and after some time returned, when Mr. Anderson reported that Mr. John P. Thomas, Mr. Robert Alexander and Messrs. Gerard & Berry, had an unanimous vote; the first as Treasurer of this Commonwealth—the second as President of the Bank of Kentucky—and the latter as Public Printers.

And that the joint vote for Directors, stood thus:

For Mr. Peter Dudley, 92—for Mr. Willis A. Lee, 81—for Mr. Richard Taylor, 80—for Mr. Anderson Miller, 79—for Mr. George M. Bibb, 69—for Mr. William Gerard, 67—for Mr. John M. Foster, 63—for Mr. Charles S. Todd, 57—for Mr. John McKinney, 34—and for Mr. Silas M. Noel, 11.

Whereupon Mr. John P. Thomas was declared unanimously elected Treasurer of this Commonwealth for the ensuing twelve months: Mr. Robert Alexander unanimously, President of the Bank of Kentucky; and Messrs. Gerard and Berry, Public Printers for the same period; and Messrs. Peter Dudley, Willis A. Lee, Richard Taylor, junior, Anderson
Miller, George M. Bibb and William Gerard, (each having the majority, and the highest number of all the votes,) directors.

Mr. Given from the select committee to whom was referred a bill to legalize the county court of Livingston, at their November term, 1815, reported the same with amendments, which being twice read, was concurred in.

Ordered, That the said bill as amended, be engrossed and read a third time to-morrow.

Mr. Speaker laid before the House, two letters from the Auditor, containing additional statements of the returns of the free white male inhabitants in the counties of Franklin and Henderson, which were then taken up and read as follows, to wit:

Auditor’s Office, January 17th, 1816.

SIR,

The enclosed list of free white male inhabitants above the age of twenty-one years, with their taxable property for the year 1815, amounting to eight persons, was this day returned to me: this number when added to the former report to your house will make the number of free white male inhabitants above the age of twenty-one years in Franklin county 1155.

I have the honor to be, sir,

with high respect, etc.

GEORGE MADISON, A. P. A.

Franklin County, January Court, 1816.

The following persons who failed to give in their lists of taxable property to the commissioners for the last year, came into court and upon oath gave in, together with their taxable property, the following white males, above the age of twenty-one years, viz. John A. Mitchell, William T. Pemberton, Lewis Pruell, Charles S. Todd, John D. Cook, Nimrod Long, James Vanallen and Thomas Todd—Total 8.

Extract,

WILLIS A. LEE, C. B. C. C.

AUDITOR’S OFFICE, JAN. 17, 1816.

I do hereby certify, that the foregoing is a true copy of the original list, transmitted to this office, by the clerk of Franklin county court.

GEORGE MADISON, Aud.
AUDITOR'S OFFICE, JANUARY 17, 1816.

Str,

I have just received the return of taxable property for the year 1815, from the county of Henderson, and find the number of free white male inhabitants above the age of twenty-one years, to be 488.

Respectfully I am sir,

your most obedient serv't,

GEORGE MADISON, AUD.

The honorable the Speaker
of the House of Representatives.

Ordered. That the said letters and statements be committed to a committee of the whole house on the state of the commonwealth.

Ordered. That the public printers forthwith print one hundred and twenty copies of a bill to fix the ratio and apportion the representation for the ensuing four years, for the use of the members of this house.

Mr. Kerley from the joint committee appointed to examine into, and report the state of the Auditor's office, made the following report, to wit:

The joint committee appointed to examine the Auditor's office, have discharged that duty, and have found all warrants and other entries from the tenth day of November 1814, to the tenth day of November 1815, correctly and fairly made and supported by proper legal vouchers; a correct statement of which is submitted to the legislature in the Auditor's report.

Upon the subject of the Green river debt, your committee would remark, that it is comprised in four large volumes, made out as directed by the act dividing the debt into twelve equal annual installments; which books from long use, and the many changes which have been made in the mode of transacting the business by the different laws regulating the debt and indulging the debtors, have become so mutilated, and the margins so filled up with notes, that the interest of the commonwealth, as well as the security of individuals, requires that the same should be transcribed and new modelled, so as to suit the existing laws; it will however be a work of much labor, and your committee would not impose it on the Auditor, without making him a compensation for it. They therefore recommend the passage of a law directing it, and making a compensation proportioned to the work, to be paid upon the order of the governor when the same shall be completed.
The keeper of the Penitentiary house has, agreeable to the act of the last session of the legislature, made monthly reports to the Auditor of the situation of that institution. They appear however to be exact transcripts from his books, and afford no check whatever upon the institution; they recommend a change in the law upon that subject, as in its present shape it imposes much labor upon both officers without answering any good purpose.

MARTIN H. WICKLIFF,
URIEL SEBREE,
WILLIAM OWENS,
Of the Senate.

JOSEPH EVE,
EDWARD GEORGE,
HENRY PAYNE,
JAMES HUGHES, JR.,
WILLIAM KERLEY,
JAS. MOORMAN,
Of the House of Representatives.

Which was received and read.

Leave was given to bring in the following bills:

On the motion of Mr. J. T. Johnson—1, A bill to provide a compensation for the Register of the Land office, for extra services. On the motion of Mr. Chambers—2, A Bill to alter the time of holding the chancery term of the Mason circuit court. On the motion of Mr. Sandford—3, A bill vesting certain powers in the trustees of the town of Newport. On the motion of Mr. Kerley—4, A bill to authorize the Auditor to transcribe certain books and for other purposes. And on motion of Mr. J. T. Johnson—5, A bill authorizing a lottery for the purpose of paving the streets of Georgetown.

Messrs. J. T. Johnson, Buckner and Flournoy, were appointed a committee to prepare and bring in the first: messrs. Chambers, Clarke and Yantis, the second: messrs. Sandford, Flournoy, M. Clannahan and J. T. Johnson, the third: messrs. Kerley, Williams, J. T. Johnson, Breathitt and Yates, the fourth; and messrs. J. T. Johnson, Mills, Ward, Chambers, Caldwell and W. Thompson, the fifth.

Mr. Blackburn from the select committee to whom was referred "a bill concerning insolvent debtors," reported the same with amendments, the first and second of which were concurred in, and the third disagreed to.

The question was then taken on engrossing the said bill as
amended and reading it a third time, upon which it passed in
the negative; and so the said bill was rejected.

Mr. Crutcher read and laid on the table the following reso-
lution, to wit:

Resolved, By the General Assembly of the commonwealth
of Kentucky, that when they adjourn on the first day of Feb-
uary, they adjourn sine die.

A message from the senate by Mr. Owens:

Mr. Speaker,

The senate have passed a bill from this house entitled, an
act for the benefit of the heirs of Richard Armstrong, decd.
and others, with amendments, in which they request the concurrence
of this house.

And then he withdrew.

The house resumed the consideration of "a bill further to
regulate the court of appeals," which having been amended
to read as follows:

A BILL

Further to regulate the Court of Appeals.

SEC. 1. Be it enacted, by the General Assembly of the
Commonwealth of Kentucky, that this state be, and the same
is hereby divided into four appellate judicial districts in
the manner following, to-wit: The first district to be com-
posed of the counties of Franklin, Fayette, Bourbon, Clark,
Montgomery, Floyd, Bath, Greenup, Estill, Mason, Nicholas,
Fleming, Harrison, Pendleton, Boone, Lewis, Scott, Bracken,
and Campbell.

The second appellate judicial district, to be composed of the
counties of Jefferson, Henry, Gallatin, Shelby, Bullitt, Nel-
son, Washington, Green, Adair, Hardin, Grayson and Breck-
enridge.

The third appellate judicial district to be composed of the
counties of Harren, Warren, Allen, Butler, Muhlenburgh,
Logan, Christian, Caldwell, Livingston, Union, Hopkins,
Daviess, Henderson and Ohio.

The fourth appellate judicial district, to be composed of the
counties of Jessamine, Madison, Clay, Rockcastle, Knox,
Lincoln, Mercer, Garrard, Casey, Wayne, Pulaski and Cumber-
land.

SEC. 2. Be it further enacted, that the judges of the Court
of Appeals, instead of the semi-annual session held in the
town of Frankfort, shall hold their terms at the following
places and times, to-wit: For the first district in the town of Cynthiana, in Harrison county, on the first Monday in December next, and on the said first Monday in December in every year thereafter; and shall continue in session ten weeks, if the business of said Court in said district shall require it. For the second district, in the town of Bardstown, in the county of Nelson, on the first Monday in August next, and on the said first Monday in August in every year thereafter; and shall continue in session eight weeks, if the business of said court in said district shall require it. For the third district, in the town of Greenville, in the county of Muhlenburgh, on the first Monday in May next, and on the said first Monday in May in every year thereafter; and shall continue in session four weeks, if the business of said court in said district shall require it. For the fourth district, in the town of Danville, in the county of Mercer, on the third Monday in October next, and on the said third Monday in October in every year thereafter; and shall continue in session four weeks, if the business of said court in said district shall require it.

SEC. 3. And be it further enacted, that the causes remaining in the present court appeals at the end of its present term, shall be distributed to the appellate court of that district to which the county may belong in which they originated; and it shall be the duty of the present clerk of the court of appeals within weeks after the passage of this act, to transmit to the clerk of the circuit court for that county in which appellate courts are hereby directed to be held, all the papers, and a transcript of the record of the proceedings in all suits, so belonging to it, to be by him delivered to the clerk of the circuit court for that district; and upon the production of his official certificate, approved by the judges of the court, of the expenses incurred by the transmission of the said papers and records to the Auditor of public accounts, he shall issue his warrant on the treasury for the amount thereof.

SEC. 4. Be it further enacted, that it shall be the duty of the clerks of the circuit courts so receiving the said papers and records, carefully to preserve them and deliver them to the clerk of the appellate court of that district, when one shall have been appointed.

SEC. 5. Be it further enacted, that the present clerk of the court of Appeals shall, on or before the day of remove his office from the town of Frankfort to in the first district, with all the papers and records so be...
longing to the first district as aforesaid; and he shall remain, if he choose, clerk of the said district, governed by the same rules and regulations as heretofore.

Sec. 6. Be it further enacted, that the judges of the court of appeals shall at their first term in each of the other districts, proceed to appoint some fit person as clerk of the court for the said districts; whose fees and emoluments shall be the same as now allowed by law to the clerk of the court of appeals; and whose duty it shall be, well and faithfully to execute the duties of his office. Provided, however, that the court, if they think proper, may continue the present clerk, or any succeeding clerk in all the districts, and cause him to keep an office in each district, within the limits of the town at which the session shall be held, by himself or deputy, approved by the court, instead of new clerks for the several districts, as directed by this act.

Sec. 7. Be it further enacted, that the judges of the court of appeals, shall hold their sessions in the several appellate districts in the court house of the counties in which they are holden, until otherwise provided for by law; and the sheriffs of said counties shall, by themselves or deputies, attend on said court, for which attendance they shall be allowed a reasonable compensation by the judges, to be paid out of the public treasury.

Sec. 8. Be it further enacted, that whenever an appeal or writ of error is prayed or taken from any decision, decree or judgment of the general court, the record of the case shall be sent to, and the writ of error sued out from, the court of that judicial district in which the defendant or defendants, or some one of them may reside.

Sec. 9. Be it further enacted, that the entry books now in the possession and keeping of the clerk of the court of appeals, containing the entries on the north side of Kentucky river, shall be removed and placed in the hands and keeping of the clerk of the first judicial district; copies of which entries certified by the said clerk, shall be held competent evidence in any court of law or equity in this commonwealth.

Sec. 10. Be it further enacted, that if from sickness or any other cause, the judges should be unable to hold their session in any of the judicial districts, according to the provisions of this act, it shall be competent for the judges to appoint a time at which they will hold a session in the district in which the failure happened, and their proceedings at the session so appointed as above shall be entirely valid; and should the press of business, or the state of the docket in any
one of the judicial districts render it necessary, the judges may in that district appoint and hold an additional term as the state of the business may require.

Sec. 11. Be it further enacted, That the court of appeals as held in and for the several districts, shall be governed and regulated by the rules and laws now in force, until otherwise altered, modified or repealed; and all acts or parts of acts contravening the provisions of this act, shall be, and the same are hereby repealed.

The question was then taken on engrossing the said bill and reading it a third time, upon which it passed in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by messrs. Beauchamp and Moorman were as follows, viz.


Mr. Rowan moved for leave to bring in a bill to change the place of holding the court of appeals.

And the question being taken on giving leave to bring in said bill, it passed in the affirmative.

The yeas and nays being required thereon by messrs. South and Rowan were as follows, viz.


Ordered: That messrs. Rowan, Beauchamp, Anderson, Mc'Afee, Mills, Letcher and Patton, be appointed a committee to prepare and bring in said bill.
And then the house adjourned.

THURSDAY, JANUARY 18, 1816.

The petition of James Young and Esther Young, widow of William Young, deceased; representing that the said James purchased of William Young, deceased, a tract of land of 200 acres in Warren county, but took no bond or other instrument for a conveyance of the title; and praying that a grant may issue to said James Young for said land, upon his paying up the state price due thereon:
Was received, read and referred to a select committee of messrs. F. Johnson, J. B. Smith and Blackburn; giving said committee leave to report thereon by bill or otherwise.
A message from the governor by Mr. Secretary Hardin:

Mr. Speaker,
I am directed by the governor to return to this house an enrolled bill which originated therein, entitled an act for the relief of Samuel Searcy and the heirs of Charles Searcy, deceased; with his objections thereto in writing.
And then he withdrew.
The said objections were then taken up and read as follows, to-wit:

Gentlemen of the house of representatives,
I return to you the bill entitled "an act for the relief of Samuel Searcy and the heirs of Charles Searcy, deceased; because I consider it a plain violation of the constitution. The bill authorizes and requires a certain William McCord, to convey to Samuel Searcy the right of the infant heirs of Charles Searcy to a lot of land, which it recites the said Charles Searcy exchanged in his life time with the said Samuel Searcy for another tract therein referred to.
Whether an exchange was or was not made, and if made, whether it was made with that fairness which is valid and binding on the parties, is a question which is proper for a court of justice to decide, and if determined in favor of the complainant a court of chancery can decree fully and complete specific relief.
The experience of every day shows that this subject "properly belongs" to the judiciary.
It is believed that every court of chancery of the state,
now have suits depending in them for the specific performance of contracts.

If the subject "properly belongs" to the judiciary, the constitution expressly prohibits the legislature from the exercise of the power: For, after dividing the power of the government into three distinct departments, the legislative, the executive and the judiciary, it in the second section of the first article declares, that "No person or collection of persons, being of one of those departments, shall exercise any power properly belonging to either of the others; except in the instances therein after expressly directed or permitted."

If this contract be one that a court of chancery would not sustain, after a full hearing of both parties, then surely, we ought not to intermeddle with it.

If the subject were one proper for legislative interference, I am wholly uninformed as to the facts of the case, and therefore, ought not blindly to sanction an act, which for ought I know may prejudice the infants.

While on this subject, permit me to remark, that the practice of the general assembly, in legislating on private rights, instead of providing general laws where inconveniences exist, is a serious evil; it is increasing. And it opens a door for improper practices by the private and exparte representations of interested, designing persons.

ISAAC SHELBY.

January 18th, 1816.

Mr. Rowan from the committee for courts of justice made the following report, to-wit:

The committee for courts of justice, have according to order, had under consideration sundry petitions to them referred, and have come to the following resolutions thereupon, to-wit:

1. Resolved, That the petition of James Williams of Wayne county, praying that a grant may issue to him for 156 acres of land, on which he is settled, and the state price therefore remitted, it being represented that he is poor and his family in a distressed situation, is reasonable.

2. Resolved, That the petition of sundry citizens of Barren county, on behalf of Peter Huffman, representing that said Huffman purchased a tract of land in said county, on which part of the state price has been paid: that the said Huffman is a cripple and unable to pay up the balance of the state price, and praying that a law may pass authorizing a grant to issue to him for said land, and a remission of the balance of the state price due thereon, be rejected.
3. Resolved, That the petition of William Richards of the state of Virginia, representing that he purchased of William T. Tibbs, the heir at law of Daniel Tibbs, deceased, a survey for 500 acres of land, the plat and certificate of which survey has been assigned to him; but by mistake a patent has issued therefor, in the name of Daniel Tibbs; that in consequence of said mistake, has land has been struck off to the state, for the non-payment of taxes, although his agent in this country was supplied with funds to pay them, and praying that the right of the state may be transferred to him, be rejected.

4. Resolved, That the petition of James Swan of the state of Massachusetts, (and of Seth Hunt, the agent of said Swan,) severally representing that the said Swan is entitled to 300,000 acres of land on Big Sandy river, the taxes on which were regularly paid up until the year 1811, when owing to the absence of said agent from the United States, the said land was struck off to the commonwealth, for the non-payment of taxes, and the time of redemption past before his return; and praying he may be permitted to redeem the same by paying up the taxes due thereon, with a reasonable interest, be rejected.

5. Resolved, That the petition of John M'Comb of the county of Barren, representing that he is entitled to a tract of 200 acres of land in said county, on which a part of the state price has been paid; but from his misfortunes and poverty, is unable to pay the balance; and praying that the same may be remitted, and that a grant may issue to him for said land, be rejected.

Which being severally twice read, the first, second, third, and fourth resolutions, the second being amended by striking out the words "be rejected" and inserting in lieu thereof "is reasonable as to 100 acres;" were concurred in.

It was then moved and seconded to amend the fifth resolution by striking out the words "be rejected" and inserting in lieu thereof the words "the petitioner having paid $27.93 therefore, is reasonable as to 100 acres."

The question was then taken on concurring in the said amendment, upon which it passed in the affirmative.

The yeas and nays being required thereon by messrs. Hughes and Hubbard, were as follows, to wit:

Yeas—Messrs. Bates, Breathitt, Blackburn, Beauchamp, Coffee, Dillerhode, Emerson, Eve, Flournoy, Ferguson, Forrest, Gaither, Goode, Given, Hornbeck, Hubbard, P. Johnson, Logan, Marshall, M'Mahan, M'Alee, M'Clanahan, Owen,
Patton, Rennick; Reeves, Ray, Stratton, Shacklett, South, J., R. Smith, W. Thompson, P. Thompson, Ward, Weir, Wade, Yantis and Yates—38.


The said resolution as amended, was then concurred in.

Ordered, That the said committee prepare and bring in bills pursuant to the first, second and fifth resolutions.

A message from the senate by Mr. Lee, their secretary—

Mr. Speaker,

The senate have received official information that the governor did on yesterday, approve and sign a resolution, which originated in that house, for appointing a joint committee to examine the state bank and its branches—and they have passed bills of the following titles:

An act to incorporate the Cynthiana manufacturing company, and an act for the benefit of William Spiers and the heirs of Spencer Fletcher, deceased; in which bills they request the concurrence of this house.

And then he withdrew.

Mr. Blackburn from the committee of propositions and grievances made the following report, to-wit:

The committee of propositions and grievances have, according to order, had under consideration sundry petitions and memorial to them referred; and have come to the following resolutions thereupon, to-wit:

Resolved, That so much of the petition of Sarah Patillo, as prays that the payment of the state price on 200 acres of land in Warren county, be postponed until her youngest child attains the age of twenty-one years, is reasonable.

Resolved, That the petition of sundry citizens of Allen county, praying that a part of said county be added to Warren county, is reasonable.

Resolved, That the petition of sundry citizens of the counties of Knox, Clay and Rockcastle, praying for the erection of a new county out of part of each, be rejected.

Resolved, That the petition of the justices of the county court of Harrison, praying that a law may pass authorizing them to sell a part of the public square in the town of Cynthiana, be rejected.
Resolved, That the memorial of sundry citizens of Allen county, relative to the letting the public building in said county, by the commissioners appointed by the county court, be rejected.

Which being twice read, were laid on the table.

The house then according to the standing order of the day, resolved itself into a committee of the whole house on the state of the commonwealth—Mr. Letcher in the chair; which being resumed by Mr. Speaker, Mr. Burcher reported that the committee had according to order, had under consideration "a bill for the incorporation of the Farmer's Bank of Kentucky;" and had gone through the same with sundry amendments; which being severally twice read, were concurred in.

And then the house adjourned.

FRIDAY, JANUARY 19, 1816.

The house took up the resolutions reported from the committee of propositions and grievances on yesterday, which being again twice read, the first, second and fourth, (the fourth being amended by striking out the words 'be rejected,' and inserting in lieu thereof, the words 'is reasonable,' ) were concurred in; and the third and fifth laid on the table.

Ordered, That the said committee prepare and bring in bills pursuant to the first, second and fourth resolutions.

Mr. Marshall from the select committee to whom was referred a bill establishing an election precinct in Franklin county, reported the same with an amendment, which being twice read was concurred in.

Ordered, That the said bill as amended be engrossed and read a third time tomorrow.

Mr. Patton from the joint committee appointed to examine into the situation of the state Bank and its Branches, made the following report; viz.

The joint committee appointed to enquire into the Bank of Kentucky and the situation of its Branches, do report:

That they have performed the duty to them assigned, and in answer to the special resolutions adopted by the legislature, they have received for answer from the president of the institution, that he has no official information whatever of the residence of any stockholder, and could therefore, communicate none to the committee. On this subject he could speak from conjecture only; and he should estimate the number of shares held by persons not residing in this state, at less than eight hundred. Your committee feel satisfied with this reply, when they recollect that no provision is made by
law, to ascertain the residence of the stockholders; nor do they see any necessity of preserving an account thereof; an account that must be difficult and subject to frequent variations.

The amount of the greatest sum that ever has been loaned by the Bank of Kentucky to an individual or individuals at any one time, your committee has ascertained to be $60,000 from the mother Bank. No information is obtained as to the sums loaned by the Branches. An enquiry into the matter has never been made by the directory of the mother Bank.

The answer to the remaining enquiry, will be found in the residue of this report and the accompanying documents.

The amount of stock subscribed and the places where, under the act of one thousand eight hundred and fifteen, will be seen by exhibit B, attending this report. The net profits and capital of the Bank, and each of its Branches, will fully appear by reference to the accompanying documents, marked A and C, which are referred to as part of this report. The amount of state capital, the only remaining enquiry, is three hundred and ninety four thousand eight hundred dollars.

After this examination, and enquiry, in which an answer to every question relative to the Bank, has been freely afforded by the officers of the institution, your committee do not hesitate to declare that they are satisfied the institution has been judiciously managed.

The quantity of notes in circulation are small compared with the capital. This policy as your committee are informed and believe has been adopted through caution, lest a momentary shock should be experienced, in case the hour should arrive, when the Bank could with propriety resume her specie payments. This restraint of paper your committee think is sufficiently, if not unnecessarily cautious.

It has been officially communicated to us that the Bank abounds in specie in every department, and your committee feel no hesitation in believing that the Bank could with safety resume the payment of specie at this period, was the circulation of it confined to this state. For the notes which appear to be in circulation, and the amount of specie in the vaults of the institution, would in ordinary times of specie payments by the Bank, authorize the circulation of a greater amount in paper, than is now out with safety. The ability of the Bank, therefore, to pay specie cannot be doubted. But the scarcity of specie in the Atlantic states, and the great demand there for it, together with the high premiums given for it, render it unwise in the opinion of your committee
under such circumstances, for the Bank instantaneously to resume her specie payments. For the evident consequence of such a state of things would be that the specie would be drained from the state and deposited in the vaults of eastern banks, or transferred to foreign countries to answer the now pressing demands of commerce.

Your committee, therefore, recommend to the legislature the adoption of the following resolution, viz.

Resolved, As the opinion of this legislature, that the solvency of the Bank, affords the strongest evidence that its paper will be redeemed, and that it furnishes a safe, and convenient circulating medium.

From the Senate.
YOUNG EWING, WM. THOMPSON,
SAMUEL CHURCHILL, BOB. P. LETCHER,
J. SIMRALL, ROBT SMITH,
F. C. SHARP, B. MILLS,
JAMES GARRARD, Jr. WILLIAM CRAIG,
From the House of Rep. SAMUEL SOUTH,
B. W. PATTON, ROBERT B. MCAFEE,
DICKSON GIVEN, FR. JOHNSON.

Statement of the situation of the Bank of Kentucky.

31 Dec. 1815—Capital Stock of the institution $1,443,855 10; of which in bank Kentucky.

| Debts due to Bank of Kentucky, | 963,808 83 |
| Monies deposited in do. | 344,763 49 |
| Notes in circulation, | 381,095 60 |
| Cash on hand, | 249,311 80 |

OF THE LEXINGTON BRANCH BANK.

15 Dec. 1815—Capital, $218,700 00

| Debts due to Branch, | 589,219 77 |
| Monies deposited in branch, | 324,965 39 |
| Notes in circulation, | 273,138 |
| Cash on hand, | 183,361 38 |

OF THE RUSSELYVILLE BRANCH BANK.

15 Dec. 1815—Capital, $134,000

| Debts due to the branch, | 205,208 87 |
| Monies deposited in do. | 55,208 69 |
| Notes in circulation, | 82,511 |
| Cash on hand, | 54,219 45 |

OF THE LOUISVILLE BRANCH BANK.

15 Dec. 1815—Capital, $166,000

| Debts due to the branch, | 330,626 10 |
| Monies deposited in do. | 217,998 64 |
| Notes in circulation, | 215,793 96 |
| Cash on hand, | 216,954 23 |
### Statement of the situation of the Washington Branch Bank.

15 Dec. 1815—Capital, 200,000
- Debts due to the branch, 364,816 23
- Monies deposited in do. 59,202 45
- Notes in circulation, 179,882 23
- Cash on hand, 81,479 51

### OF THE PARIS BRANCH BANK.

15 Dec. 1815—Capital, 110,000
- Debts due to the branch, 212,634 40
- Monies deposited in do. 75,377 44
- Notes in circulation, 99,465
- Cash on hand, 78,182 95

### OF THE DANVILLE BRANCH BANK.

15 Dec. 1815—Capital, 110,000 00
- Debts due to the branch, 193,975 07
- Monies deposited in do. 82,151 33
- Notes in circulation, 96,343 68
- Cash on hand, 50,992 17

### OF THE BARDSTOWN BRANCH BANK.

15 Dec. 1815—Capital, 110,000 00
- Debts due to the branch, 220,397 17
- Monies deposited in do. 82,151 09
- Notes in circulation, 96,900
- Cash on hand, 74,950

### Account of stock subscribed in the Capital of the Bank of Kentucky, under the act of 1815, and of the places at which the subscriptions were made.

At the Bank of Kentucky 519 Shares.
- Louisville Branch Bank 60
- Lexington Branch Bank 206
- Russellville Branch Bank 340
- Washington Branch Bank 1005
- Danville Branch Bank 1000
- Paris Branch Bank 1100
- Bardstown Branch Bank 1264

Total, 5524

### Statement of the capital and profits of the Bank of Kentucky and its Branches for six months, ending 31st Dec. 1815.

<table>
<thead>
<tr>
<th></th>
<th>CAPITAL</th>
<th>PROFITS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Of the Bank of Kentucky</td>
<td>455,155 10</td>
<td>23,556 30</td>
</tr>
<tr>
<td>Of the Lexington Branch Bank</td>
<td>218,700</td>
<td>20,849 22</td>
</tr>
<tr>
<td>Of the Russellville Branch Bank</td>
<td>134,000</td>
<td>5,703 83</td>
</tr>
<tr>
<td>Of the Louisville Branch Bank</td>
<td>106,000</td>
<td>7,787 73</td>
</tr>
<tr>
<td>Of the Washington Branch Bank</td>
<td>200,000</td>
<td>10,094 68</td>
</tr>
<tr>
<td>Of the Paris Branch Bank</td>
<td>110,000</td>
<td>5,824 54</td>
</tr>
<tr>
<td>Of the Danville Branch Bank</td>
<td>110,000</td>
<td>4,576 25</td>
</tr>
<tr>
<td>Of the Bardstown Branch Bank</td>
<td>110,000</td>
<td>6,276 46</td>
</tr>
</tbody>
</table>
I will take the liberty of observing on the foregoing statement that no accurate inference can be drawn from it with respect to the profits of banking stock employed in any particular establishment for the following reasons: 1st, The expenses of the different institutions are not all borne by themselves; the paper issued by the whole establishment, is furnished at the expense of the Bank of Kentucky. 2d, The balances due by different portions of the establishment to other parts of it are frequently large and continue due for a considerable time, and these operate as a diminution of the capital of the creditor Bank, and an increase of that of the debtor. These balances are found to fluctuate; yet to the bank of Kentucky and probably to some of the Branches, balances are almost uniformly due from other parts of the institution. For the last year, this balance to the bank of Kentucky amounts to about $50,000. 3d, The capital of the different establishments as here stated, has in some instances been permanent for the last six months, in others, not. The capitals of the mother bank of the Lexington, Louisville, Washington and Russellville branches have increased gradually with the subscriptions to what they now are.

Which was received and read.

The following bills reported by the said committee, was then twice read and concurred in.

The following bills were reported from the several committees appointed to prepare and bring in the same.

By Mr. Kerley—1, A Bill to authorize the Auditor to transcribe certain books and for other purposes. By Mr. Sanford.

2. A bill vesting certain powers in the trustees of the town of New-Port. By Mr. Beauchamp—3, A bill to repeal the law selling non-residents lands for taxes. By Mr. J. T. Johnson—4, A bill authorizing a lottery for the purpose of paving the streets of Georgetown; and by Mr. Hughes—5, A bill to amend the several acts or parts of acts concerning writs of error.

Which bills were severally received and read the first time and ordered to be read a second time.

Mr. Beauchamp from the select committee to whom was referred, A bill repealing the act entitled an act for the relief of the citizens of Caldwell county approved the 27th January, 1815, reported the same without amendment.

Ordered, that the said bill be engrossed and read a third time to-morrow.

Mr. Ray from the committee of privileges and elections made the following report, to wit:

[Text continues with further legislative matters and resolutions.]
The committee of privileges and elections have according to order, had under consideration the returns from the sheriffs of the several counties within this commonwealth; and having examined the same, have agreed to the following report, to wit:

It appears to this committee, that the following gentlemen were returned as duly elected to serve as members of the house of representatives for the present general assembly, viz:

From the county of Adair, Nathan Gaither.
From the county of Barren and part of Allen, William Thompson and Henry Renick.
From the county of Bath, Thomas D. Owings.
From the county of Boone, John J. Flourney.
From the county of Bourbon, James Robinson, Benjamin Mills and James Hughes, jr.
From the county of Breckinridge, James Moorman.
From the county of Butler and Grayson, Robert E. Yates.
From the county of Caldwell, John Mercer.
From the county of Campbell, Alfred Sandford.
From the county of Casey, William Goode.
From the county of Christian, Benjamin W. Patton and Benjamin H. Reeves.
From the county of Clarke, Chilton Allan and William M'Guire.
From the county of Clay, John Bates.
From the county of Cumberland, James Fergus.
From the county of Fayette, Henry Payne, James True, jr. and Levi L. Todd.
From the county of Fleming, Leaken D. Stockton and David Hart.
From the county of Floyd, Henry Stratton.
From the county of Franklin, John J. Marshall.
From the county of Gallatin, David Owen.
From the county of Garrard, John Yantis and Robert P. Letcher.
From the county of Green, Richard A. Buckner and John Emerson.
From the counties of Greenup and Lewis, Thompson Ward.
From the county of Hardin, James Crutcher and Benjamin Shacklett.
From the county of Henderson, James M'Mahan.
From the county of Harrison, William K. Wall and Graham Forrest.
From the county of Henry, Edward George.
From the counties of Hopkins and Union, William R. Wier.
From the county of Jessamine, William Caldwell.
From the county of Jefferson, Richard C. Anderson and James Hunter.
From the county of Knox, Joseph Eve.
From the counties of Lincoln and Rockcastle, William Craig and William Wade.
From the county of Livingston, Dickson Given.
From the county of Logan, John Breathitt and John J. Crittenden.
From the county of Madison, William Williams, Samuel South and William Kerley.
From the county of Mason, John Chambers and Septimus D. Clarke.
From the county of Mercer, Robt. B. M'Ashe and Jas. Ray.
From the counties of Montgomery and Estill, John Jameson and Jesse Daniel.
From the county of Mahlenburgh, William Bell.
From the county of Nelson, John Rowan, Henry Cotton and Austin Hubbard.
From the county of Nicholas, Thomas Metcalfe.
From the counties of Ohio and Daviess, Philip Thompson.
From the county of Pendleton, Elijah M'Claugham.
From the county of Pulaski, Thomas Donerhude.
From the county of Scott, John T. Johnson and Robert M'Clutton.
From the county of Shelby, James Ford, John Logan and George B. Knight.
From the county of Warren and part of Allen, John D. Smith and Francis Johnson.
From the county of Washington, Thomas G. Harrison, Jeroboam Beauchamp and Dabney C. Cosby.
From the county of Wayne, Lewis Coffey.
And from the county of Woodford, William B. Blackburn and William S. Hunter.

JAMES RAY,
THOS. DEYE OWINGS,
J. J. MARSHALL,
ED. GEORGE,
THOMAS METCALFE,
LEVI L. GOOD,
JAMES HUGHES, Jr.
DICKSON GIVEN,
JOSEPH EVE.
And the reading thereof being dispensed with, the same was concurred in.

The house then resumed the consideration of a bill for the incorporation of the Farmer's Bank of Kentucky.

It was then moved and seconded to amend the said bill by attaching thereto as an additional section, the following, viz.

"Be it further enacted. That there shall be reserved to the state annually, a bonus of one dollar on each share subscribed to said bank by individuals. And at the time of declaring each of the half yearly dividends at the mother bank and each of its branches, the president and directors shall assign out of the dividends fifty cents to the state on each share; which sum shall be paid into the treasury of this state at the same times and under the same rules and regulations, as is now directed by law in case of the tax now existing on shares in the Bank of Kentucky; and the state shall have the same remedy to recover the said bonus."

It was then moved and seconded, to amend the said amendment by attaching thereto the following words, to-wit. "And that there shall be paid one dollar on each share now subscribed or shall hereafter be subscribed in the state bank, in lieu of the tax now paid, which shall be paid half yearly into the public treasury."

The question being taken on concurring in the said amendment to the amendment, it passed in the negative.

The yeas and nays being required thereon by messrs. Beunchamp and J. Hunter, were as follows, to-wit:


The question was then taken on concurring in the said amendment, upon which it passed in the negative.

The yeas and nays being required thereon by messrs. Mills and South, were as follows, to-wit:

Yeas—Messrs. Breathitt, Blackburn, Craig, Chambers,


The question was then taken on engrossing the said bill and reading it a third time, upon which it passed in the affirmative.

The yeas and nays being required thereon by messrs. Breathitt and Anderson, were as follows, to wit:


A message from the senate by Mr. Owens:

Mr. Speaker,

The senate have passed a bill entitled, "an act fixing the ratio and apportioning the representation for the ensuing four years," in which they request the concurrence of this house. And then he withdrew.

And then the house adjourned.

SATURDAY, JANUARY 20, 1816.

The petition of Jenny Hightower, representing that her deceased husband, Thomas Hightower, died, seized and possessed of a certain tract of land in Warren county, on which the first installment has been paid; that her said husband
died extremely poor, and left his family in extreme distress, and praying that the balance of the state price due on said land may be remitted, and a grant issued for said land to the heirs of her said husband:

Was received, read and referred to the committee of propositions and grievances.

Mr. Hubbard from the select committee to whom was referred a bill from the senate entitled, an act regulating appeals from the judgment of a justice of the peace in this commonwealth, reported the same with sundry amendments; the first and fifth of which were concurred in, and the second, third and fourth, disagreed to.

Ordered, That the said bill be laid on the table.

Mr. Stratton from the select committee to whom was referred a bill for the relief of William Sullivan, reported the same with an amendment—which being twice read, was concurred in. 

Ordered, That the said bill with the amendment be engrossed and read a third time, on Monday next.

On the motion of Mr. George,

Ordered, That leave be given to bring in a bill for the better regulation of the town of New-Castle, in the county of Henry; and that Messrs. George, Flourney and Blackburn, be appointed a committee to prepare and bring in the same.

Leave was given to bring in the following bills:

On the motion of Beauchamp—A bill for the relief of Catherine Patty. And on the motion of Mr. Forrest—A bill to explain and amend an act, entitled, an act concerning witnesses in certain cases, and venire men. Approved January 29, 1811.

Messrs. Beauchamp, Patton, South and Letcher, were appointed a committee to prepare and bring in the former; and Messrs. Forrest, Wall, Moorman and Mills, the latter.

The following bills were reported from the several committees appointed to prepare and bring in the same.

By Mr. Chambers—1, A bill to alter the time of holding the chancery term of the Mason circuit court. By Mr. Wall—2, A bill to amend and explain an act concerning witnesses in certain cases and venire men. By Mr. Todd—3, A bill to amend an act entitled 'an act concerning certain attorneys.' By Mr. Marshall—4, A bill to extend the time for the erection of the Frankfort bridge. And by Mr. Colley—5, A bill for the relief of the heirs of David Simpson.

Which bills were severally received and read the first time, and ordered to be read a second time.
Mr. South from the select committee to whom was referred, "a bill to change the mode of summoning jurors," reported the same with the following amendment: Strike out the original bill after the enacting clause, and in lieu thereof insert the following:

SEC. 1. Be it enacted by the General Assembly of the commonwealth of Kentucky, That when any writ shall issue from any clerk's office in this commonwealth, to bring any defendant or defendants before any circuit court, for any sum above fifty dollars, founded on any specialty, bill or note in writing, or account; that the sheriff or other officer in whose hand such writ shall be put, shall, when executed on the defendant or defendants, endorse on said writ, that said defendant does not controvert the right of the plaintiff or plaintiffs to recover; after said endorsement, no jury shall be ordered in the cause, but be under and subject to the same rules and regulations as to the rights of pleading, as is now had by law in the circuit court's in this commonwealth.

SEC. 2. Be it further enacted, That after the question shall have been heard, the court shall order judgment to be entered up for debt, interest and cost, as shall appear to them just.

SEC. 3. Be it further enacted, That if in any cause the plaintiff or plaintiffs in any suit shall require a jury in the cause, the court before whom the cause is set, shall order a jury to be summoned, as is now directed by law.

SEC. 4. Be it further enacted, That if the court shall be of opinion, that the plaintiff or plaintiffs had not good cause to order said jury to be summoned, they shall direct their clerk not to tax in the bill of cost against such defendant or defendants, the cost of summoning said jury; but may order their clerk to tax the plaintiff or plaintiffs the cost of said jury, as it may appear to them just and right.

SEC. 5. Be it further enacted, That neither of the parties shall be bound to any particular formality in pleading in open court: Provided however, That the court may make such order as to the mode of proceeding as to the cause before them, as to them may seem right and necessary for a fair, speedy and impartial trial of the cause.

SEC. 6. Be it further enacted, That all acts or parts of acts as comes within the purview of this act, shall be, and the same are hereby repealed.

And the question being taken on concurring in the said amendment, it passed in the negative.
The yeas and nays being required thereon by messrs. South and Patton, were as follows, to-wit.


Ordered, That the said bill be laid on the table.

On the motion of Mr. Beauchamp.

Ordered, That leave be given to bring in a bill to amend the several acts concerning the Penctentiary: And that messrs. Beauchamp, South, Yates, F. Johnson, Blackburn, Kerley and Ford, be appointed a committee to prepare and bring in the same.

Engrossed bills of the following titles:

1. An act for the removal of the seat of justice of Nicholas county. 2. An act to amend the act establishing the Bourbon Academy. 3. An act repealing the act entitled an act for the relief of the citizens of Caldwell county, approved the 27th January, 1815. 4. An act establishing an election precinct in Franklin county: And 5. An act for the benefit of William Quinton:

Were severally read the third time, and an engrossed clause added to the first by way of rider.

Resolved, That the said bill do pass; that the titles of the first, third and fifth be as aforesaid; that of the second be amended to read an act to amend the laws establishing the Bourbon and Lebanon Academies; and that of the fourth be amended by adding thereto the words, "and for other purposes."

Ordered, That the clerk carry the said bills to the senate, and request their concurrence.

A message from the senate by Mr. Lea, their secretary:

Mr. Speaker,

The senate have passed bills of the following titles: An act to regulate certain officers' salaries; and an act for the benefit of the Register of the land office. In which bills they
request the concurrence of this house. And then he withdrew.

A bill to establish the town of Bedford in the county of Henry was read a second time, and being amended at the clerk's table, was with the amendment ordered to be engrossed and read a third time on Monday next.

Ordered, That an engrossed bill entitled 'an act further to regulate the general court.' A bill to incorporate the Paris manufacturing company. And a bill authorizing the sale of a part of the public square in the town of Danville—be severally taken up and placed in the orders of the day.

A bill from the senate entitled, an act for the benefit of the heirs and devisees of Richard Young and Sandford Carrol, deceased, was read a third time, and committed to a select committee of messrs. F. Johnson, Blackburn and W. S. Hunter.

The house took up the amendments proposed by the senate to bills from this house of the following titles:

An act to amend the law authorizing the appropriation of the lands acquired by the treaty of Tellico.  
An act for the benefit of the heirs of Richard Armstrong, deceased, and others.

And an act for the benefit of the Russellville Lodge, number 17:

Which being severally twice read, were concurred in, with an amendment to that proposed to the first bill.

Ordered, That the clerk inform the senate thereof, and request their concurrence in the said amendment.

And then the house adjourned.

MONDAY, JANUARY 22, 1816.

The petition of the Kentucky Bible Society, praying that the state may loan them the sum of fifteen hundred dollars, for the purpose of purchasing a set of stereoty whole plates, in order that a more general distribution of the Holy Scriptures may be had on a cheap and more convenient plan in the western country;

Was received, read and referred to a select committee of messrs. Todd, Payne, Rowan, Robison, True, W. Thompson and Mills; giving said committee leave to report thereon by bill or otherwise.

Leave was given to bring in the following bills:

On the motion of Mr. Mills—1. A bill to authorize the guardians of infants and committees of idiots and lunatics to exe-
with the assent of the majority of the legislature, at the request of Charles Whitaker, Esq., in the county of Washington, is ordered to be engrossed and sent to the senate for concurrence.}

On motion of Mr. Rowan—A bill to amend the law concerning the limitation of actions personal and for slaves: and on the motion of Mr. Mills—A bill to amend the act entitled, an act authorizing the transcript of certain records in the county court of Pendleton.

Messrs. Mills, Hughes, Allan, Rowan and Blackburn were appointed a committee to prepare and bring in the first; messrs. Rowan, Mills and Buckner the second; and messrs. Mills, McClainahan and Yantis the third.

The following bills were reported from the several committees appointed to prepare and bring in the same:

By Mr. Rowan from the committee for courts of justice—
1. A bill for the benefit of the heirs of Job Carter, deceased.
2. A bill for the benefit of James Williams. By Mr. Ferguson—
3. A bill for the benefit of Leah McGonegal. By Mr. Blackburn from the committee of propositions and grievances—
4. A bill authorizing the county court of Harrison to sell part of their public ground. By Mr. Cosby—
5. A bill for the benefit of Henry Gardner and Peter Catron. By Mr. Mills—
6. A bill to authorize the guardians of infants and committees of idiots and lunatics to execute bonds and convey lands in certain cases. By Mr. George—
7. A bill for the relief of the heirs of Joseph Dupuy, deceased; and by Mr. Rowan—
8. A bill to amend the law concerning the limitations of actions personal and for slaves.

Which bills were severally received and read the first time and ordered to be read a second time.

And thereupon the rule of the house and second reading of the third, fourth, sixth and eighth bills being dispensed with, the third bill was committed to a select committee of messrs. Kerley, South and Buckner; and the fourth, sixth and eighth ordered to be engrossed and read a third time tomorrow.

The house then according to the standing order of the day, resolved itself into a committee of the whole house on the state of the commonwealth—Mr. Reeves in the chair—which being resumed by Mr. speaker; Mr. Reeves reported, that the committee had according to order, had under consideration a resolution on the subject of the boundary line between this state and the state of Tennessee—and had made the following amendment thereon, viz.

Resolved by the senate and house of representatives of the commonwealth of Kentucky, That in order to settle and adjust the boundary line between this commonwealth and the state.
of Tennessee, they are willing to establish as the line between this commonwealth and the state of Tennessee, the line commonly called Walker’s line as far as the Tennessee river; upon condition that the said state of Tennessee indemnify the new claimants of land deriving title from the commonwealths of Virginia or Kentucky, south of said Walker’s line and north of the chartered limits of said Tennessee: That said state of Tennessee, cause each and every person claiming land on the north of said Walker’s line, derived from north Carolina or Tennessee, to relinquish the same; or in the event, that any person claiming land on the north of said Walker’s line, by virtue of a claim derived from Virginia or Kentucky, be disturbed in the possession thereof, by said north Carolina or Tennessee claims, that said state reimburse such claimants. That in order to carry into effect the foregoing provisions, (should the state of Tennessee agree thereto,) commissioners be appointed by each state for that purpose, and to remark said Walker’s line according to its position, as admitted in its neighborhood.

The said amendment was further amended, by inserting after the words “Walker’s line” in the seventh line, the words “from the mouth of Obed’s river,” and by attaching to the end of said resolution the following words: “And to ascertain the true chartered limits between said states; and that from the point where the reputed line of Walker strikes the Tennessee river, a line at right angles to the said reputed line shall be ascertained and marked to the chartered line between the two states, and with the said true chartered line to the Mississippi river. And also, that a line be extended and marked at right angles from Obed’s river to the true chartered line, and thence with said chartered line to the eastern limits of the state of Kentucky.”

The question was then taken on concurring in the said amendment as amended, upon which it passed in the affirmative.

The yeas and nays being required thereon by messrs. Rowan and South, were as follows, to-wit:

Ordered, That messrs. Mills, Yantis, Breathitt, Patton and Gaither be appointed a committee to prepare and bring in a bill pursuant to the said resolution.

A message from the senate by Mr. Y. Ewing:

Mr. Speaker,

The senate have passed a bill from this house, entitled, an act to amend the laws establishing the Bourbon and Lebanon Academies. And then he withdrew.

The house took up the amendments proposed by the senate upon concurring in those proposed by this house, to the bill from that, entitled "An act for the relief of the sheriff of Cumberland county;" and which being severally twice read, were concurred in.

Ordered, That Mr. Allan inform the senate thereof.

The house took up the amendments proposed by the senate, to bills from this house of the following titles:

1, An act appointing trustees to the Grayson academy and for other purposes. 2, An act authorizing lotteries for raising money to pave the main streets of the towns of Danville and Richmond. 3, An act authorizing certain advertisements to be inserted in the newspaper entitled "The Kentucky Advertiser." And 4, An act for the benefit of William M'Harrow.

Which being severally twice read, were concurred in, with an amendment to those proposed to the latter bill.

Ordered, That Mr. Anderson inform the senate thereof; and request their concurrence in said amendment.

Engrossed bills of the following titles:

1, An act for the benefit of the heirs of Robert Johnson, deceased. 2, An act to prevent swindling by way of lottery in this commonwealth. 3, An act to incorporate the Louisville Library company: And 4, An act for the benefit of the heirs of James Dunn, deceased.

Were severally read the third time.

Resolved, That the said bills do pass; that the title of the first and fourth be as aforesaid; that that of the second be amended by striking out the word "swindling" and inserting the word "imposition" in lieu thereof; and that of the third be amended to read "an act to incorporate the Louisville and Hopkinsville library companies."
Ordered, That Mr. Ward carry the first, Mr. Harrison the second, and Mr. Anderson the third and fourth bills to the Senate and request their concurrence.

And then the house adjourned,

TUESDAY, JANUARY 23, 1816.

Mr. Kerley from the select committee to whom was referred a bill for the benefit of Leah McGonagle, reported the same with an amendment, which being twice read, was concurred in.

Ordered, That the said bill as amended, be engrossed and read a third time to-morrow.

The following bills were reported from the several committees appointed to prepare and bring in the same:

By Mr. Mills—A bill to amend the act entitled, an act authorizing the transcript of certain records in the county court of Pendleton. And by Mr. Kenna—A bill for the appropriation of money.

Which bills were severally received, and read the first time, and ordered to be read a second time—and thereupon the rule of the house and second readings of said bills being dispensed with, the first was ordered to be engrossed and read a third time to-morrow: and the latter was committed to a committee of the whole house on the state of the commonwealth.

A message from the Senate by Mr. Lee their secretary:

Mr. Speaker,

The Senate concur in the amendments proposed by this house upon concurring in those proposed by the Senate to bills from this house of the following titles—An act to amend the law authorizing the appropriation of the land acquired by the treaty of Tellico. And an act for the benefit of William McWilliam Harwood. They have passed bills from this house of the following titles—An act to incorporate the Louisville and Hopkinsville Library Companies. An act for the benefit of William Quinton. And an act for the benefit of the heirs of James Dunn, deceased. They have passed bills of the following titles—An act for the benefit of Elizabeth Dougherty and the heirs of William Dougherty, deceased. An act to amend the law against usury. And an act to amend the laws regulating the town of Paris; and they have adopted the following resolution:

IN SENATE, JANUARY 23, 1816.

Whereas, it has been represented to this General Assembly, that there are a number of the arms of the United States in
the hands of the militia of this state, who failed to deliver them up when discharged from service:

Resolved, Therefore, by the general assembly of the commonwealth of Kentucky, that it is expedient that the governor issue a general order to the commandants of regiments, to cause a strict examination to be made by the commanding officers of companies in the month of June next, at the time of making their annual returns, (for such arms as may be described in said order) and report to the commandants of regiments the number and kind, and in whose hands they are; upon which report the commandants of regiments shall report the same to the quarter master general without delay, who shall report to the commandant of the United States' ordnance department at Newport.

Extract, &c.

In which bills and resolution they request the concurrence of this house.

And then he withdrew.

The house took up an enrolled bill entitled, an act for the relief of Samuel Searcy, and the heirs of Charles Searcy, deceased, together with the governor's objections thereto: which being read:

The question was then put on the passage of the said bill, the governor's objections notwithstanding: upon which it passed in the affirmative.

Those who voted in the affirmative, were:


Those who voted in the negative, were:

Mr. Speaker, messrs Allan, Buckner, Breathitt, Beuchamp, Casby, Dullerhide, Eve, Forrest, Ford, Gaither, W. S. Hunter, F. Johnson, Mills, Mercer, Marshall, Owings, Payne, Robinson, Reeves, Stratton, J. B. Smith, W. Thompson, Todd, P. Thompson, Ward and Wall—27.

Ordered, That Mr. South, carry the said bill to the senate, and request their concurrence in its passage.

Engrossed bills of the following titles:

An act for the benefit of the sheriff of Hopkins county.
An act for the relief of the representatives of William Ward, deceased.

An act establishing an election precinct in the county of Green.

An act to extend the July term of the Franklin circuit court for the trial of chancery causes.

An act to authorize Jeremiah Buckley, to build a bridge across the Kentucky river.

An act for the benefit of William Buckner.

An act directing the mode of choosing electors to vote for President and Vice-President of the United States.

An act to extend the act entitled, an act to suspend law process in certain cases.

An act increasing the powers of the trustees of the town of Cynthiana.

An act to authorize a sale of part of the public ground in the town of Bowling-Green.

And an act to improve the navigation of Kentucky river, and the Beach and Rolling Forks of Salt river.

Were severally read a third time, an engrossed clause added to the tenth bill by way of ryder, and the blank in the eleventh filled.

Resolved, That the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth bills do pass; that the titles of the first, second, third, fourth, fifth, sixth, seventh and ninth bills be as aforesaid: That that of the eighth be amended to read "an act further to suspend law process in certain cases"—and that of the tenth be amended to read, an act concerning the towns of Bowling-Green and Louisville.

Ordered, That mr. Wier carry the first; mr. Mills the second and eighth; mr. Buckner the third and sixth; mr. Marshall the fourth; mr. Blackburn the fifth; mr. Breathitt the seventh; mr. Wall the ninth and mr. F. Johnson, the tenth bills to the senate, and request their concurrence.

Ordered, That the eleventh bill be laid on the table.

An engrossed bill entitled, an act providing a mode of trial against justices of the peace for malfeasance or misfeasance in office:

Was read a third time.

It was then moved and seconded to lay the said bill on the table until the first day of April next, upon which it passed in the affirmative.

The yeas and nays being required thereon by messrs. Mills and Letcher were as follow, viz.
A message from the senate by Mr. Sharp:

Mr. Speaker,

The senate have passed a bill from this house, entitled, an act repealing the act entitled, an act for the relief of the citizens of Caldwell county, approved the 27th January, 1815. And then he withdrew.

And then the house adjourned.

WEDNESDAY, JANUARY 22, 1816.

The petition of William Manwether, of Jefferson county, representing that he made an entry for 3000 acres of land, which he caused to be legally surveyed, the plat and certificate of which survey has been lost or mislaid—that there are no conflicting or interfering claims on said land; and that himself and those who claim under him, have been in undisputed possession for upwards of twenty years, and that being a citizen of Virginia until lately, he had supposed that said land had been carried into grant, and praying that he may be permitted to return the plat and certificate of survey to the Register's office, and carry said land into grant—

And the petition of the members of Allen Lodge No. 24, of Free-masons, in Glasgow, Barren county, praying that a law may pass, authorising them to raise by way of Lottery, one thousand dollars for the purpose of completing a masoonic hall in said town, which they have commenced—

Were severally received, read and referred, the former to a select committee of Messrs. Anderson, J. Hunter and Knight, and the latter to a select committee of Messrs. W. Thompson, Rennick, Chambers, Breathitt and Blackburn.
giving said committees leave to report thereon by bill or otherwise.

Mr. Patton from the select committee appointed for that purpose, reported a bill further regulating civil proceedings—which was received and read the first time, and ordered to be read a second time.

And the rule of the house and second reading of the said bill being dispensed with, the same was committed to a select committee of Messrs. Beauchamp, Patton, Breathitt, South, Rowan and Letcher.

Mr. Clarke from the select committee to whom was referred an engrossed bill, entitled an act to vest certain powers in the trustees of Washington, reported the same without amendment.

Resolved, that the said bill do pass, and that the title thereof be as aforesaid.

Ordered, that Mr. Clarke carry the said bill to the senate and request their concurrence.—

On motion—Ordered, that the select committee to whom the petition of Peter F. Marble, and the petition counter thereto, were referred, be discharged from a further consideration of said petitions, and that the same be referred to the committee of propositions and grievances.

Ordered, That an engrossed bill entitled, an act to improve the navigation of Kentucky river and the Beech and Rolling Forks of Salt river, be taken up, and referred to a select committee of messrs. Blackburn, Rowan, Beauchamp, Metcalfe, Logan, M'Afee and Ray.

An engrossed bill entitled, an act to alter the mode of taking in lists of taxable property:

Was read the third time, and the blanks therein filled:

The question was then taken on the passage of the said bill, upon which it passed in the affirmative.

The yeas and nays being required thereon by messrs. Cosby and Hornbeck, were as follows, to-wit:


Nays—Messrs. Buckner, Chambers, Coffey, Daniel, Dollerhide, Flournoy, Fergus, Goode, Given, Hughes, Horn-
Ordered, That Mr. Blackburn carry the said bill to the senate and request their concurrence.

A message from the senate by Mr. Parks;

Mr. Speaker,

The senate have passed bills from this house of the following titles: an act for the removal of the seat of justice in Nicholas county, and an act for the benefit of the heirs of Robert Johnson, deceased, with amendments to the latter, in which they request the concurrence of this house.

And then he withdrew.

An engrossed bill entitled, an act for the incorporation of the Farmer's Bank of Kentucky, was read a third time.

It was then moved and seconded to attach to the said bill, the following engrossed clause by way of rider to wit:

_Be it further enacted, That the charter of the Bank of Kentucky, granted by the act entitled, an act to establish a state bank, with all the rights, privileges and immunities now given by law to the president, directors and company of the said bank, shall be, and the same is hereby extended and continued until the period limited by this act, for the existence of the Farmer's Bank._

And the question being taken on agreeing thereto, it passed in the affirmative.

The yeas and nays being required thereon, by messrs. Chambers and Hart, were as follows, viz:


_Nays—Messrs. Buckner, Beauchamp, Catten, Colley, Cosby, Daniel, Dolleridge, Flournoy, Fergus, Forrest, Gaither, Goode, J. Hunter, Harrison, E. Johnson, Knight, Mills, Moorman, McAlhan, McAfee, Metcalfe, Owings, Robinson, Reeves, Ray, Rowan, Stratton, Shacklett, South, J. B. Smith, W. Thompson, True, Todd and Williams—34._

The question was then taken on the passage of the said bill, upon which it passed in the affirmative.
The yeas and nays being required thereon by Messrs. South and Anderson, were as follows, viz.  


Ordered, That Mr. Anderson carry the said bill to the Senate and request their concurrence.  

A message from the Senate by Mr. Lee their secretary:  

Mr. Speaker,  
The Senate have passed a bill which originated in this house, entitled, an act for the relief of Samuel Searcy, and the heirs of Charles Searcy, deceased, the Governor's objections notwithstanding; and they have passed bills from this house, of the following titles:  

An act for the relief of the representatives of William Ward, deceased.  
An act establishing an election precinct in the county of Green.  
An act for the benefit of William Buckner.  
An act to extend the July term of the Franklin circuit court for the trial of chancery causes.  
An act increasing the powers of the trustees of the town of Cynthiana.  
An act concerning the towns of Bowling Green and Louisville.  
An act to vest certain powers in the trustees of Washington; with an amendment to the latter, in which they request the concurrence of this house.  
And then he withdrew.  
And then the house adjourned.
1. The petition of Sally W. Boler, representing that many defects exist in the act concerning alimony and separate maintenance of wives and children abandoned by their husbands and fathers; and suggesting that many amendments are necessary to effectuate the object of said act, and praying that the said act may be amended generally, and so as to embrace her own case in particular:

2. The petition of Polly Graves, wife of Major Benjamin Graves, representing that her husband was taken prisoner by the Indians at the battle of the river Raisin, in January, 1813: that previous to the departure of her said husband for the army, he made a will, by which he directed some of his real estate to be sold by his executors to pay his debts, but owing to the uncertainty which exists as to the fate of her said husband, his executors have not qualified; and praying that a law may pass, appointing commissioners to sell said real estate, for the purposes aforesaid:

3. The petition of the members of Sampson Lodge, number 31, of free-masons in the town of New-Castle, Henry county, praying that a law may pass authorizing them to raise by way of lottery, one thousand dollars for the purpose of assisting them to build a masonic hall in said town:

4. The memorial and petition of James Ellis of Nicholas county, praying that in case a removal of the seat of justice for said county should take place, that the legislature will pass a law, by which the said county shall compensate him for the expenses he has incurred in building a jail, &c. under the provisions made by the act fixing the seat of justice of said county at Ellisville:

5. The petition of sundry citizens of Wayne and Pulaski counties, praying that the division line between said counties, may be changed and altered:

6. And the petition of sundry citizens of the said counties, counter thereto.

7. The petition of sundry citizens of this state, on behalf of the widow and children of Lieutenant William Harrell, deceased, of the 14th Regiment detached militia of this state; representing that the said William Harrell, departed this life on his return from New Orleans, where he was detached, leaving his family in very indigent circumstances, and praying that the state price remaining due on two small tracts of land, belonging to said decedent, may be remitted, and the remainder of a grant for said lands:
8, And the petition of sundry citizens of this state, on behalf of the widow and children of John Stevens, representing that the said Stevens was one of the drafted militia of this state, who served in the campaign to New Orleans, and there died, leaving his family in a distressed situation, and praying that the state price remaining due on a small piece of land to which he was entitled, may be remitted, and that the examination of a grant may be authorized for said land:

Were severally received, read and referred: the first to the committee for courts of justice; the fourth, fifth and sixth, to the committee of propositions and grievances; the second to a select committee of messrs. Payne, Blackburn and Breathitt; the third to a select committee of messrs. George, J. T. Johnson and Owen; and the seventh and eighth to a select committee of messrs. Blackburn, Crutcher, Ford and Kerley; giving said committees leave to report thereon by bills or otherwise.

Mr. Payne from the select committee appointed for that purpose, reported a bill for the benefit of the wife and family of major Benjamin Graves, which was received and read the first time, and ordered to be read a second time.

And thereupon the rule of the house and second and third readings of said bill, (the same being engrossed,) being dispensed with,

Resolved, That the said bill do pass, and that the title thereof, be as aforesaid.

Ordered, That Mr. Yates carry the said bill to the senate and request their concurrence.

Mr. Blackburn from the select committee to whom was referred, an engrossed bill entitled, an act to improve the navigation of Kentucky river, and the Reach and Rolling Forks of Salt river, reported the same with amendments, which being twice read, were concurred in.

Ordered, That the said bill be re-engrossed as amended, and again read a third time to-morrow.

The Speaker laid before the house a letter from the commissioners appointed under the act of the last session of the General Assembly, relative to the Penitentiary institution; which was then taken up and read as follows, viz.

The undersigned appointed commissioners under the act approved February 8th, 1815, entitled, an act supplemental to the act to regulate the Penitentiary, to settle the accounts of the several agents thereof, beg leave to report:

That the examination required by said act was attempted by the undersigned, but after an investigation of the subject,
they became convinced that no correct or even tolerable settlement of those accounts can now be made; The want of original entries, vouchers and papers, and of a system by which the several accounts could be checked or substantiated, has involved the whole in a labyrinth too difficult for the commissioners to unravel, and at the present day, perhaps impracticable for any other person to adjust. Nor is the law passed at the last session of the legislature, to regulate the Penitentiary, calculated to produce the benefits expected from it. Without intending any reflection upon the integrity of the present keeper, the commissioners would beg leave to suggest that it doth appear to them, totally inconsistent with the principle applied to all other public officers, to leave him without a check. He is, by that law, at liberty to report what he pleases, without a voucher of any description being required, and the auditor is merely directed to register or record what he chooses to report, without power to compel a settlement, or to require proof of the correctness of what is submitted to him. In short, upon an examination of the several existing laws relative to the accounts of the Penitentiary, they cannot discover any adequate check upon the application of its funds; nor in their opinion, has the public interest therein any other security than what results from the discretion and honesty of those to whom the management is committed. Believing that this could not have been the intention of the legislature, and conceiving that it is not only reasonable, but proper that public officers, especially those who have the disbursement of large sums of money, should be held to render a satisfactory account of the application thereof; the undersigned beg leave to recommend an early revision of the several acts in force relative to the Penitentiary. Also the passage of an act containing such checks and provisions, as shall henceforth secure to the use of the state, the profits arising from the said institution. All of which is respectfully submitted.

RICHARD TAYLOR, jr.
WM. HUNTER,
GEORGE MADISON,
J. BROWN.

The honorable the Speaker
Of the House of Representatives.

The following bills were reported from the several committees appointed to prepare and bring in the same:

By Mr. Knight—I. A bill vesting certain powers in the trustees of the Methodist Brick Chapel, in Shelby county.

B b
By Mr. F. Johnson—2, A bill further to regulate the Transylvania seminary. By Mr. W. Thompson—3, A bill for the benefit of Benjamin Williams. And by Mr. Blackburn from the committee of propositions and grievances—4, A bill to add a part of Allan county, to the county of Warren:

Which bills were severally received, and read the first time, and ordered to be read a second time.

And thereupon the rule of the house and second reading of the first, third and fourth bills being dispensed with, the first and fourth, were ordered to be engrossed and read a third time: and the third committed to a select committee of messrs. Beaubenchamp, W. Thompson and Ward:

And the rule of the house and third reading of the first bill being dispensed with, and the same being engrossed:

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That Mr. F. Johnson inform the senate thereof, and request their concurrence.

Ordered, That a bill authorizing the sale of a part of the public square in the town of Danville, be committed to a select committee of messrs. M'Afee, Ray, Craig and Rowan.

An engrossed bill entitled, an act to amend the penal laws of this commonwealth, was read a third time.

And the question being taken on the passage of the said bill, it passed in the affirmative.

The yees and nays being required thereon by messrs. Beaubenchamp and Hornbeck, were as follows, to wit:


Ordered, That Mr. Beaubenchamp carry the said bills to the senate, and request their concurrence.

An engrossed bill entitled, an act to prescribe the mode of changing the venue in criminal cases, was read the third time, and the blank therein filled as follows, to wit:
An act prescribing the mode of changing the venue in criminal cases.

SEC. 1. Be it enacted by the General Assembly of the commonwealth of Kentucky, That in all cases where an indictment for felony has been, or may hereafter be found by the grand jury to be a true bill, in any of the courts of this commonwealth, against any person or persons, if he, she or they shall conceive that a fair and impartial trial of the cause, cannot be had in the court in which such indictment may then be depending, owing to the prejudice of the people of the county in which the offence may be alleged to be committed, against the person or persons indicted, or owing to the undue influence of his, her or their prosecutor, or to the prejudice of the circuit judge, or the two assistant judges, against him, her or them, it shall and may be lawful for the person or persons so suspecting that a fair trial cannot be had, to petition the court in which such indictment may be depending, for a change of the venue; which petition in writing, shall distinctly set forth the cause, or causes, why such suspicious events are entertained, and have the affidavit of the petitioner or petitioners as to the truth of the petition, annexed thereto.

SEC. 2. Be it further enacted, That it shall then be the duty of the court so petitioned, to direct a change of the venue of the case, to such other circuit court as they in their discretion may think proper:

Provided however, That no such change shall be directed, unless the person or persons petitioning, shall produce two or more creditable witnesses to the court, who will swear that they have reason to believe, and are of opinion, that a fair and impartial trial of the case cannot be had in the court in which it may then be depending, owing to the cause or causes set forth in the petition; nor unless the person or persons so petitioning, shall in open court consent that the trial shall be had in such court as the judges shall have named.

SEC. 3. Be it further enacted, That in every case where such change of the venue may be directed, it shall be the duty of the clerk of the court where such cause may then be depending, carefully to file away such petition and order for the change of the venue, and to deliver to the sheriff of the county, or some one of his deputies, the indictment in said cause, together with a certified transcript, of all the papers belonging to the cause, and take his receipt therefore, whose duty it shall be to deliver the same, to the clerk of the circuit court to which such cause may be directed to be removed, in twenty
days thereafter, and in like manner take his receipt for the same. It shall also be the duty of the sheriff or deputy aforesaid, to present to the jailor in whose custody such petitioner or petitioners may be confined, the aforesaid order for changing the venue, who shall thereupon deliver to said sheriff or deputy, and take his receipt for the same to the aforesaid petitioner, or petitioners. The sheriff or deputy, shall then in the time above mentioned, convey him, her or them to the jail of the county to which such cause is directed to be removed, and having safely delivered the same to the jailor of the county, take his receipt evidencing such delivery, whose duty it shall be to imprison and safely keep the person or persons so delivered, until discharged or otherwise disposed of, by due course of law.

SEC. 4. Be it further enacted, That it shall be the duty of the clerk of the court to which such cause may be directed to be removed, to receive the papers, and docket the cause in due form, and to issue all process and subpoenas to the first day of the first term of such court, subsequent to said order of removal, which the clerk of the court from which such cause may be removed, should have issued if no such removal had taken place; and at the said first day of the first term, subsequent to such order of removal, the case so removed shall stand for, but may for good cause shown, be continued as in other cases.

SEC. 5. Be it further enacted, That if the offence with which the petitioner or petitioners stand charged, be such that he, she or they can legally be admitted to bail, it shall be lawful for the court, so applied to, to recognize him, her or them in the usual form, and in such penalty as the court may deem reasonable for appearance at the court in which such trial may be directed to be had, and on such day of the term, as the case by the provisions of this act is directed to stand for trial.

SEC. 6. Be it further enacted, That the court to which such change or removal is directed to be made, shall have jurisdiction of the case so removed, and proceed to try the petitioner or petitioners on the indictment found as above, and pronounce judgment of acquittal or conviction in every respect, in the same manner as if the offence therein charged, had been committed in the bounds of the county in which the trial may be directed to be had.

SEC. 7. Be it further enacted, That it shall be the duty of the court ordering such change, to recognize the witnesses which may attend said court, to appear at the court when the person or persons so indicted are to be tried, which recogni-
zances shall by the sheriff carrying the other papers of the case, be delivered with the same to the clerk of the court to which such change is directed to be made, which recognizances both of witnesses and the person or persons indicted shall be binding in law, and be recoverable by seire facias, in the court in which they are so directed to be lodged, upon a breach thereof.

Sec. 8. Be it further enacted, That it shall and may be lawful for any sheriff or deputy removing any person or persons under the directions of this act, to use the same means to secure and convey the prisoner or prisoners, as sheriffs are now by law authorized to use in removing any convict from the jail of his county to the penitentiary of this state, and he together with the guard attending and aiding in such conveyance, shall be entitled to the same fees, and to be paid in the same way, they would be entitled to, in the instance above mentioned.

Sec. 9. Be it further enacted, That if any jailor, clerk or sheriff, shall fail strictly and promptly to comply with the duties imposed on him or them by the provisions of this act, he or they so in default, shall severally forfeit to the commonwealth, the sum of five hundred dollars; to be recovered by indictment in the circuit court of the county in which he or they may reside.

And the question being taken on the passage of the said bill it passed in the negative.

And so the said bill was rejected.

The yeas and nays being required thereon, by messrs. Allan and Buckner, were as follows, viz:


Engrossed bills of the following titles:

An act for the relief of the 20th Regiment of militia of this state.
An act authorizing and directing the surveyor of Logan county to record certain plats and certificates of survey.

An act concerning the town of Jefferson, in Jefferson county.

An act legalizing the proceedings of the county court of Livingston at their November term, 1815.

An act adding a part of the county of Nicholas to the county of Fleming.

An act for the benefit of the heirs of James C. Price, deceased, and others.

An act further to regulate the General Court.

An act for the relief of Wilson Sullivan.

An act to establish the town of Bedford, in the county of Henry.

An act authorizing the county court of Harrison to sell a part of their public ground.

An act to authorize the guardians of infants and committees of idiots and lunatics, to execute bonds and convey lands in certain cases.

An act to amend the law concerning the limitations of actions, personal and for slaves.

Were severally read a third time.

Resolved, That the first, second, third, fourth, fifth, sixth, eighth, ninth, tenth, eleventh and twelfth bills do pass; and that the titles of the first, second, third, fifth, eighth, tenth, eleventh and twelfth bills be as aforesaid—that of the fourth be amended by adding thereto the words “and the trustees of the town of Salem”—that of the sixth, be amended by adding thereto the words “and others”—that of the ninth be amended by adding thereto the words “and the town of Crab Orchard in the county of Lincoln.”

Ordered, That Mr. Craig carry the said bills to the senate, and request their concurrence.

Ordered, That the seventh bill be laid on the table.

A message from the senate by Mr. Lee their secretary:

Mr. Speaker,

The senate have passed bills of the following titles:

An act to prevent imposition by way of lottery in this commonwealth: And,

An act for the benefit of the wife and family of major Benjamin Graves.

And then he withdrew.

And then the house adjourned.
FRIDAY, JANUARY 26, 1816.

The petition of Charles Megowan, and Elizabeth his wife, Joseph Beard, Martha Beard the widow, and Henry Beard guardian to the infant heirs of William Beard, deceased; all devisees of John Campbell, deceased; representing that the will and record thereof, of the said Campbell was consumed by fire with the office of the county court of Fayette, and owing to that circumstance no copy will be received as evidence in any of the courts of this state, and praying that a law may pass, authorizing a copy of an attested copy of said will, to be received as legal evidence; and also praying that the guardian of the said heirs of William Beard, may be authorized in conjunction with the other devisees of John Campbell, to settle, adjust and compromise the land claims of said decedent.

And the petition of the citizens of Georgetown, praying that a law may pass, to amend the several acts concerning the said town, and that the power of the trustees of said town, may be extended and enlarged for the purposes therein mentioned:

Were severally received, read and referred; the first to a select committee of messrs. Payne, Todd, True, Rowan, and F. Johnson—and the latter to a select committee of messrs. J. T. Johnson, M. Hatton and Flournoy, giving said committees leave to report thereupon by bills or otherwise.

Mr. McAfee from the select committee to whom was referred, a bill authorizing a sale of part of the public square in the town of Danville, reported the same with amendments, which being twice read, were concurred in.

Ordered, That, the said bill be engrossed and read a third time to-morrow.

Mr. Beauchamp from the select committee to whom was referred, a bill for the benefit of Benjamin Williams, reported the same with an amendment, which being twice read was concurred in.

Ordered, That the said bill as amended, be engrossed and read a third time to-morrow.

Mr. E. Johnson from the committee appointed for that purpose made the following report, to-wit:

The select committee appointed to inquire into the situation of the Transylvania University, have performed the duty to them assigned, and concur in the following report, to-wit:
A letter was addressed by the chairman of the committee to the chairman and board of trustees of that institution, which drew forth the response returned with this report for the inspection of the house; which letter and response are in the following words, and made a part hereof:

Before the committee a delegation of the board has appeared and answered the enquiries propounded to them. On the order of the committee the record books have been produced and examined; and witnesses named by one of the professors have given information on the subject of enquiry. Other members of the board were summoned, who did not attend, so that your committee can assure the house, that they have heard testimony from one side, viz. That of a majority of the board alone, and on this they predicate the facts and opinions here suggested. They repeat, that they have had before them the evidence of one side only, for with regret they discover that division and party feelings exist in the board. During former years, while the institution was in its infant state, like the country in which it is situated, it promised fair to become the seat of science, and hopes were entertained that it would tower above other Seminaries of the western country. Till this period its funds have increased with the population and wealth of the state. Its present annual revenue, exclusive of the contingent fund of tuition, is about $100 dollars; and the funds now existing, if properly managed, cannot fail to ensure a much larger sum. But the character of the institution, and number of students, have lately sunk more rapidly than its wealth has risen. At this time, in the language of the board, "its standing is low, very low!" Its number of students are small, compared with that of former years, and is composed chiefly of children, while rival institutions, on private establishment, to the number of two at least, exist in the same town, (one of these of considerable magnitude,) filled with youth of more mature age, extortion from employer's a price for tuition about triple the price demanded in the University, eclipse the governamental School. To the causes of this decline, your committee have directed their attention, and are not satisfied with those assigned in the reply of the board. The reduction of the institution by the late war, and increased prices of boarding, your committee view as partial only. Other institutions dependant on private countenance and public opinion alone, having in view the same objects, flourish in the same place, the war and high prices of boarding notwithstanding. A more serious difficult cause exists: an ulcers, cancerous in its nature, which if not
thoroughly probed and soundly healed, will not only vitiate, but totally consume the system. The board is divided. Their efforts are not united in favor of one set of men or measures. So marked is this division on their records, that in Legislative order, their names appear on their records by yeas and nays; so that each party may bear their respective portions of responsibility. In the division, your committee discovers nearly a uniform number of members composing a majority, classed by character on one particular side of politics and religious sentiment. The minority is respectable, and composed of gentlemen of characters at least equal to those of the majority, and possessing a large share of public confidence. In this division, religion and politics which divide the world, your committee believe, have an influential operation. Here your committee would not be understood to mean, that any member of either the majority or minority, is irreligious; or that any of the members wish to favor the appointment of irreligious professors, or are willing to introduce into the institution infidels or atheists. Such a course your committee believe would be as much detested by both parties, as it can be by your committee. But they do not hesitate to assert, that in the majority of the board, there has grown up too strong a predilection for a principal and professors of a peculiar and uniform sectarian principles. No permanent President has been appointed for a period of eight or nine years. During that long period, a gentleman has filled the chair by appointment pro tempore, although the board is now able to ensure a salary of upwards of $2000 dollars; a sum, in the opinion of your committee, sufficient to command talents of the first order. This failure to find an individual capable of drawing public confidence to the institution, and reviving its decayed condition, is an error.

Last spring Doct. Romayne, of New York, was appointed President; he declined accepting it as the board allege. Sometime after, Doct. Holly, of Boston, was chosen. Both of these appointments seem to have been made without previously consulting the appointees. A committee of the board was directed to correspond with Doct. Holly, and solicit his acceptance. Before the committee had performed their duty, a board was convened, and the authority of that committee suspended; not because the competency or talents of Doctor Holly were doubted, his moral conduct reproachable, or his christian deportment called in question, but merely because it was reported that he had adopted some sentiments formerly entertained by the celebrated orator Priestly, which did not
exactly quadrate with Calvanistic orthodoxy. This decision in favor of sectarian tenets, your committee cannot admire.

The board appears to regret what they are pleased to term unwarrantable attacks on their principal, by written publications, and verbal assertions, and assign this as one of the causes of the decline of the institution. These attacks your committee are sensible have been made, but whether justly or not, they will not undertake to determine. It is certain that gentleman did not possess the undivided confidence of the public when last appointed. Of this the minority of the board appear to have been sensible, and tendered a resolution declaring it inexpedient again to appoint him as professor. This resolution was laid on the table by the majority without any direct determination, and the same gentleman immediately appointed professor for five years. This drew forth a protest from the minority, calculated still more to weaken the tottering public confidence then reposed in that reverend professor. Since that period the duties of President have been again assigned and are now exercised by that gentleman.

Your committee cannot close their report, without alleging that the politics taught in the institution have not been pure. Dislike to our own government or its acts, have been discovered by the faculty in the presence of the students, even to in ratability. The British constitution has been represented as possessed of beauty and excellence. This beauty and excellence has been portrayed and recommended to the students in lectures and dissertations; while our own structure of government was wholly neglected. With that of Britain was never once, in the hearing of the witnesses, our own constitution contrasted, or its super-excellence made the topic of discussion. Lessons of this nature impressed on the youthful mind, your committee conceive have a fatal tendency. The youth of the day are the hope of the entering age, and the future destinies of the nation must be wielded by the boys of the present time. Their minds, therefore, ought to be kept pure and uncontaminated by harangues and dissertations delivered with preceptive authority, which lead them to admire the political dogmas of foreigners, more than our own. Your committee have turned their eye to the remedy for these evils; and they have been led to recommend not only a reduction of the board in number, but a new appointment of members, and that the term of service be shortened to two years, and that future elections of members be made by the legislature. They therefore recommend to the house the adoption of the following resolution, to-wit:
Resolved, That a law ought to pass, appointing new trustees in the Transylvania University, to hold their offices for two years, and that biennial elections to supply the board shall be made by a joint vote of both branches of the general assembly.

To the Chairman and Board of Trustees of the

TRANSYLVANIA UNIVERSITY.

GENTLEMEN,

IN conformity to a resolution of the House of Representatives, a committee are appointed to enquire into the situation of the Transylvania University.

The committee will be obliged for all the information you can furnish them, as well that which relates to the causes that have tended to retard its reputation, as that which may be calculated to display a full view of the present standing and situation of the institution and its future prospects; and they will also be thankful for any suggestions as to what Legislative aid or protection would be necessary or useful for the permanent prosperity and advancement of the University.

The committee propose to take the subject under consideration on the 5th Jan., at 4 P.M. at the state-house.

Very respectfully, gentlemen,

Your humble servant,

FR. JOHNSON.

Frankfort, 21st Dec. 1815.

STATE OF KENTUCKY.

Fayette County, to-wit:

AT a called meeting of the Board of Trustees for the Transylvania University, the following gentlemen members of the board attended, to-wit:

Andrew M'Cullough, Chairman.
James Trotter, Revd. James M'Chord, Chas. Humphreys.

The following address was read and unanimously adopted by the board to-wit:

SIR,

The board of trustees, presiding over the interests of this University, haste to comply with those demands for information made by that committee, of which you are chair-
The members of this board cannot be supposed to be ignorant of any thing important in that state of circumstances which has at length summoned the attention of the Legislature of their country to the affairs of this institution; and occasioned those enquiries to which they are now to answer. The board may therefore be excused the use of their liberty, in saying that it is with no tranquil sentiments they hail an occurrence, which in imposing upon themselves the otherwise ungracious and unpopular task of rendering to the committee, and through them to the Legislature and the community at large, an account of their administration, yields a favorable opportunity of recommending to the notice of every wise and patriotic citizen, interests which have been heretofore too much overlooked; and of dragging into the view, and holding up for the reprobation of the public, combinations and acts which under circumstances less imperative, the board could not feel themselves justified in exposing.

When the earlier and more active members of the board, as now constituted, came into office, they found the resources of the institution in a most deplorable state. It was said in fact to be rich in lands, but those lands were generally of little comparative value, and for the most part totally or nearly unproductive. A tract in the vicinity of Lexington had been leased in lots of about one hundred acres, for a term of three lives, at rates of from five to ten dollars each, payable partly in produce. These rents constituted the permanent income of the institution, which did not exceed three hundred dollars per year. In process of time, it was discovered that the occupants of this tract had made such havoc of the timber as to reduce materially the value of the land; and having moreover in many instances parted with their rights to persons whom the board could not render accountable, it was held expedient to dispose of them and all other lands belonging to the institution, on as good terms as possible, and to vest the proceeds in Bank Stock. Accordingly a committee consisting of Messrs. James Trotter and Alexander Parker, was forthwith appointed to make sales of the property, and the latter gentleman was moreover authorized to vest the proceeds as above.

Those gentlemen have succeeded in making sale of the whole of M'Kinzev's tract, (three thousand acres) on Harrod's creek, and nearly the whole of Collins's survey, (also three thousand acres,) on terms highly satisfactory to the board. Out of these two surveys, Messrs. Parker and Trotter have made sales to an amount, out of which, there has
been already funded nearly thirty thousand dollars, thereby obtaining in the Kentucky Insurance Company and Bank of Kentucky, three hundred shares. The balance still due the institution on account of these sales, does not exceed seven, or at most eight thousand dollars, as appears by the accounts rendered half yearly by Mr. Parker. In addition to these means, the institution claims a tract on Green river, of six thousand acres, but of uncertain value. It has also a claim on a tract of land known by the name of M'Kee's survey; the greater part of which the committee had conditionally sold, when suit was commenced against them on account of it by the Hon. Henry Clay, in behalf of the assignees of M'Kee.

The issue of this process is at least doubtful. The resources of the institution of course stand thus:

Three hundred shares of Bank Stock, $30,000
Still due on account of sales, an amount not exceeding 8,000
Six thousand acres on Green river, worth perhaps 4,500

A small part of Collins's survey, value unknown.
M'Kee's survey of two thousand acres, claim contested.

From this statement it will appear that the actual income of the seminary from its permanent resources does not exceed three thousand dollars per annum; and that if the board should succeed in parting with the residue of the unproductive property, they cannot still upon the most flattering estimate, calculated upon an advance of above 2000 dollars more.

Their account of the number of students attendant in the University and of the collateral aid, arising from their payments in consideration of the instruction received, cannot of course be so accurate as that which the board have been enabled to furnish in the case above stated.

When the Rev. Dr. Toulmin was chosen to preside on the ground of the strong recommendation furnished him by Mr. Jefferson, the seminary was attended at first by about 70 students. Doubts and uneasiness having arisen in relation to that gentleman's principles, their members were reduced at the end of the second year to about forty, and at the expiration of the third they were still further diminished to ten; upon which event Mr. Toulmin was induced to resign the chair. For a succession of subsequent years, the number fluctuated between thirty and forty, "still at length a union of the Transylvania Seminary with the Kentucky Academy having been formed, and the institution created by law a Uni-
versity, the Revd. Mr. Blythe was chosen to preside over its interests; and Revd. R. H. Bishop and Mr. E. Sharp were elected professors. Mr. Blythe was moreover deputed to the eastern states for the purpose of soliciting aid to the still very feeble funds of the institution; and such were the perseverance and success of that gentleman, that a sufficiency was obtained for the purchase of philosophical apparatus, and a great proportion of the existing library. From that period to the commencement of the late war, the number of students was rarely, if ever, under fifty. From these data an estimate may be readily formed of the incidental income of the seminary, arising from the payments made by students. During the war, and until the session commencing in April last, the number of students fluctuated between forty two and forty eight, as appears by the returns made out for the inspection of the board at the end of the several sessions. The students latterly attendant on the Transylvania University amounted to no more than forty two.

Such a sir is a full, and it is believed a faithful account of the present state of the Transylvania University, so far as relates to the general aspect of its resources and external situation; of its internal arrangements the board submit the following brief account: The Rev. doctor Blythe is authorised by the board to exercise the powers and superintendance of a principal, till such time as a president can be obtained. He is also professor of the mathematical sciences, algebra and modern geography.

The Rev. Robert H. Bishop, is professor of moral philosophy, metaphysics, rhetoric, logic, ancient history, and geography, and occasionally, an instructor in the Hebrew tongue.

Mr. E. Sharp, professor of humanity. As the standing of the University ought in a very great degree to comport with the ability and fidelity displayed by these gentlemen severally in the execution of their trust, the board feel themselves called on to declare what is their own opinion, as well as to make known the opinion of the public, on these important subjects. It is abundantly well known, that when the two latter gentlemen were first appointed to their seats, the acclamations of the public were loud in praise of the appointment. From that hour to this, the members of the board have had every opportunity to judge of the manner in which the public expectation has been met by them. The board will only say, that hitherto they have discovered no reason to regret or alter these appointments. Doctor Blythe has filled the mathematical chair for more than fifteen years; his first,
and some of his subsequent appointments, gave universal satisfaction.

The men who now set themselves decidedly against him, then gave their warm support. Whether it is, that his present opposers have in this long space of time, acquired a more ripe and discriminating judgment, or whether Doctor Blythe's abilities to fill the chair, have actually been deteriorated by fifteen years of diligent and well directed application to the sciences of his department, is a problem, which the board will not undertake to solve. They will, however, undertake to say, that the complaint of want of ability in any of the professors, is quite a modern thing; an idea that they lack diligence, has never yet been started.

It may be proper moreover to state, that whatever be the opinions afloat upon this subject, the public examinations of the classes have, the board believe, given universal satisfaction to gentlemen of science, who have seen proper to attend them; and they have been attended by persons of this order, who were inhabitants of various states, and graduates of different colleges. But, perhaps, a better test of the justice of the public decision on this subject, is to be found in any general specification, or a priori reasonings whatever—of such youth, there are many in the state of Kentucky; let their performances speak for themselves and for their alma mater.

Upon these few general remarks, the board will rest the issue, when in answer to your enquiry relative to the standing of this institution: they undertake to say that its actual standing is as fair and flattering, as could of right be expected of any seminary possessing as few professors and labouring under but half the quantity of difficulties and discouragements. They do not, however, undertake to say, that such is its standing in public estimation. On the contrary, we tell you, that if by its "standing," you mean the degree in which it stands approved in public estimation; it is low—very low. The board have hinted that this is not owing to any defect either in the capacity or industry of the faculty who direct it. It is incumbent on them now to state to you what it actually is owing. The celebrity of a seminary will always be created either by the numbers of its students which attract the public gaze, and of course the public confidence; or by the celebrity of its teachers; or by the acknowledged ac-
quirements and imposing career of those whose minds and manners have been formed within its walls.

The numbers attendant on the Transylvania University never have been great. It would be rather a prodigy if they should be very great in a country so young as ours. But the trustees have been compelled so far to bend their measures to the opinions and habits and wishes of the country, that the numbers have always been much smaller, than they would have been, had students in attendance, submitted to a different regimen.

In other seminaries of learning, the classes are so arranged as to compel the attendance of every student for three or four years after he may have completed the study of the languages. The result is, that the same students appear upon the rolls for six or eight sessions together. Until very lately the funds of this seminary would not allow the board to exercise any control over the wishes or determinations of western youth. They have heretofore been obliged to enjoin upon their professors, so to regulate their lectures and adjust the classes, as to give to western youth, a full course of instruction within the compass of a single year. From this single fact it will readily be seen, that seminaries which boast a list of an hundred and twenty students attendant every session, may not really receive and discharge a greater number in any four years, than is done by the Transylvania University, when it boasts but from forty to fifty in attendance. Under this head it ought likewise to be added, that though the character and usefulness of the Transylvania University, were unquestionably on the increase for a series of years immediately preceding the commencement of the late war, yet the number of students was nearly stationary; because of the continually and rapidly increasing price of boarding in the town of Lexington; a cause that always will operate to the injury of the institution, till public wisdom and liberality, shall remove all such difficulties, by the erection and endowment of suitable buildings for the accommodation of the students. This cause has operated in Kentucky, with the more deadly effect on account of the succedaneum for a college education furnished by the numerous academies dispersed throughout the state; above thirty of which are known in the records of your honorable house as the objects of your liberality.

Whether it be a scheme favorable to the interests of general literature, or beneficial to the students who are reared at these academies, it is not for the board to say; but they think it right to suggest, that concentration of capital is as often ben-
official as concentration of genius or combination of effort, and that such an extensive location of public seminaries, will always thin the ranks of any university, circumstance like this.

The board will not say that the professors of this college have a claim to that celebrity, which has in various instances, produced a temporary prosperity in sister institutions. Their opinion on this subject, has been in part suggested, and will be detailed hereafter. But they will venture to ask whether in any country, it is likely that names of the first rate order can be bought up at the very moderate price that this board have heretofore had it in their power to offer? They would venture further respectfully to enquire, whether in a country so young as ours, in which most men are employed in making substantial provision for the vulgar wants of life, mere literary fame, however legitimately, and weakly borne, is likely to be a matter of permanent inheritance.

The board do not hesitate in expressing it as their conviction, that the man who stands recommended by nothing more than literary attainment, however he may for the moment attract the eager gaze and levy the homage of multitudes, will ere long, be doomed to mourn his honors prostrate in the dust; his merits will soon be overlooked in the busy tug of life; and if the factitious props of wealth or of station, do not maintain his influence, those very pretensions to celebrity, an account of genius and learning, will be speedily called in question, and their hapless possessor be doomed to take his stand among the reputed blockheads of the day.

An infant seminary cannot of course derive much aid from the standing of those who have been reared within its walls. And this disadvantage will be seen to be aggravated, in proportion as the circumstances or habits of the times, may have deprived them of those benefits which can only be connected with a prolonged and highly systematic course of training. The course pursued in the Transylvania University, has been accommodated to the public demand. It has been the aim of the professors to concentrate much within a little compass; and their short-lived efforts have been for the most part expended on minds not well prepared by previous management.

From the foregoing remarks it may be readily inferred, 1st, That the age and circumstances of the country do not warrant the idea that the Transylvania University should be as well attended as seminaries situated in other countries, or possessed of more competent endowments: 2d, That the degree of celebrity being in no small measure dependent upon the
pursuits and habits of the community, public estimation must prove a very uncertain guide, in comparing the just pretensions of different seminaries; 3d, That it is highly questionable whether any human being, however widely and justly celebrated, would be able to sustain his reputation for many years together in the west, unless furnished with means essentially different from those by which he mounting to mere literary fame.

If these remarks and deductions require any support, it may be derived with facility from two facts which the board will take the liberty of noticing. The first is, that several of those who derived from this seminary the most important portion of the literature they boast, exhibit at this moment, the most inveterate hostility to the institution and its professors. Whence they have derived the additional light which inspires them with such contempt for their alma mater, the board have yet to learn. They believe it would be discovered, on a very slight examination that, that same slender stock of learning has constituted them judges, almost infallible judges; which upon the assumption they make, would not entitle them to rank with very moderate scholars. A time there was, in the days of Grecian learning and of Roman simplicity and purity—when the wisest and greatest of men were known to cherish a tenderness for the schools of their early training, and to profess a veneration almost idolatrous, for the instructors of their youth. Thus did the greatest statesmen and heroes and philosophers of antiquity: But if these were feelings appropriate only to the golden ages of antiquity, the board have to regret that modern youth should doom them to mourn an age iron. It ought likewise to be recorded, that much of the public opinion relative to the claims and standing of the university, has been taken from the decision pronounced by transient visitors, who were never within its walls, and who had themselves, little or no pretensions to scientific lore. They may, however, have often fixed their vulgar gaze upon the steeple of an eastern university; they may have contrasted the magnificent and gigantic pile, with the homely fabric which disgraces Kentucky; and sapiently inferring that the internal arrangements must in each case correspond with the external show; they have assumed to themselves the traveller's prerogative of deciding oracularly upon all subjects that come before them, and thus, to excite our veneration for their country, insult us by pouring contempt upon the institutions of our own. This is no uncommon game to be played by men of vulgar minds; and it really reflects no great deal of
honor either upon the discernment or spirit of Kentuckians; that they have suffered it to be played successfully, so often and so long. You ask, sir, concerning the "standing" of the Transylvania University; we have said it is at present—humble—very low indeed. And the above will suggest most of the leading reasons wherefore it is so low. From the statements already made, the committee may see cause to doubt the correctness of the information which led them to demand in the terms of their letter, the causes of decline in this institution. They again state, and appeal to their records for the correctness of the statement, that till the commencement of the late war, there was no symptom of decline in the Transylvania University. That occurrence naturally, and no doubt properly, occupied the minds of all men. It attracted many students to the standard of their country; and no doubt, diverted many others from academical pursuits, who had previously aspired to an academical course. The period has been too short, for things to revert to their accustomed channel; several years must elapse before other youths can rise in sufficient numbers to obliterate the traces of this single cause of devastation. This, however, is not by any means the only, or even the principal cause of decline. It has been an old and increasing complaint throughout the state, that the morals of young men are not only endangered, but almost infallibly corrupted, when entrusted to the regimen of the Transylvania University. Sir, there was a time when this complaint was just. It was during the administration of those very men, who having first carelessly forfeited their seats in this board, now set themselves against it; or who having had it in their power to form the principles and mould the manners of the students, now see that power wrested from their hands, and eye with malignity, that seat of science, which they have no longer in their power to corrupt. Nothing can afford a greater contrast than is at this moment, and has been for some years, exhibited between the recent and earlier character and conduct of the students of this university. At present, the whole town bears witness to their blameless and exemplary conduct. In days of yore, the case was very different. Of this fact, the records of the university will themselves afford no feeble indication.

Intimately connected with the cause already named, are the attacks made of late on the character and pretensions of one of the professors of this university. While those causes were in operation which corrupted the students entrusted to his care, and blasted in many instances the warmest hopes of
parents in various quarters of the state; the reverend principal of the Transylvania University, is known to have set himself against this torrent of corruption. Fame had reported that Lexington had organized immoral and scandalous associations, known by the name of "free and easy," and tomahawk and scalping knife societies; whether such associations actually did exist, or exist at this moment, the board cannot say; for they have not been witness to the infernal orgies attributed to these meetings. But certain it is, that Doctor Blythe gave credit to these reports. He was minister of a congregation; he was also principal of a college. In both these characters, he fulfilled the trust committed to him, by tamely exposing the tendency of such associations, and laboring to prevent the youth of his several charges from coming within the influence of those horrid circles. Mr. Chairman, it was the signal for an attack upon our principal. The results you know. The men, by whom these results have been studiously promoted, may be likewise known to you on the slightest enquiry. Still, however, the hostility excited by these occurrences was in a measure repressed, till the period of a new election of professors was at hand. The excitement of the moment, was then conveniently increased by working dexterously on the feelings of party politicians. The press was enlisted; and in the publications proceeding from many of these engines, no manner of regard to truth or even probability, was preserved. The board and the professors felt it far beneath them to mingle in a strife, so ingloriously conducted. The result has been that the reports passed in a great manner uncontradicted; and because uncontradicted, many thousands of the most honest and best intentioned men have been induced to believe them true. Hence, sir, the reputation of your university has subsided from a cause which it rightly apprehended, and justly appreciated, would serve to raise it many degrees in the estimation of the public. Another cause which has contributed to the late depression of the university, is the artful excitement of discontent on the suggestion that the board themselves are anxious to render it a religious-political establishment. On this subject, they barely remark, that a reference to the accompanying list, containing a statement of all their elections, both of trustees and professors, will be the shortest, and most certain mode of putting the committee in possession of their aim. From it the board derive their proofs, when they positively declare, that no such intention has ever been entertained. It is but right, however, to remark in addition, that it seems rather strange,
that the parties now complaining of such a diversion of the establishment from the end originally designed, should never have thought it worth while to notice this obliquity, till such times as the funds began to rise into an object somewhat imposing; and till the students who attended, began to assume a character for order and sobriety, that affords no very flattering or creditable contrast to the truly notorious, and degrading fame of those ostensibly exclusive friends of liberty and equality. And yet, Mr. Chairman, in so far as politics are concerned, it may appear by a reference to this list, that the board have been at least, fully as anxious to conform their choice to the predilections of the country, as some of those who are now most officious in trumpeting their accusations. Until certain purposes were to be answered, the nature of which will readily appear to the committee, no difficulty was hinted upon the subject, though things moved on much as they do at present.

On the score of religion the complaint is yet more palpably groundless. It is said that the aim is to render the institution a presbyterian school. Now sir, it so happens that no more than one of the professors is of the presbyterian church, commonly so called. The other two are of the associate reformed. Of the board of trustees no more than seven are presbyterians; there are two or three of the associate reformed. Four of them are episcopalian; and a large proportion attached to no church of any denomination whatever; so accurate and so luminous are the reports upon this subject! No sir, it is not a fact that any such objects are pursued by this board. Nay, were it the object to render the university a sectarian establishment, it is notorious that their selection of professors would prove most unfriendly to such an aim. There is no member of the faculty who is not known to stand up the fixed and pertinent opponent of all such schemes and feelings. But if this charge be bottomed upon the fact, that the members of the board in their individual capacity, are willing, and even solicitous, to encourage and promote the acquisition and influence of those great moral and religious principles which are furnished only in the Bible; if a disposition in the board to institute such discipline as will preserve the youth committed to their care, from the hands of those harpies who strive to make shipwreck of their principles and habits, and of their parents’ hopes; if the result of these measures in the redemption of the university from the obloquy under which it labored, as a seat of infidelity and cave of moral death; if these encroachments of the board on the domain
of ignorance and depravity, or as these men are pleased to
term it, on the rights of private judgment; if these things
be to convert the Transylvania University into a sectarian
establishment, then the board are guilty of the charge.

But if every good man and every wise man, approve the
wishes of the board; if every parent in the western world is
 solicitous to hear of a seat of science to which he may send his
sons without the fear of their being returned upon his hands,
depaupitated of innocence and alienated from the love of honorable
industry; then it deserves consideration, whether the
committee may not readily discern beneath these specious ob-
jections, by which thousands of honest and good men have
been misled, an ulterior and most abandoned object; the ac-
complishment of which it becomes the committee no less than
the board to depurate and resist. From these disagreeable
considerations they will now hasten to consummate the task en-
joined them, by furnishing a hasty sketch of those things
which it is in the power of the legislature to accomplish in
aid of this institution.

The board have already admitted, that its standing is at
present very low; and they now further admit, that its pret-
tensions are not high. The first step to be taken, in order to
secure celebrity to the university, is that Kentucki-
ans should, themselves, learn to respect it; slender as
are its pretensions, we verily believe, sir, that if candidly
compared with most eastern universities, it would not suffer
by the process. Such respectable strangers as have made
the matter a subject of attention, have, we believe, uniformly
conceded the abilities of the professors. Their knowledge
of the departments over which they preside, is undeniable;
their industry has never been called in question; the respect
in which they are held in states far distant, is a thing of nes-
tority; it only, therefore, remains, that they should be trusted
and respected at home. Other seminaries and other profes-
sors stand high in public estimation, because the people of the
several states connect their individual respectability, and the
pretensions of their country, in strict alliance with the reputa-
tion of their seminaries. Kentuckians have not done so; they
have assumed it as a maxim, that there cannot be such
learning or genius in a country so young as this; and they
have tamely reverberated the vain and interested decisions of
eastern people, crying down our western seminaries, and crying
up their own. Until we learn ourselves to respect and cher-
ish them, it cannot be expected that on a general scale, they
will meet with respect abroad. Nay, the very process which
has elicited this answer, must tend to deepen and prolong the common impression, unless the wisdom and spirit of the legislature shall prompt them to look at the matter with their own eyes, perfectly unbiased by the clamor that has been raised. Should they resolve on such a step, and then announcing an independent opinion, give that opinion all possible publicity; such a measure from authority so august, would put down the miserable and pitiful misrepresentations now afloat, and in a great degree redeem the character of the institution.

It is, however, necessary that changes should take place upon the establishment itself. The board have hitherto permitted students to come forward with every different measure of preparation, and to join what classes they thought fit. It is but right to say, that this measure has been pursued much against the inclinations of the presiding faculty; but the funds of the university and the habits of the country seemed to preclude any better. It has unfortunately resulted from these indulgencies, that the university has had the lot to sustain the imputation of teaching very inadequately what she never taught at all; the ignorance of persons who studied languages elsewhere, has been imputed to her teachers; and this shallowness of others, who only attended for such periods and to such studies as they themselves saw fit, has brought down unmerited blame in the very same manner. The board have some time since resolved to do away those sources of mistake. They have therefore, entered up an ordinance which provides, that from the session commencing in October 1816, no student shall be suffered to dictate his own course, nor any parent or guardian, in his behalf; but that all shall be compelled to conform to a general routine prescribed, and that none shall attempt the more advanced branches of study till masters of those which precede.

In addition to the foregoing regulation, they deem it indispensable that the seminary should be possessed of a principal who may not only relieve the other professors from the burden of too many classes, in attending to which the several recitations must be often too much hurried; but who, by having an eye over every department, may invigorate and animate the whole. On the ground first stated, the board are also desirous of obtaining a tutor to aid their professor of languages, who always has had, and always must have, too large a number of classes, so long as he is likewise teacher of the grammar school.

The more general regulations contemplated or desired by
the board, together with the reasons which induced their aim, the committee will find detailed at length in the accompanying pamphlet, and in the extract from a letter of the reverend Doctor Romaine; of these regulations they will now only say, that were the legislature to render the institution more ostensibly a state concern, by adding to the board the governor of the state, the speakers of the two houses of assembly, and the judges of the court of appeals, as members ex-officio, it would no doubt be of great service to the institution. An appropriation in aid of the erection of suitable buildings would be of great use, not merely in itself, but as affording a powerful second to the appeal the board have made to the public liberality.

Finally, it is important that persons connected or hereafter to be connected with this institution, that the people of Kentucky, and that individuals and states at a considerable distance, may severally be furnished with adequate security against the disorder and disorganization attempted or threatened by combinations of men ill-intentioned or ill-informed; the wisdom and firmness of the legislature itself will always interpose a sufficient guard.

If the best concerted schemes may be blasted in an hour, if the most disinterested services are only required with obloquy, if talents are to be overlooked, industry undervalued, and fidelity reproached, at the instance of every faction and immoral conspirator against the good faith and good order of the community; then the board can recommend no measures by which the wisdom and wealth of the whole western country, might succeed in warding off the disastrous, but legitimate consequences.

With these remarks, the board will submit the matter to the decision of the committee: and for any further detail that to their wisdom may seem needful, they would respectfully refer them to the members of the committee charged with the delivery of this report.

By order of the board,

Attest,

JOHN D. YOUNG, C'ik. B. T.

F. JOHNSON, Esq. Chairman, &c.

The following gentlemen were appointed Trustees of the Transylvania University, by the Legislature of Kentucky:


1799, March—George Nicholas, resigned his seat, and Robert Patterson was on the same day elected in his stead.

October 18—Saml. M'Dowell, resigned his seat, and Robert Todd was on the same day, elected in his stead.

26—James Garrard vacated his seat, and Edmund Bullock was on this day, elected in his stead.

1800, April 40—Frederick Ridgley resigned his seat, and James M'Gowan was on the same day, elected in his stead. James Blythe resigned his seat, and Charles M'Patters was elected on the same day, in his stead. Joseph Crockett vacated his seat, and James Russell was elected in his stead.

1801, April 8—Caleb Wallace vacated his seat, and Robert Alexander was on the same day, elected in his stead. Buckner Thruston vacated his seat, and Jacob Fishback was elected in his stead. Edmund Bullock vacated his seat, and Walker Overton was elected in his stead.

1802, April 6—Edmund Bullock was elected a trustee of the Transylvania University, in the room of Robert Steele, deceased.

October 6—Cornelius Beaty vacated his seat, and on this day, Will. Henry was elected in his stead. Thomas Wallace was this day, elected a trustee of the Transylvania University, in the room of Felix Grundy, who vacated his seat.

1803, October 18—James Morrison was this day elected a trustee of the Transylvania University, in the room of Felix Grundy, who vacated his seat. John Pope, elected a trustee of the Transylvania University, in the room of James Crawford, deceased. James Fishback, elected a trustee of the Transylvania University, in the room of Wm. Henry.

1804, April 4—Buckner Thruston, elected a trustee of the Transylvania University, in the room of Robert Marshall, who vacated his seat.

October 2—His excellency Christopher Greenup was elected a trustee of the Transylvania University, in the room of Thomas January, resigned.

10—Henry Previance was elected a trustee of the Transylvania University, in the room of Christopher Greenup, resigned. John Parker, in the room of Walker Overton. James Moore, elected in the room of Robert Patterson.
1805, Nov. 4—George M. Bibb, elected in the room of James Fishback, resigned.
1806, April 26—Charles Wilkins, elected in the room of Bartlet Collins, resigned.
1807, June 13—Will. T. Barry, in the room of Robert Alexander, who had vacated his seat. Thomas Hart, Jr., in the room of George M. Bibb. Charles Humphreys, in the room of Thomas Lewis. William Morton, in the room of Jacob Fishback; And Walter Warfield, in the room of James Morrison.

October 7—Henry Clay was elected in the room of Levi Todd, deceased.
1808, Nov. 8—Thomas T. Barr was elected in the room of John Pope, who had vacated his seat. Frederick Ridgley was elected in the room of Walter Warfield, resigned.
1809, April 8—John Parker having resigned his seat, Will Leavy was elected in his stead.
Oct. 6—Thomas Hart, Jr., having resigned, James B. January was elected in his stead.
1810, April 4—Robert Todd having vacated his seat, James Morrison was elected in his stead.
1811, November—John Bradford having resigned, Robert Wickliffe was appointed in his stead.
1812, January 9—George Clarke was elected in the room of Henry Perviance, deceased.
April 10—Rev. James Elliott, in the room of Robert Wickliffe, who declined serving. Charles Wilkins having resigned, Lewis Sanders was elected in his stead.
1813, April 9—James B. January having vacated his seat, John Pope, was elected in his stead. Thomas T. Barr, having vacated his seat, R. M. Cunningham was elected in his stead. James Morrison having vacated his seat, John T. Mason, Jr. was elected in his stead.
1814, March 1—John Pope, esq. was this day, elected professor of law, in the Transylvania University. Thomas T. Crittenden, elected trustee in the Transylvania University, in the room of John Pope, resigned.
Oct. 8—Henry Clay having vacated his seat, the Rev. James M-Chard was elected in his stead. Rev. James Elliott having vacated his seat, Rev. James Ward was elected in his stead. John T. Mason, Jr. having vacated his seat, James Trentiss was elected in his stead.
1815, April 15—Thomas January is elected a trustee in the Transylvania University, in the room of the Rev. James Ward, who refused to serve.
April 29—Doct. J. R. Weatherspoon is elected a trustee in the Transylvania University, in the room of Tho. Januar-p, who refused to serve. John D. Clifford is elected a trustee in the room of Tho. T. Crittenden, resigned.

Angust—John Tilford, elected a trustee in the Transylvania University, in the room of Doct. W. H. Richardson, elected trustee in the Transylvania University, in the room of Will. Leavy, resigned.

The following is a list of the present trustees in the Transylvania University:


Attest,

JOHN D. YOUNG, CLK. R. T.

Doctor Horrace Holly was elected president of the Transylvania University on the 11th Nov. 1815. The Rev. Robert H. Bishop, and Mr. E. Sharp were elected professors in the Transylvania University on the 29th April, 1815; and the Rev. James Blythe, on the 4th day of June following.


The above are the present professors &c. in the Transylvania University.

Attest,

JOHN D. YOUNG, CLK. R. T.

It was then moved and seconded to lay the said report on the table:

And the question being taken thereon, it passed in the negative.

The yeas and nays being required thereon by Messrs. Mills and Beauchamp, were as follows, to-wit:


The resolution recommended by the said committee, was then twice read.

And the question being taken on concurring therein, it passed in the affirmative.

The yeas and nays being required thereon by messrs. F. Johnson and Beauchamp, were as follows, to wit:


It was then moved and seconded to have 120 copies of the said report and documents printed for the use of the members of this house.

And the question being taken thereon, it passed in the negative.

The yeas and nays being required thereon by messrs. Crutcher and Beauchamp, were as follows, to wit:


The following bills were reported from the several committees appointed to prepare and bring in the same:

By Mr. Anderson—1st, a bill for the benefit of William Meriwether. By Mr. Thompson—2, a bill authorizing a lottery, for the benefit of Allen Lodge, No. 24, in the town of Glasgow. And by Mr. Breathitt—3, a bill to prevent redemption of land, so as give title against certain claims.

Which bills were severally received, and read the first time and ordered to be read a second time.

The house then took up the amendments proposed by the senate to bills from the house of the following titles:

1. An act for the benefit of the heirs of Robert Johnson, and an act to vest certain powers in the trustees of Washington.

2. An act to amend the act entitled, an act authorizing the transcript of certain records in the county court of Pendleton.

3. An act to add a part of Allen county to the county of Warren.

Were severally read the third time:

Resolved, That the said bills do pass, that the titles of the second and third bills be as aforesaid; that the title of the first be amended by adding thereto the words "and others."

Ordered, That the clerk carry the said bills to the senate, and request their concurrence.

An engrossed bill entitled an act to improve the navigation of Kentucky river, and the Beech and Bulling forks of salt river:

Was read a third time:

And the question being taken on the passage of the said bill it passed in the affirmative.

The yeas and nays being required thereon by messrs. Mills and Ward, were as follows, to-wit:

Yea—Messrs. Bates, Breathitt, Blackburn, Beauchamp,


Ordered, That the title of said bill be amended to read "an act to improve the navigable streams of this commonwealth," and that Mr. Blackburn carry the said bill to the Senate and request their concurrence.

A bill from the Senate entitled an act for the relief of Thomas Griffin, was read a third time.

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That Mr. Blackburn inform the Senate thereof.

Bills from the Senate of the following titles:

1. An act to increase the number of justices of the peace in the counties of Allen and Adair.
3. An act for the relief of William Vawter and the heirs of Merry Walker, deceased.
4. An act to authorize the running and marking the division line between the counties of Henry and Shelby.

Were severally read a second time, and the fourth ordered to be read a third time; the first was committed to a select committee of messrs. Owings, Crutcher, Eve, and Stockton; the third to the committee of propositions and grievances; and the second was laid on the table.

And the rule of the house and third reading of the fourth bill being dispensed with;

Resolved, that the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That Mr. Blackburn inform the Senate thereof.

And then the House adjourned.

SATURDAY, JANUARY 27, 1816.

The petition of the widow and heirs of Stephen Hanna, deceased, praying legislative permission to settle a tract of land in Mercer county, which has descended to them from their ancestor, and put out the money arising therefrom at
interest for the benefit of his widow and children—was received, read and referred to a select committee of messrs. McAfee, Ray, Mills and Craig; giving said committee leave to report by bill or otherwise.

Mr. Craig from the joint committee of enrollments, reported that the committee had examined enrolled bills of the following titles:

- An act for the benefit of the wife and family of major Benjamin Graves.
- An act to extend the July term of the Franklin circuit court for the trial of chancery causes.
- An act establishing an election precinct in the county of Green.
- An act to prevent imposition by way of lottery in this commonwealth.
- An act increasing the powers of the trustees of the town of Cynthiana.
- An act concerning the towns of Bowling Green and Louisville.
- An act to vest certain powers in the trustees of Washington, in Mason county.
- An act to amend the laws respecting the Bourbon and Lebanon academies.
- An act for the benefit of Russellville and Columbia lodges.
- An act for the removal of the seat of justice in Nicholas county.
- An act repealing an act for the relief of the citizens of Caldwell county, approved the 27th January, 1815.
- An act for the benefit of the heirs of James Dunn, dec'd.
- An act for the benefit of William Quinton.
- And act to amend the law authorizing the appropriation of the land acquired by the treaty of Tellico.
- An act for the relief of the representatives of William Ward, deceased.
- An act for the benefit of William Buekner.
- An act for the benefit of the heirs of Richard Armstrong, deceased, and others.
- An act appointing trustees to the Grayson seminary, and for other purposes.
- An act authorizing certain advertisements to be inserted in the newspaper entitled the "Kentucky Advertiser," printed at Winchester.
- An act for the benefit of William M'William Harwood.
- An act for the relief of sundry sheriffs.
An act adding a part of the county Montgomery to the county of Estill.

And found the same truly enrolled.

Whereupon the speaker affixed his signature thereto.

Ordered, That mr. Craig inform the senate thereof.

The following bills were reported from the several committees appointed to prepare and bring in the same.

By mr. Mills from the committee for courts of justice—1, A bill for the benefit of the heirs and devisees of Christopher McCulloch, deceased. By mr. Blackburn from the committee of propositions and grievances—2, A bill for the relief of Sarah Plattillo. By mr. W. Thompson—3, A bill for the benefit of the sheriff of Barren county, which bills were severally received and read the first time, and ordered to be read a second time.

And thereupon the rule of the house and the second reading of the first and third bills being dispensed with, and the first being amended, the said bills were ordered to be engrossed and read a third time, on Monday next. Mr. Blackburn from the committee of propositions and grievances, made the following report, viz.

The committee of propositions and grievances, have according to order, had under consideration petitions and a memorial to them referred, and have come to the following resolutions thereupon, to-wit:

1. Resolved, That a law ought to pass, directing the mill dam of Peter F. Marble, on Licking river, to be so altered as to prevent any injury to the navigation of said river, or to individuals.

2. Resolved, That the petition of sundry citizens of Pulaski and Wayne counties, praying an alteration of the boundary line between said counties, is reasonable.

3. Resolved, That the memorial of James Ellis, relative to the removal of the seat of justice of Nicholas county from Ellisville, and praying that the said county may be compelled to make him compensation for building the jail and strypon in said town, be rejected.

Which being severally twice read, and the second resolution amended by striking out the words, "is reasonable," and inserting in lieu thereof, the words "be rejected," were concurred in.

Ordered, That the committee of propositions and grievances, prepare and bring in a bill pursuant to the first resolution.

Mr. Allan from the joint committee appointed to confer
with the commissioners who superintend the public buildings, made the following report, viz.

The joint committee of the Senate and House of Representatives, appointed to confer with the commissioners authorised to build the State House in Frankfort, have performed the duty assigned them, and do report:

That the real situation of the funds already procured—state of the buildings—and sum necessary to finish and complete the undertaking—and sums already expended, will be found in exhibits A and C, which are adopted as part of this report. The reason why a bell has not been provided, is assigned in exhibit B, which is also annexed.

To add any comment on the documents, or urge any reasons to the House on the subject of appropriation, your committee deem unnecessary; the documents speak a language not to be misunderstood or doubted. And your committee recommend to the Legislature, the adoption of the following resolution, to wit:

Resolved, that an appropriation ought to be made by law for the purpose of completing the Capitol in Frankfort.

JOS. WELSH, CHILTON ALLAN, ED'M. BULLOCK, RIC'D A. BUCKNER, B. MILLS, of the Senate. B. MILLS, of the H. of Representatives.

(A.)

To the joint committee of the Senate and House of Representatives appointed to confer with the commissioners for superintending the building of the State House.

GENTLEMEN,

IN obedience to the resolution by which you are directed to require from the commissioners, information respecting said building, the state of the funds, the probable time in which it can be completed, with the probable cost of completing it; &c. the undersigned beg leave to submit the following REPORT.

The commissioners have received for subscriptions and interest thereon $19,251 07
And from the Penitentiary (in part of an appropriation of $4000) 1,742 20 $20,993 27
Out of this fund they have paid to sundry workmen and for timber, &c. 15,905 16
And for materials, removal of rubbish, and other contingent expenses, 4,691 74

Which leaves the balance of cash on hand $396 6
By the account current marked A, which accompanies this report, the legislature will perceive, that there is yet undrawn of the appropriation of materials at the Penitentiary the sum of $2,237.80; and that there remains yet to collect from subscriptions the sum of $3,503.25—but it is not safe in the opinion of the commissioners, to calculate upon more than $2,000 from the last item—because out of it must be taken the whole of the insolventcies; and, besides, much of it consists of small sums scattered about through the different counties, the expense of collecting which (it is presumed) will nearly absorb them. It is also respectfully suggested, that the unexpended fund at the Penitentiary is not such as will enable the commissioners to discharge any cash debt already contracted, but may in whole, or in part, be usefully employed perhaps in finishing the buildings.

Notwithstanding, the commissioners have used every possible economy in the distribution of the funds placed in their hands, yet from the increased price of labor, and of every material employed in the building, consequent upon the state of war which existed when the work was about to commence, it was found impossible to put the building even in barely habitable order for the reception of the legislature, without contracting debts which are yet undischarged, amounting to nearly $5,000.

With respect to the probable time of completing the building the commissioners would respectfully suggest, that it solely depends upon the nature and amount of the funds which may be placed at their disposal. With a sufficiency, they have no doubt of completing it by the next meeting of the legislature. But with their present resources it is impossible. They cannot even discharge the debts already incurred; and are liable by the provisions of the law under which they have acted, to pay the deficiency themselves.

Placed in a situation of much responsibility, with very limited funds to accomplish without delay an important object to their fellow-citizens, and to the state at large, they trust that they have discharged the duties assigned them with fidelity and promptitude. They were directed to have executed a plan which shall combine as far as practicable that taste in the design and execution, with that utility in its various parts which the present state, as well as the future increasing population and prosperity of the commonwealth require. These objects they trust have been secured, so far as the building has progressed, and while it is hoped the legislature will approve the execution, they will perceive at the same time that the commissioners have used every endeavor to comply with the spirit and letter of the law. Had the commissioners merely consulted their own convenience, a more circumscribed and less elegant plan might have been adopted. But it was not believed that such would have been adapted either "to the present state" or "the future increasing population and prosperity of the commonwealth." They
preferred therefore, to incur a heavy personal responsibility and much additional labor on their part, rather than offer to their country a building, which, although, it might bear the name of a state House, would have been derogatory to the dignity and respectability of this flourishing commonwealth, and incompatible with the instructions contained in the law.

The probable expense of completing the capitol the commissioners believe, from the best estimate they have been able to make, will amount to nearly $10,000, in addition to the funds now at their disposal—and which are particularly stated in the account current accompanying this report.

By the accompanying paper marked B, the legislature will learn the cause of the disappointment in the receipt of the Bell, for the use of the state house, for which an appropriation of $600 was made at the last session.

Much advantage it is presumed will result from the early appointment of a keeper of the state house, with a salary suited to the duties required of him. The undersigned therefore, beg leave to press this subject upon the attention of the legislature, and would recommend the erection of a small house for his residence upon that corner of the public square which is at present occupied as a straw-pen.

All which is respectfully submitted by, gentlemen,
Your obedient humble servants,
DANIEL WEISIGER, C. B. Com'trs
J. BROWN,
Wm. HUNTER,
J. DUDLEY,
RICHARD TAYLOR, senr.

Frankfort, January 11th, 1816.

Dr. the state house in account current with the Commissioners.

To this amount paid Bowling and Long for laying 345 perches of stone for foundation $545
Ditto paid Hunt and Blanton in full for brick work of the Capitol and offices 6857
Do. advanced to Kennedy and Ware, in part of their account for carpenters' work on the capitol 4000 53
Do. advanced to Richard Taylor, senr. on account for timber and scantling furnished by him 1925
Do. advanced to Matthew Jeffreys on account for plastering on the Capitol 1365
Ditto paid William Samuel in full for carpenters' work on the Public Offices 588 90

Amount carried forward 75,411 43
Amount brought forward, 15,411 45
Ditto paid Harry Mordecai, in full for plastering Secretary's Office, 61 42
Ditto paid Elias M. Crane, in full for plastering the Treasurer's, Auditor's and Register's Offices, 165 20
Ditto paid Alexr. Andrews, for painting, glazing &c. 137 29
Ditto paid for plank, shingles, glass, oil, paint, and sundry other materials (including removal of rubbish, &c. &c.) 4691 74
Ditto paid commissions to sundry Collectors, 213 82
To Balance 6159 42

26,756 32

CONTRA.

By Amount of sundry subscriptions for rebuilding the State House as per subscription papers, 22,715
Amount of interest received on installments from sundry persons, 41 32
An appropriation of this amount in materials from the Penitentiary, by an act passed 8th day of February, 1815, 4000

26,756 32

By balance as per Contra, consisting of the following items, viz.  
Subscriptions uncollected, $3395 25
Appropriation at the Penitentiary, (balance unexpended) 2237 80
Cash on hand, 596 37 6159 42

(B.)

SIR,

As chairman of the board of commissioners for re-building the capitol in the town of Frankfort, you placed in my hands early in September last, six hundred dollars, with a request that "I would procure a first-rate bell for the Capitol, and forward it so as to be here if possible before the Legislature met."

In compliance therewith, I proceeded in the latter part of that month to contract for one of the best kind, to weigh about 1200 lbs. to be ready by the middle of October without fail.

I waited on the bell-founder frequently, to learn what progress he was making, and received every assurance that I should not be disappointed. In consequence of which, I made no exertions to procure one elsewhere, until about the 20th, when I began to appr-
I then went to another founder, who let me know he could not execute the order under three months; finding then my only chance was with the first, I used all the means in my power to have it ready before I left the city, (30. Oct.) but to no purpose, and as it could not be had for use this winter, I determined to postpone getting it until next spring, believing the original price and the carriage would be 25 pr. ct. lower than at this time.

The money is now in my hands subject to your order.

Respectfully,

J. DUDLEY.

P. S.—Such a bell as above described, will cost, delivered in this place, from one thousand to $1200.

DANL. WEISIGER, Esq.

Chairman of the board of Commissioners for re-building the Capitol in Frankfort.

Ordered, That the said report be laid on the table, and that the public printers strike one hundred and twenty copies thereof, for the use of the members of this house.

Mr. Ogings, from the select committee to whom was referred, a bill from the senate entitled, an act to increase the number of justices of the peace in the counties of Allen and Adair, reported the same with an amendment, which being twice read and amended was concurred in.

Ordered, That the said bill as amended be read a third time.

The second reading of a bill for the benefit of the heirs of Job Carter, deceased being dispensed with.

Ordered, That the said bill be engrossed and read a third time on Monday next.

It was then moved and seconded, to take up the resolution for the adjournment of the general assembly, and the question being taken thereon, it passed in the affirmative.

The yeas and nays being required thereon by Messrs. Crutcher and Beauchamp, were as follows, to wit:


Nays, Messrs. Blackburn, Beauchamp, Craig, Cosby, Daniel, Emmerson, Eve, J. Hunter, Jameson, F. Johnson, Letcher, M'Mahan, McAfee, Owen, Rendick, Robinson,

The said resolution being twice read and amended by striking out the words "First day of February,"

it was then moved and seconded that the house do now adjourn, it being two o'clock, P. M.

And the question being taken thereon it passed in the negative.

The yeas and nays being required thereon by Messrs. Breathitt and Crutcher, were as follows, to wit:


Ordered, That the said resolution be laid on the Table.

The third reading of an engrossed bill, entitled "An act for the benefit of Benjamin Williams, was dispensed with, and the blank therein filled:

The question was then taken on the passage thereof, upon which it passed in the affirmative.

The yeas and nays being required thereon by Messrs. South and Hornbeck, were as follows, to wit:


Resolved, That the title of said bill be amended by adding thereto the words, "and Catherine Petty.'

Ordered, That Mr. Beauchamp carry the said bill to the Senate and request their concurrence.

Ordered, That the third reading of an engrossed bill, enti-
"An act authorizing the sale of a part of the public square, in the town of Danville" be disposed with;

Resolved, That the said bill do pass, and that the title be as aforesaid.

Ordered, That Mr. McAfee carry the said bill to the senate and request their concurrence.

Bills from the senate of the following titles:
1st. An act for the better regulation of Mountsterling in Montgomery County.
2nd. An act for the relief of Charles F. Wing, clerk of the Mahlenberg court.
3rd. An act for the benefit of Mary Roundtree.

Where severally read a second time (and the second being amended) and ordered to be read a third;

And thereupon the rule of the house and third reading of the first and second bills being dispensed with:

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That Mr. F. Johnson inform the senate thereof, and request their concurrence in the amendment to the second bill.

A Message from the senate by Mr. Lee, their secretary:

Mr. Speaker,

The senate have passed bills from this house of the following titles, "an act authorizing Jeremiah Buckley to build a bridge across Kentucky river," an act exempting from taxation houses devoted to public worship, and seminaries of learning and the ground on which they are erected—an act further to suspend law process in certain cases—an act establishing an election precinct in Franklin county, and for other purposes—an act for the benefit of the sheriff of Hopkins county—and an act directing the mode of choosing electors to vote for a President and Vice President of the United States, with amendments to the five latter: and they have passed bills of the following titles—an act for the benefit of the infant heirs and devisees of William Smith and Sally Thrift, deceased—and an act for the benefit of the Breckenridge seminary and to allow a further time to survey certain Seminary lands—in which amendment and bills they request the concurrence of this house." And then he withdrew.

And then the house adjourned.

Mr. Craig from the joint committee of enrollments, reported that the committee deposited on the 27th instant in the office of the Secretary of state, for the approbation and sig-
nature of the governor, the enrolled bills signed on that day by the Speaker of this house: And that the committee had examined enrolled bills of the following titles:

An act to authorize the running and marking the division line between the counties of Shelby and Henry; and an act for the relief of Thomas Griffin. And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Craig inform the senate thereof.

Mr. Blackburn from the select committee to whom was referred a bill from the senate entitled an act to amend the several acts authorizing the change of venue in civil cases, reported the same with an amendment; which being twice read, was disagreed to; and the said bill being further amended, was with the amendment ordered to be read a third time.

The petition of sundry citizens of the county of Bourbon, praying that all that part of said county lying north of Hinkston's fork of Licking river, may be struck off and added to the county of Nicholas.

And the petition of sundry citizens of the said county, counter thereto.

And the petition of Achilles Sneed and L. Munsell, representing that they have commenced, and intend publishing a Map of this State, but are unable to complete the same without pecuniary assistance. And praying the loan of thirty-five hundred dollars for two years, at a reasonable interest, to enable them to effect their object:

Were severally received, read and referred: the first and second to the committee of propositions and grievances; and the latter to a select committee ofmessrs. Marshall, Blackburn, F. Johnson, Yantis, Payne, Mills and Yates, giving said committee leave to report thereon by bill or otherwise.

The following bills were reported from the several committees appointed to prepare and bring in the same:

By Mr. Mills—A bill to settle the boundary line between the state of Tennessee and this state—and by Mr. Breathitt—a bill to fix the amount of revenue to be collected in the year 1816.

Which bills were severally received and read the first time and ordered to be read a second time.

And thereupon the rule of the house and second reading of the latter being dispensed with the same was committed to a committee of the whole house, on the state of the commonwealth.
The house took up the amendments proposed by the senate to bills from this house of the following titles:

1. An act establishing an election precinct in Franklin county, and for other purposes. 2. An act directing the mode of choosing electors, to vote for a President and Vice-President, of the United States. 3. An act for the benefit of the sheriff of Hopkins county. 4. An act exempting from taxation houses devoted to public worship, and seminaries of learning, and the ground on which they are erected.

Which being severally twice read, those proposed to the first, third and fourth were concurred in: And those to the second, disagreed to.

Ordered, That Mr. F. Johnson inform the senate thereof.

The house took up the amendments proposed by the senate to the bill from this house entitled, an act further to suspend law process in certain cases; which being severally twice read, the first and second were concurred in; and the third, fourth and fifth disagreed to.

Ordered, That the clerk inform the senate thereof.

A message from the senate by Mr. Simrall:

Mr. Speaker,

The senate have passed a bill from this house entitled an act further to regulate the circuit courts of this commonwealth with amendments, in which they earnestly request the concurrence of this house.

And then he withdrew.

The said amendments were then taken up and twice read.

The first amendment proposes striking out after the word "Kentucky" in the second line of the first section to the word "that" in the first line of the fifth section, containing the following words:

"That so much of any and every law as creates the office of assistant judge, shall be and the same is hereby repealed, and the circuit judge of each circuit court, shall alone possess all the power and authority for the trial of criminal and civil cases as the circuit courts heretofore possessed.

§ 2 Be it further enacted, that any justice of the peace in this state, within his own county, shall have the same power and authority to endorse any original writ "that bail shall be required," that a circuit or assistant judge now has by law, on proper affidavit being made before him as now required by law for that purpose.

§ 3 Be it further enacted, that hereafter notice to the adverse party for obtaining an injunction shall not be required.

§ 4 Be it further enacted, that any two justices of the
peace shall have the same power and authority to issue writs of Habeas Corpus, as assistant judges heretofore had; and every writ of Habeas Corpus so issued by said justices, shall be made before the judge of the circuit court, who shall be nearest to the place where the person praying the same, may be confined; and the person to whom the said writ shall be directed, shall be allowed one day for making his return for every twenty miles he may necessarily travel in going to said judge—and if any person or persons shall hereafter fail or refuse to obey any writ of Habeas Corpus so issued, or issued by a judge of the circuit court in vacation, such person or persons so failing or refusing, shall be subject to the same course of proceedings as though the said writ of Habeas Corpus had issued in term time.

§ 5. Be it further enacted, "

And the question being taken on concurring in said amendment, it passed in the negative.

The yeas and nays being required thereon by Messrs Beauchamp and Mills, were as follows, viz.


The fifth section of said bill was then read as follows:

§ Be it further enacted, by the commonwealth of Kentucky that the Circuit Judges of this commonwealth, shall receive respectively, in addition to the salary now allowed by law, the sum of two hundred and fifty dollars annually, to be drawn quarterly out of the public treasury under the rules and regulations now in force.

The second amendment of the Senate, which proposes inserting after the word "Commonwealth," in the third line of said section, the words "hereafter appointed," was also twice read:

The question was then taken on concurring in the said second amendment, upon which it was passed in the affirmative.
The Yeas and Nays being required thereon by Messrs. Breathitt and Hornbeck, were as follows, viz.


The third amendment of the Senate to said bill proposes to strike out from the same section after the word "respectively" in the 4th line, to the word "annually" in the 6th line, and in lieu thereof, to insert, "the sum of One Thousand Dollars."

It was then moved and seconded to amend the said amendment, by striking out the words "one thousand," and in lieu thereof, to insert the words "twelve hundred."

And the question being taken thereon, it passed in the affirmative.

The Yeas and Nays being required thereon by Messrs. Hughes and Mills, were as follows, viz.


Nays—Messrs. Buckner, Breathitt, Bell, Coffey, Dollerhide, Emerson, Fergus, Gaither, Goode, George, Hughes, Harrison, Kerley, Moorman, M. McGuire, M. McMahan, M. Afee, Metcalfe, M. Hatton, Reeves, Ray, Stratton, South, J. B. Smith, Williams, Wade, Yantis and Yates—25.

The said amendment as amended, was then concurred in.

Ordered that Mr. Chambers inform the Senate thereof, and request their concurrence in the said amendment.

A message from the Senate by Mr. R. Ewing:
Mr. Speaker, The Senate have passed a bill from this house entitled "An act vesting certain powers in the Trustees of the methodist brick chapel in Shelby County.--And they disagree to a bill from this house entitled "An act for the incorporation of the Farmer's Bank of Kentucky."

And then he withdrew.

Engrossed bills of the following titles:
1st. An act for the benefit of the Sheriff of Barren county--
2d. An act for the benefit of the heirs and devisees of Christopher McCullough, deceased--And
3d. An act for the benefit of the heirs of Job Carter, deceased--

Were severally read a third time, and engrossed clauses added to the first by way of rider:

Resolved, that the said bills do pass: that the title of the first be amended, to read: An act for the benefit of sundry Sheriffs—that of the second be amended by adding thereto, the words "And the heirs of Stephen Hanna, deceased—and that of the third be amended to read: An act for the benefit of Betsy Irvine, and the heirs of Job Carter, deceased.

Ordered that Mr. Anderson carry the said bills to the Senate and request their concurrence.

A Bill from the Senate entitled, An act to increase the number of Justices of the peace in the counties of Allen and Adair—was read a third time:

Resolved, that the said bill as amended, do pass—

Ordered, that Mr. Anderson inform the Senate thereof, and request their concurrence in the said amendments.

A bill from the Senate entitled, An act for the benefit of Mary Rountree—was read a third time:

Resolved, that the said bill do pass, and the title thereof be as aforesaid:

Ordered, That Mr. Anderson inform the Senate thereof.

A bill from the senate entitled, an act to incorporate the Ohio, Gallatin Steam Boat Company, was read a second time.

It was then moved and seconded to strike out the proviso to the first section of said bill; which is as follows, viz.

"Provided, however, the estate and property of all and every individual shareholder, who holds or possesses stock in said corporation, shall be liable and subject in law, to the extent his or her interest therein, to pay and satisfy all just debts or demands contracted by said corporation during the time he or they held said stock, upon a failure of the corporation of funds to discharge the same:"

And the question being taken thereon it passed in the negative.
The yeas and nays being required thereon by Messrs. Beaucamp and Mills, were as follows:


The question was then taken on reading the said bill a third time, upon which it passed in the affirmative:

And thereupon the rule of the house and third reading of the said bill being dispensed with:

Resolved that the said bill do pass and that the title be as aforesaid.

Ordered, that Mr. Owen inform the Senate thereof.

And then the house adjourned.

**TEUSDAY, JANUARY 30th, 1816.**

A message from the senate by Mr. Lee, their secretary:

Mr. Speaker,

The senate have passed bills from this house of the following titles; an act to legalize the proceedings of the county court of Livingston and the trustees of the town of Salem; an act concerning the town of Jefferson, in Jefferson county; an act for the relief of the twenty-first regiment of the militia of this state; an act for the benefit of the heirs of James C. Price, deceased, and others; an act authorizing and directing the surveyor of Logan county to record certain plats and certificates of survey; an act authorizing the county court of Harrison, to sell part of their public ground; an act to establish the town of Bedford in the county of Henry, and the town of Crab Orchard, in the county of Lincoln; an act to add a part of Allen county to the county of Warren; an act to amend the act entitled an act authorizing the transcript of certain records in the county court of Pendleton; and an act for the benefit of Leah McGonegale and others. And they have pas-
ed bills of the following titles: an act to prevent the practice of gaming; an act for the relief of the sheriff of Breck- enridge county; and an act to amend the act establishing the state bank.

In which bills they request the concurrence of this house.

And then he withdrew.

A message from the governor by Mr. Secretary Harding;

Mr. Speaker,

The governor did on yesterday, approve and sign enrolled bills which originated in this house of the following titles:

An act for the benefit of the wife and family of Major Benjamin Graves.

An act to extend the July term of the Franklin circuit court for the trial of chancery causes.

An act establishing an election precinct in the county of Green.

An act to prevent imposition by way of lottery in this commonwealth.

An act increasing the powers of the trustees of the town of Cynthiana.

An act concerning the towns of Bowling-Green and Louisville.

An act to vest certain powers in the trustees of Washington, in Mason county.

An act to amend the laws establishing the Bourbon and Lebanon academies.

An act for the benefit of Russellville and Columbia Lodges.

An act repealing an act for the relief of the citizens of Caldwell county; approved the 27th January, 1815.

An act for the benefit of the heirs of James Dunn, deceased.

An act to amend the law authorizing the appropriation of the lands acquired by the treaty of Tellico.

An act for the relief of the representatives of William Ward, deceased.

An act appointing trustees to the Grayson Seminary, and for other purposes.

An act for the benefit of William Quinton.

An act for the benefit of William M.'William Harwood.

An act authorizing certain advertisements to be inserted in the newspaper entitled, the Kentucky Advertiser, printed at Winchester.

An act for the benefit of William Buckner.

An act for the removal of the seat of justice in Nicholas county.
An act for the benefit of the heirs of Richard Armstrong, deceased, and others.

And then he withdrew.

Ordered, That Mr. Craig inform the senate thereof.

Mr. Marshall from the select committee appointed for that purpose, reported a bill for the classification of Tobacco:

Which was received and read the first time, and the question being taken on reading the said bill a second time, it passed in the affirmative.

The yeas and nays being required thereon by Messrs. Owen and Daniel, were as follows, to-wit:


And thereupon the rule of the house and second reading of said bill being dispensed with, and the same being amended, the said bill was ordered to be engrossed and read a third time to-morrow.

Mr. Blackburn from the select committee appointed for that purpose, reported a bill for the relief of the widows and heirs of William Harrill, John Stephens and William Harris:

Which was received and read the first time, and ordered to be read a second time.

And thereupon the rule of the house and second reading of said bill being dispensed with, the same was ordered to be engrossed and read a third time to-morrow.

Mr. Rowan from the select committee appointed for that purpose, reported a bill to change the site of the court of appeals; which was received and read the first time.

And the question being taken on reading the said bill a second time, it passed in the affirmative.

The yeas and nays being required thereon by Messrs. South and Marshall, were as follows, to-wit:

Yeas—Messrs. Anderson, Bates, Breathitt, Beauchamp, Caldwell, Craig, Cotton, Coffey, Cosby, Daniel, Dollerhide,


A bill from the senate entitled an act to amend the several acts authorizing the change of venue in civil cases; was read a third time as amended.

And the question being taken on the passage thereof, it passed in the affirmative.

The yeas and nays being required thereon by Messrs. South and Mills, were as follows, to-wit:


Ordered, That Mr. Chambers inform the senate thereof, and request their concurrence in the said amendment.

Mr Craig from the joint committee of enrollments, reported that the committee had examined enrolled bills of the following titles:

An act establishing election precincts in the counties of Franklin and Jefferson, and for other purposes. An act authorizing Jeremiah Buckley to build a bridge across Kentucky river. An act for exempting from taxation houses devoted to public worship, and seminaries of learning, and the ground on which they are erected. An act vesting certain powers in the trustees of the Methodist Brick Chapel in Shelby county. An act for the benefit of the sheriff of Hopkins county. An act for the benefit of the heirs of Robert Johnson, deceased. An act authorizing certain lotteries for the purposes therein mentioned.

And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Craig inform the senate thereof.

Mr. F. Johnson from the select committee to whom was referred a bill from the senate entitled an act for the benefit of the heirs and devisees of Richard Young and Sanford Carroll, deceased; reported the same with an amendment; which being twice read, was concurred in.

Ordered, That the said bill as amended, be read a third time to-morrow.

On the motion of Mr. Hughes,

Ordered, That leave be given to bring in a bill to authorize a lottery in the town of Millersburg, and for other purposes; and that messrs. Hughes, Rowan and Ward, be appointed a committee to prepare and bring in the same.

A message from the senate by mr. Y. Ewing:

Mr. Speaker,

The senate concur in the amendments proposed by this house to the bill from that house entitled an act for the relief of Charles F. Wing, clerk of the Muhlenburgh court.

And then he withdrew.

A message from the senate by mr. Sharp:

Mr. Speaker,

The senate rescind from their first amendment to the bill from this house entitled an act further to regulate the circuit courts of this commonwealth. And they disagree to the amendment proposed by this house, upon concurring in their third amendment to said bill.

And then he withdrew.

The house then proceeded to re-consider the amendment proposed by them on concurring in the third amendment of the senate to said bill; which being again twice read,

Resolved, That this house will insist on their said amendment.

Ordered, That mr. Rowan inform the senate thereof.

The following bills were severally read a second time, to-wit:

1, A bill regulating certain surveys in this commonwealth.

2, An act to extend the time for the erection of the Frankfort bridge.

3, A bill to legalize the appointment of commissioners to take in lists of taxable property for the county of Casey.

4, A bill for the benefit of Elizabeth Pritchard.

5, A bill to compel the attendance of justices of the peace, at the court of claims.

6, A bill for the relief of William White.

7, A bill to repeal an act concerning champerty and maintenance—approved 22d December, 1798.

The first, second, third, fourth, fifth and sixth bills, (the second and fifth being amended) were ordered to be engrossed and read a third time. And the seventh was laid on the table.

And thereupon the second being engrossed, and the rule of the house and third reading thereof, being dispensed with for that purpose,

II
Resolved, That the said bill do pass, and that the title thereof be amended to read, an act to amend an act entitled an act to incorporate the Frankfort Bridge Company.

Ordered, That Mr. Marshall carry the said bill to the senate and request their concurrence.

And then the house adjourned until nine o'clock to-morrow.

WEDNESDAY, JANUARY 31, 1816.

Mr. Blackburn from the committee of propositions and grievances, made the following report, to wit:

The committee of propositions and grievances have, according to order, had under consideration petitions and a bill to them referred; and have come to the following resolutions thereupon, to wit:

Resolved, That the petition of Jenny Hightower, praying that the balance of the state price due on 128 acres of headright land in Warren county, be remitted, is reasonable.

Resolved, In the opinion of this committee, that the bill from the senate entitled: an act for the relief of William Vawter, and the heirs of Merry Walker, ought to pass.

Resolved, That the petition of sundry citizens of Bourbon county, praying that a part of said county be added to Nicholas county is reasonable:

Which being severally twice read; the first, second and third resolutions, (the second being amended by inserting after the word "ought" in the last line, the word "not" and by striking out the words, "is reasonable" from the third resolution, and inserting in lieu thereof, the words "be rejected") were concurred in.

Ordered, That the said committee prepare and bring in a bill, pursuant to said first resolution:

And thereupon the bill referred to in the second resolution, was rejected.

Ordered, That the clerk inform the senate thereof.

A message from the senate by Mr. Sharp:

Mr. Speaker,

The senate have passed a bill from this house entitled: an act to amend an act entitled an act to incorporate the Frankfort Bridge Company. And then he withdrew.

Mr. Backner from the joint committee of enrollments reported that the committee did, on yesterday, deposit in the office of the Secretary of state, for the approbation and signature of the governor, the enrolled bills signed on yesterday by the Speaker of this house. And that the said committee had examined enrolled bills of the following titles:

The incorporate the Gallatin Ohio Steam Boat Company.
An act for the relief of Charles F. Wing, clerk of the Mahan- 
burg court. An act for the benefit of Mary Rountree. And an  
act for the better regulation of the town of Mountsterling in  
Montgomery county. And an act to amend an act entitled an  
act to incorporate the Frankfort Bridge Company. And had found  
the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Buckner inform the senate thereof.

Mr. Harrison moved for leave to bring in a bill to establish a  
bank at Louisville, and a bank at Lexington, to be founded on  
specie capital.

And the question being taken on giving leave to bring in the  
said bill, it passed in the affirmative.

The yeas and nays being required thereon, by messrs. Beau-  
champ and South, were as follows, to-wit:

Yeas—Messrs. Allan, Anderson, Bell, Blackburn, Beauchamp,  
Caldwell, Craig, Cotton, Coffey, Cosby, Daniel, Emerson, Eve,  
Forrest, Ford, George, Given, Harbeck, J. Hunter, Hubbard,  
Harrison, Jameson, F. Johnson, Knight, Letcher, Logan, Marshall,  
M’Mahan, M’Alee, Metcalf, M’Clanahan, M’Hatton, Owens,  
Patton, Ray, Rowan, Shacklett, W. Thompson, Todd,  
Wier, Wall, Yantis and Yates—44.

Nays—Messrs. Buckner, Breathitt, Crutcher, Clarke, Doller- 
hide, Fergus, Gaither, Goode, Hughes, Hart, W. S. Hunter, J. T.  
Johnston, Kerley, Mills, Moorman, Mercer, M’Guire, Payne, Robi-  
son, Reeves, R. Smith, Stratton, Stockton, South, Sandford, E.  
Thompson, Ward, Williams and Wade—59.

Ordered, That messrs. Harrison, Anderson, Rowan, Todd, M’-  
Alee and Payne, be appointed a committee to prepare and bring  
in the same.

Mr. Patton from the select committee to whom was referred a  
bill further regulating civil proceedings, reported the same  
with amendments; which being severally twice read, the first was  
concurring in, and the second disagreed to.

It was then moved and seconded to amend the said bill by  
adding thereto, the following as an additional section:

In all cases of ejectment, where the term shall have expired  
pending an injunction, an appeal, or a suit in error with superse-  
denas, the plaintiff shall be permitted to enlarge the demise not  
exceeding his true title, any time before the expiration of the term  
in which the final decree or opinions of the court of appeals, shall  
be made of record in the inferior court.

And the question being taken on concurring in the said amend-  
ment, it passed in the affirmative.

The yeas and nays being required thereon by messrs. Hughes  
and South, were as follows, to-wit:

Yeas—Messrs. Allan, Anderson, Buckner, Breathitt, Black-  
burn, Beauchamp, Caldwell, Craig, Chambers, Clarke, Cotton, Coff-  
ey, Cosby, Eve, Gaither, J. Hunter, Hubbard, W. S. Hunter, F.
The said bill was then amended to read as follows, to-wit:

A BILL FURTHER REGULATING CIVIL PROCEEDINGS.

Be it enacted by the general assembly of the commonwealth of Kentucky, That from and after the first day of June next, so much of the act entitled, an act providing a summary mode of recovering debts, approved 24 December, 1805, as requires petitions and summons to be returned and docketted to the 5th day of the court, shall be repealed; and from and after that day, they shall be returned the first day of the term, and docketted by the clerk, so as to have a precedence over all other civil cases.

§ 2. Be it further enacted, That hereafter the court of appeals shall not take cognizance of, or adjudicate, upon any error in any case that may come before them: on an appeal or writ of error, from an inferior court, unless it appears from the record that the error was pointed out, objected to, and adjudicated upon in the court below.

§ 3. In all cases of ejectment, where the term shall have expired, pending an injunction, an appeal, or a suit in error, with a supersedeas, the plaintiff shall be permitted to enlarge the demise, not exceeding his true title, at any time before the expiration of the term in which the final decree or opinion of the court of appeals, shall be made of record, in the inferior court.
The question was then taken on engrossing the said bill and reading it a third time: upon which it passed in the negative; and so the said bill was rejected.
The yeas and nays being required thereon, by messrs. South and Hughes, were as follows, to-wit:


Mr. Chambers from the majority on said question, then moved for a reconsideration of the vote, whereby the said bill was rejected.
And the question being taken on such re-consideration, it passed in the affirmative.

The yeas and nays being required thereon by messers. South and Hughes, were as follows, to wit:


Ordered, That the said bill with the amendments be re-committed to a select committee of messers. Chambers, Breathitt, Patton and Mills.

A message from the senate by Mr. Parks:

Mr. Speaker,

The senate have passed a bill from this house entitled an act adding a part of the county of Nicholas to the county of Fleming, with amendments; in which they request the concurrence of this house. And then he withdrew.

A message from the governor, by Mr. Secretary Hardin:

Mr. Speaker,

The governor did on this day, approve and sign enrolled bills which originated in this house, of the following titles:

An act for the benefit of the sheriff of Hopkins county. An act for exempting from taxation houses devoted to public worship, and seminaries of learning, and the ground on which they are erected:

An act authorizing lotteries for certain purposes therein mentioned. An act vesting certain powers in the trustees of the Methodist Brick Chapel, in Shelby county. An act to authorize Jeremiah Buckley to build a bridge across Kentucky river. An act for the benefit of the heirs of Robert Johnson, deceased. An act establishing election precincts in the counties of Franklin and Jefferson, and for other purposes. An act to amend an act to incorporate the Frankfort Bridge Company. And then he withdrew.

Ordered, That Mr. Craig inform the senate thereof.

The following bills were reported from the several committees appointed to prepare and bring in the same:

By Mr. Marshall—1st, a bill granting a loan to Achilles Sneed and Luke Mansell, to enable them to execute a map of Kentucky. By Mr. Hughes—2d, a bill to authorize a lottery in Middlesburg. By Mr. Harrison—3d, a bill to establish a Bank at Louisville and a bank at Lexington, to be founded on specie capital. And by Mr.
J. T. Johnson—4. A bill increasing the powers of the trustees of Georgetown, and for other purposes.

Which bills were severally received and read the first time and ordered to be read a second time.

And thereupon the rule of the house and second reading of the second and fourth bills being dispensed with, (and the same being amended at the clerk's table,) the said bills were ordered to be engrossed and read a third time to-morrow.

On the motion of Mr. South.

Ordered. That the committee of the whole house on the state of the commonwealth, be discharged from a further consideration of a bill to fix the amount of revenue to be collected in the year 1816. And the said bill being amended at the clerk's table—it was then moved and seconded to amend the said bill, by attaching to the second section thereof, the following proviso:

Provided, however, that any law now in force, requiring owners of retail or wholesale stores, to pay a licence tax to the state, is hereby repealed.

And the question being taken thereon, it passed in the negative.

The yeas and nays being required thereon by Messrs. Letcher and South, were as follows, to-wit:


The house being equally divided, Mr. Speaker voted in the negative.

The said bill being then further amended, was, with the amendments, ordered to be engrossed and read a third time to-morrow.

A message from the Senate by Mr. Sharp:

Mr. Speaker,

The Senate insist on their disagreement to the amendment proposed by this house, on concurring in the third amendment proposed by that house to the bill from this entitled, an act further to regulate the circuit courts of this commonwealth. And then he withdrew.

On the motion of Mr. Rowan.

Ordered, That a message be sent to the Senate requesting that a committee of conference should be appointed on the subject of difference of the two houses concerning the bill entitled an act further regulating the circuit courts of this commonwealth:

And that Mr. Rowan carry the said message.
A message from the senate by Mr. Y. Ewing:

Mr. Speaker,

The senate have received a message from this house, requesting the appointment of a committee of conference, on the subject of the disagreement between the houses, on a bill which originated in this house, entitled an act further to regulate the circuit courts of this commonwealth; and they have appointed a committee of eight on their part. And then he withdrew.

Whereupon messrs. Rowan, Mills, Blackburn, Payne, Anderson, Allan, Chambers, Craig, Robinson, W. Thompson, F. Johnson, Flournoy, Owings, Owen, Cotton and Knight; were appointed a committee on the part of this house, to confer with the committee from the senate, on the subject of the amendment proposed by this house, on concurring in their third amendment to said bill.

Ordered, That Mr. Rowan inform the senate thereof.

And then the house adjourned until to-morrow morning 9 o'clock.

THURSDAY, FEBRUARY 1, 1816.

Leave was given to bring in the following bills:

On the motion of Mr. J. T. Johnson—1, a bill authorizing certain advertisements to be inserted in the "Georgetown Patriot," printed in Georgetown. On the motion of Mr. Patton—2, a bill for the benefit of Caleb Lindsey.

Messrs. J. T. Johnson, M'Hatton and Wall, were appointed a committee to prepare and bring in the first. And messrs. Patton, Given and Rowan, the second.

Mr. J. T. Johnson from the select committee appointed for that purpose, reported a bill authorizing certain advertisements to be inserted in the "Georgetown Patriot," printed in Georgetown:

Which was received and read the first time, and ordered to be read a second time:

And thereupon the rule of the house, and second and third readings of the said bill being dispensed with; and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof, be as aforesaid.

Ordered, That Mr. Rowan carry the said bill to the senate, and request their concurrence.

An engrossed bill entitled an act regulating certain surveys in this commonwealth; was read a third time.

Resolved, That the said bill do pass, and that title thereof, be as aforesaid.

Ordered, That Mr. Rowan carry the said bill to the senate, and request their concurrence.

Mr. Rowan from the committee of conference made the following report:

Resolved, By the committee of conference, that it be recommenced to the senate to report from their disagreement to the
amendment made by the house of representatives, and concur therein.

In pursuance of which recommendation, the house proceeded to re-consider their amendment upon concurring in the third amendment of the senate, to the bill entitled an act further regulating the circuit courts of this commonwealth; which being again read.

Resolved, That this house do again insist on their said amendment.

Ordered, That Mr. Rowan inform the Senate thereof.

A bill to amend an act entitled an act more effectually to suppress the practice of duelling; was read a second time as follows, to-wit:

A BILL to amend an act entitled an act more effectually to suppress the practice of duelling.

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter the oath prescribed by the third section of the said act, shall be administered with relation to the first day of January, 1816, instead of the first day of April, 1812, to those who may have been in the service of the United States, during the late war.

It was then moved and seconded, to amend the said bill by expunging therefrom the words printed in italics.

And the question being taken thereon, it passed in the affirmative.

The yeas and nays being required thereon by Messrs. Owings and Beauchamp, were as follows, to-wit:


The said bill being further amended was, with the amendments, ordered to be engrossed and read a third time to-morrow.

A message from the Senate by Mr. Lancaster:

Mr. Speaker,

The Senate concur in the resolution reported from the Committee of Conference on the bill entitled an act further to regulate the circuit courts of this commonwealth; and in pursuance of the recommendation therein contained, have receded from their disagreement to the amendment of this house. And then he withdrew.
A message from the senate by Mr. Lee, their secretary:

Mr. Speaker,

The senate have received official information that the governor did, on the 29th ult., approve and sign enrolled bills which originated in that house, of the following titles:

An act for adding a part of the county of Montgomery to the county of Estill. An act for the relief of sundry sheriffs. An act to authorize the running and marking the division line between the counties of Shelby and Henry. An act for the relief of Thomas Griffin.

They recede from the amendment proposed to a bill from this house, entitled an act directing the mode of choosing electors to vote for a President and Vice President of the United States. They recede from their third and fifth, and insist on their fourth amendment proposed to a bill from this house entitled an act further to suspend law process in certain cases. They concur in the amendments proposed by this house to the bill from that, entitled an act to increase the number of justices of the peace in the counties of Allen and Adair, with amendments. And they have passed bills from this house of the following titles:

An act for the benefit of Betsey Irvine, and the heirs of Job Carter, deceased. And act to authorize the guardians of infants, and committees of idiots and lunatics, to execute bonds, and convey lands in certain cases, with an amendment to the latter; in which amendments, they request the concurrence of this house. And then he withdrew.

A bill to amend the several acts or parts of acts concerning writs of error, was read the second time as follows, to-wit:

§ 1. Be it enacted by the general Assembly of the Commonwealth of Kentucky, That no writ of error shall be brought or sued out from any court in this commonwealth, to reverse the judgment or decree of any court of law or equity, hereafter obtained, except within two years next, after the judgment or final decree, and not thereafter, any law to the contrary notwithstanding.

§ 2. Provided, nevertheless, That if any person or persons, entitled to such writ or writs of error, as aforesaid, were under twenty-one years, feme covert or of a non-sane mind, at the time of the rendition of any judgment or decree; every such person, his or her or hers, or legal representatives, may within two years next, after their several disabilities are removed, sue out or prosecute any writ of error, notwithstanding two years may have elapsed after the judgment or decree was obtained.
It was then moved and seconded, to amend the first section thereof, by expunging therefrom the words printed in italics, and to insert after the word "obtained," the words "granting a divorce from the marriage contract."

And the question being taken thereon, it passed in the affirmative.

The yeas and nays being required thereon, by Messrs. Hughes and Rowan, were as follows, to-wit:


**Nay.**—Messrs. Anderson, Bates, Dolphindie, Emerson, Fosdick, Ford, Gonde, George, Given, Hughes, Harrison, Metcalf, Robinson, Reeves, South, True and Williams—47.

The said bill being further amended, was, with the amendment, ordered to be engrossed and read a third time.

And the rule of the house, and third reading of the said bill being dispensed with, and the same being engrossed;

**Resolved,** That the said bill do pass, and that the title thereof be amended to read, an act to amend the law concerning writs of error, as far as relates to divorces.

**Ordered,** That Mr. Hughes carry the said bill to the senate, and request their concurrence.

The following bills were severally read a second time, viz.

1. A bill to enable the owners of slaves to protect them from the violence of the wanton and unfeeling.
2. A bill appropriating part of the Turnpike money to opening the road to Somerset.
3. A bill authorizing mills to be built on the Rolling fork of Salt river.
4. A bill to authorize the Auditor to transcribe certain books, and for other purposes.
5. A bill vesting certain powers in the trustees of the town of Newport.
6. A bill to repeal the law selling non-residents' lands for the tax.
7. A bill authorizing a lottery for the purpose of paying the streets of Georgetown.
8. A bill to alter the time of holding the chancery term of the Mason circuit court.
9. An act to amend and explain an act concerning witnesses in certain cases, and revive men.
10. A bill to amend an act entitled an act concerning certain attorneys.
11. A bill for the benefit of the heirs of David Simpson.
bill for the benefit of James Williams. 13, a bill for the benefit of Henry Garner and Peter Catron. And 14, a bill for the benefit of the heirs of Joseph Dupuy, deceased.

The first, second, third, fourth, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14th bills (the first, second and sixth being amended) were ordered to be engrossed and read a third time.

And thereupon the rule of the house, and third reading of the first, fourth, fifth, eighth, ninth, eleventh, twelfth and thirteenth bills were dispensed with, and the same being engrossed,

Resolved, That the said bills do pass; that the title of the fifth bill be amended by adding thereto, "and Georgetown," and that of the others, be as aforesaid.

Ordered, That Mr. J. T. Johnson carry the said bills to the senate and request their concurrence.

A bill to provide for carrying into effect the decrees and judgments of the late Supreme Court, for the district of Kentucky; which was read and laid on the table on the 15th ult., was taken up and ordered to be read a second time.

The house took up the amendments proposed by the committee of the whole house, on the state of the commonwealth, to a bill to incorporate the Paris Manufacturing Company; which being twice read and amended, were concurred in.

Ordered, That the said bill be laid on the table until the 1st day of March next.

A bill further to regulate the Transylvania University was read a second time and amended.

It was then moved and seconded to attach to the said bill the following, as an additional section, viz.: Be it further enacted, That the site of the Transylvania University shall be removed from Lexington to the town of Harrodsburg, in the county of Mercer.

And the question being taken thereon, it passed in the negative.

The yeas and nays being required thereon, by Messrs. Beauchamp and M'Affee, were as follows, viz.: Yeas—Messrs. Breathitt, Beauchamp, Craig, Cotton, Coffey, Cosby, Dullerhide, Emerson, Flournoy, Fergus, Goode, Hornbeck, Hart, Hubbard, Harrison, Letcher, Logan, Moorman, Marshall, M'Affee, Owen, Patton, Ray, Rowan, Stockton, South, Sandford, Wirt, Wadd, Yantis and Yates—34.

Ordered, That the said bill as amended, be engrossed and read a third time to-morrow.

A message from the senate by W. Lee, their secretary:

Mr. Speaker,

The senate have passed bills from this house of the following titles: An act to authorize the auditor to transcribe certain books, and for other purposes; an act vesting certain powers in the trustees of Georgetown and Newport; an act to alter the time of holding the chancery term of the Mason circuit court; an act for the relief of Wilson Sullivan; and an act authorizing certain advertisements to be inserted in the Georgetown Patriot, published in Georgetown.—And they have passed bills of the following titles: An act to alter the time of holding and to extend the March, June and September terms of the Fayette circuit court, and to change the terms of the Allen circuit court; an act to amend the several acts concerning the town of Shelbyville; an act for the benefit of the widows and orphans of those who fell in the late war; an act to provide for the safe keeping of the public arms of this state; an act to amend the act providing a summary mode of collecting debts; an act for the relief of the inhabitants of Smithland; an act for the benefit of the sheriffs of Campbell and Floyd counties; an act for the benefit of W. Hamilton, former dep'y sheriff of Washington county; an act to provide for the improvement of the wharf at the town of Maysville, in Mason county; an act for the benefit of John A. Markley; an act for the benefit of the infant heirs of Edmund Taylor, deceased, of Campbell county. In which bills they request the concurrence of this house. And then he withdrew.

And then the house adjourned.

FRIDAY, FEBRUARY 2, 1816.

Mr. Patton, from the select committee appointed for that purpose, reported a bill for the benefit of Caleb Lindsey, which was received and read the first time, and ordered to be read a second time—And thereupon the rule of the house and second and third readings of said bill being dispensed with, and the same being engrossed;

Resolved, That the said bill do pass, and that the title there-of be as aforesaid.

Ordered, That mr. Patton carry the said bill to the senate and request their concurrence.
Mr. Yantis, read and laid on the table the following resolutions, viz.

WHEREAS, There are two hundred and fifty copies of Bibb's Reports of the decisions of the court of appeals belonging to the Commonwealth undistributed: Therefore,

Resolved, By the General Assembly of the Commonwealth of Kentucky, that when the acts of the present session are distributed, there shall be one copy of said reports left with them for the following officers of government, and to their successors in office, viz. One to the governor; one to each of the judges of the court of appeals; one to each circuit judge; one to each Commonwealth's attorney; one to each clerk of the circuit court; one to each county court clerk for the use of the county court; one to the auditor of public accounts; one to the treasurer, and one to the register.

A message from the senate by Mr. R. Ewing:

Mr. Speaker,

The senate have passed a bill entitled, an act to prevent the fraudulent practice of surveying or patenting land, manifestly off, and at a distance from entries or locations originally made, unless legally removed as the law on that subject directs—in which they request the concurrence of this house. And then he withdrew.

A message from the senate by Mr. Sharp:

Mr. Speaker,

The senate have passed a bill from this house, entitled an act for the benefit of Caleb Lindsey—and then he withdrew.

Mr. Beauchamp, from the select committee appointed for that purpose, reported a bill to amend an act, entitled an act, further regulating the penitentiary—which was received, and read the first time, and ordered to be read a second time.

The following bills were severally read a second time, viz.

1. A bill to settle the boundary line between this state and the state of Tennessee—2d. A bill for the benefit of William Meriwether—3d. An act authorizing a lottery for the benefit of Allen Lodge, No. 24 in the town of Glasgow—4th. A bill preventing redemption of land so as to give title against certain claims—And 5th, A bill for the relief of Sarah Patillo:

The first, third, fourth and 5th (the first and third being amended) were ordered to be engrossed, and read a third time, and the second was ordered to be laid on the table:

And thereupon, the rule of the house, and third reading of the 5th bill being dispensed with, and the same being engrossed:
Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That Mr. W. Thompson carry the said bill to the senate, and request their concurrence:

Ordered, That a bill from the senate entitled an act to incorporate the "Fayette Paper Manufacturing Company"—be taken up and placed in the orders of the day.

The Speaker laid before the house a letter from the auditor of public accounts, containing a statement of additional returns being made to his office of the number of free white male inhabitants in the county of Henry; which was then taken up and read as follows, viz.

AUDITOR'S OFFICE, FEBRUARY 2, 1816.

Sir—I have this moment received of the clerk of Henry county court, a report of 98 free white males above the age of 21 years, which were omitted in his previous return to this office. You will please have that number added to my report of the free white males in that county.

I am Yours, &c.

GEORGE MADISON, AUDITOR.

The Hon. Speaker House
Representatives.

A bill granting a loan to Achilles Sneed and Luke Munsell, to enable them to execute a map of Kentucky, was read a second time:

And the question being taken on engrossing the said bill, and reading it a third time—it passed in the affirmative:

The yeas and nays being required thereon, by Messrs. Patton and South, were as follows, viz.


Mr. Stockton, from the joint committee of enrollments reported that the committee had examined enrolled bills of the
following titles: "An act further to regulate the circuit courts of this Commonwealth; an act for the relief of the 20th regiment of the militia of this state; an act to establish the town of Bedford, in the county of Henry, and the town of Crab Orchard in the county of Lincoln; an act authorising and directing the surveyor of Logan county to record certain plats and certificates of survey; an act authorising the county court of Harrison to sell part of their public ground; an act to add a part of Allen county to the county of Warren; an act to legalize the proceedings of the county court of Livingston and the trustees of the town of Salem; an act for the benefit of Leah M'Gonegale and others; an act to amend the act entitled an act, authorizing the transcript of certain records in the county court of Pendleton; an act to alter the time of holding the chancery term of the Mason circuit court;"

And had found the same truly enrolled:

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Stockton inform the Senate thereof.

A bill changing the seat of the court of appeals, was read a second time as follows, viz.

SEC. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter the judges of the court of appeals shall hold their terms or sessions of that court, in the town of Bardstown, in the county of Nelson, instead of the town of Frankfort, where it is now held.

SEC. 2. Be it further enacted, That the clerk of the court of appeals shall, on or before the 20th day of March next, remove his office with all the papers and records belonging thereto from the town of Frankfort to the town of Bardstown, in the county of Nelson; where the office of that court shall henceforward be kept and remain: which town shall be considered the judicial scite of that court.

SEC. 3. Be it further enacted, That all process issued from that court, shall be made returnable thereto at Bardstown, and any process now out returnable to the next term of that court, shall be in fact and in law as valid when returned to the said court at Bardstown, as if it had been made returnable thereto under this law.

SEC. 4. And be it further enacted, That upon the production of the certificate of the clerk of the said court, approved by the judges thereof, of the amount of expenses incurred in the removal of the papers and records of his office to the auditor of public accounts, he shall issue his warrant on the treasury for the amount thereof.
SEC. 5. Be it further enacted, That the judges of the court of appeals shall hold that court in the court house of the said county of Nelson until otherwise provided for by law. But nothing herein shall be construed to impair or effect the powers or duties of the judges of that court, or in any way to effect the laws relative thereto, except so far as they relate to the judicial site thereof, which is hereby changed from Frankfort to Bardstown.

SEC. 6. Be it further enacted, That the book of entries of land lying on the north side of the Kentucky river, now in the possession of the clerk of that court, shall be by him delivered over to the Register of the land office, who shall keep the same, and give out to any person requiring it, certified copies of the said entries, upon being paid therefor; which certified copies shall be evidence in any court in this commonwealth.

It was then moved and seconded to amend the first section thereof, by striking therefrom, "the town of Bardstown, in Nelson county," as the proposed site for the court of appeals.
And the question being taken thereon, it passed in the affirmative.

The yeas and nays being required thereon by messrs. Rowan and Yantis, were as follows, to-wit:


It was then moved and seconded to fill up the blank occasioned by the last vote, with the "town of Danville in Mercer county."

And the question being taken thereon, it passed in the negative.

The yeas and nays being required thereon, by messrs. Beauchamp and Letcher, were as follows, to-wit:

Owen, Rennick, Reeves, Rowan, Stockton, Shacklett, W. Thompson, Todd, Wier, Williams, Wade, Yantis and Yates—37.


It was then moved and seconded to lay the said bill on the table, until the 1st day of May next, upon which it passed in the affirmative.

The yeas and nays being required thereon by Messrs. Crutcher and Hornbeck, were as follows, to wit:


A bill to incorporate a bank at Louisville, and a bank at Lexington, founded on a specie capital, was read a second time, amended, and a further amendment moved thereto, as an additional section.

And then the house adjourned, until 9 o'clock to-morrow.

SATURDAY, FEBRUARY 3, 1816.

The house took up a bill to repeal an act concerning chandlery and maintenance, approved 22nd Decr. 1798—which was laid on the table on a former day of the session, and the amendment moved thereto being twice read and amended, was concurred in.

Ordered, that the said bill as amended, be engrossed and read a third time on Monday next.
Mr. Rowan read and laid on the table the following resolution, viz:

Resolved, By the legislature of the state of Kentucky, that where a man pre-eminently gifted by nature, and improved by education, shall be found devoting his time and his talents to the assertion and maintenance of his country’s dearest rights, and the promotion of her best interests; he is entitled at least, to the expression of her approbation and gratitude. Such a man in relation to our country and state, is general John Adair. His early display of heroism in the revolutionary war; the skill and valor displayed by him since in our war with the northern Indians; the still later displays of valor and of patriotism, made in his advanced age in character of first aid to the hero of King’s Mountain, the venerable Shelby, in the northern campaign, and victory on the Thames, are passed over by this legislature, not as unworthy of regard or a matter of small consideration: But that they may hasten to notice and acknowledge the importance and splendour of his services at Orleans, on the ever memorable eighth of January, one thousand eight hundred and fifteen. His conduct on that occasion has his country’s entire approbation: it brings it, it has her admiration. His subsequent conduct vindicating a respectable portion of our countrymen from the inappropriate imputation of cowardice accidentally thrown upon them, has both matter and manner the profound approbation, gratitude and thanks of his country and of this legislature.

Resolved, That our venerable chief, Isaac Shelby, with whose character the attributes of patriotism and valor are identified, is hereby respectfully requested to transmit to general John Adair, a copy of this resolution, and that the original be placed on the files of state, as a perpetual memorial of his country’s respect and gratitude.

Mr. F. Johnson from the joint committee appointed to examine into and report the state of the Penitentiary Institution, and the books and accounts of the agent thereof; made the following report, to wit:

The joint committee from the senate and house representatives appointed to examine the Penitentiary, and the books and accounts thereof, have performed the duties assigned them, and have come to the following report:

Your committee have visited the Penitentiary, viewed the convicts, their employment and condition, examined the manner of the operations and the quality of the manufactured articles.
The convicts appear to be well clothed, and properly treated, and judiciously employed in the different branches of business carried on. The arrangement of the convicts to the different branches of mechanical operations, and the excellent quality of the manufactured articles, strongly evidences, the attention, skill and good management of the keeper.

Your committee have also examined the books and accounts of the institution since the first of Dec. 1814, till this time, and they will here remark, that since the 10th February last, the time at which the entire management devolved on the keeper, that the books and accounts have been kept in the best style and most approved method; and they feel satisfied, if the books should hereafter remain to be kept on the same plan, and under the present regulation, that the accounts of the keeper and every other concerned, can at all times be properly investigated.

Your committee have found that the statements of debts due to and from the institution, furnished the committee at last session by the then agent were not correct; upon which statement, the estimation of the value of the institution was then predicated. The accounts and notes delivered over to the keeper in conformity to the act of the last session, as due the institution amount to $25,358 33 7

The raw material delivered over amounted to $4,781 27 5
The manufactured articles ditto 5,314 94 9
Cash ditto 287 35 6

Deduct amount of debts then reported to be due from the institution, amounting to $36,744 91 7

Since which time debts not then given an account of by the agent, have appeared against the institution per detailed statement, accompanying this report, amounting to $832 56

In addition thereto, receipts have been produced, given by the agent for debts reported to be due, and omissions to give credits on accounts also contained in said statements, per detailed account,
Amount brought over £ 352 5s.
also accompanying this report, to the amount of £ 1422 20
Insolvencies in those accounts £ 50 25
Deficit in the sale of iron authorized by law to be sold, which was estimated in the invoice at £ 500, which commanded only £ 483.

£ 17 00

- £ 2,642 01 0

Leaving the funds of the institution really worth 23,762 707 at the time it was turned over from the agent, so far as is yet known, except there should be some demands against the institution, which have not made their appearance, and which would also tend to lessen the actual value of the institution, as it at that time appeared.

Your committee are not disposed to believe that the agent defrauded the institution out of the defalcations before mentioned, or applied the money to other than the uses of the institution; but would rather believe, that the incorrect inventories of debts due to and from the institution, so made out by him, was owing to carelessness, inattention and the imperfect manner in which the books were kept: They are induced to this opinion from the very general, very good character and reputation of that agent.

Your committee will here also remark, that under the regulations of the last session, and the manner in which the books and accounts are now kept, they feel satisfied that no deficit in the accounts can hereafter appear without the surest responsibility.

The funds of the institution on the first December, 1815, per invoice returned to the auditor, and with which the books of the institution correspond, consisting of debts due the institution, to the amount of £ 22,034 46
Of raw materials on hand £ 3,207 44
Of manufactured articles on hand £ 3,877 75
Of cash on hand £ 1,036 69

£ 30,475 27

Deduct amount of debts due from the institution £ 4,434 62
Making the value of the institution on the first December, 1815, £ 25,738 65

The keeper has within the last year, paid into the Treasury £ 2000 of the debt due there, and furnished to the com-
missioners appointed to superintend the building of the state house, $1742.20 cents of manufactured articles.

Your committee upon a full survey of the institution, and a minute investigation of the books and accounts, are of opinion, that the duties of the keeper have been faithfully and judiciously discharged.

Your committee would recommend that provision be made by law for erecting a black smith's shop of brick in the yard of the Penitentiary—the present shop is old and gone into decay, and might prove destructive to the buildings in the event of its catching on fire.

All which is respectfully submitted.

Humphrey Jones,
Richard Taylor, Jr.

FR. Johnson,
Thos. Metcalfe,
WM. Caldwell.

An account of the debts of omissions of credits due from the Penitentiary on the 10th day of February, 1815, and not rendered an account of at that time.

<table>
<thead>
<tr>
<th>Name</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Danl. Brown for staves</td>
<td>$96</td>
</tr>
<tr>
<td>James Saunders for</td>
<td>80</td>
</tr>
<tr>
<td>Reuben Medley for</td>
<td>40</td>
</tr>
<tr>
<td>George Brown and Nation</td>
<td>22</td>
</tr>
<tr>
<td>Luke Munsell's account</td>
<td>97</td>
</tr>
<tr>
<td>Jacob Holdeman and Co.</td>
<td>58</td>
</tr>
<tr>
<td>L. Wilkins for oil</td>
<td>25</td>
</tr>
<tr>
<td>Hezekiah Brown for coal</td>
<td>45</td>
</tr>
<tr>
<td>and timber delivered in</td>
<td></td>
</tr>
<tr>
<td>1813 and 14</td>
<td></td>
</tr>
<tr>
<td>James Russell for coal</td>
<td>132</td>
</tr>
<tr>
<td>in 1813 and 14</td>
<td></td>
</tr>
<tr>
<td>Deficiencies in sales of</td>
<td>317</td>
</tr>
<tr>
<td>iron authorized by an act</td>
<td></td>
</tr>
<tr>
<td>of last session</td>
<td></td>
</tr>
<tr>
<td>Insolvencies as returned</td>
<td>50</td>
</tr>
<tr>
<td>Deficiencies in Wm. B.</td>
<td>490</td>
</tr>
<tr>
<td>Long's receipts</td>
<td>50</td>
</tr>
<tr>
<td>Omissions of credits to</td>
<td>255</td>
</tr>
<tr>
<td>sundry individuals</td>
<td>56</td>
</tr>
<tr>
<td>Deficiency in Hickman's</td>
<td>52</td>
</tr>
<tr>
<td>receipts for collections</td>
<td></td>
</tr>
</tbody>
</table>

To Christopher Greenup for wood and hauling

<table>
<thead>
<tr>
<th>Time</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>done in 1812 and 13</td>
<td>17</td>
</tr>
<tr>
<td>Wm. Gerard's account</td>
<td>57</td>
</tr>
<tr>
<td>Hats given</td>
<td>25</td>
</tr>
<tr>
<td>to convicts on their discharge in 1814</td>
<td>00</td>
</tr>
<tr>
<td>Stapp and Massie for wrapping paper in the year 1815</td>
<td>3</td>
</tr>
<tr>
<td>Nathan Goodrich for wood in the year 1814</td>
<td>19</td>
</tr>
</tbody>
</table>

$1789 45
Amount brought over

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>John Pattie for wood delivered in the winter 1812</td>
<td>15.62</td>
</tr>
<tr>
<td>John Cills for his account vs. the institution previous to the 1st Dec. 1812</td>
<td>3.45</td>
</tr>
<tr>
<td>Richard Taylor, jr. for wood during the agency of Samuel I. M. Major</td>
<td>23.0</td>
</tr>
<tr>
<td>Richard Taylor, sr. for wood</td>
<td>22.5</td>
</tr>
<tr>
<td>John Smart for wood, hauling, &amp;c.</td>
<td>2.50</td>
</tr>
<tr>
<td>David Niess, his account, books and stationary</td>
<td>40.30</td>
</tr>
<tr>
<td>Will. West for wood</td>
<td>55.0</td>
</tr>
<tr>
<td>E. S. Coleman for wood</td>
<td>15.0</td>
</tr>
<tr>
<td>Daniel Peak for wood</td>
<td>8.0</td>
</tr>
<tr>
<td>Smith and Starling, tow linen and linsey</td>
<td>46.33</td>
</tr>
<tr>
<td>Hunt and Blanton, paid them brick work</td>
<td>3.0</td>
</tr>
<tr>
<td>Paid fee bills</td>
<td>7.70</td>
</tr>
<tr>
<td>Dail. James for wood</td>
<td>23.0</td>
</tr>
<tr>
<td>M. and Marshall, paid them for wood</td>
<td>13.75</td>
</tr>
<tr>
<td>Reuben Medley, paid for wool-sey linsey</td>
<td>17.86</td>
</tr>
<tr>
<td>John B. Wilson, fencing, &amp;c.</td>
<td>37.50</td>
</tr>
<tr>
<td>Hezekiah Brown, wood, timber, &amp;c.</td>
<td>65.0</td>
</tr>
<tr>
<td>John Brown for wood in 1812-13 and 14</td>
<td>60.0</td>
</tr>
<tr>
<td>Charles, paid his plank account for 1812</td>
<td>7.50</td>
</tr>
</tbody>
</table>

Mr. Payne from the select committee appointed for that purpose, reported a bill for the benefit of the devisees of John Campbell, deceased; which was received and read the first time and ordered to be read a second time.

And thereupon the rule of the house and second reading of the said bill, being dispensed with, the same was ordered to be engrossed and read a third time on Monday next.

Mr. Buckner from the joint committee of enrollment reported, that the committee had examined an enrolled bill entitled an act for the benefit of Caleb Lindsey. And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Buckner inform the senate thereof.

An engrossed bill entitled an act to settle the boundary line between this state and the state of Tennessee, was read a third time.

Resolved, That the said bill do pass, and that the title thereof, be as aforesaid.

Ordered, That Mr. Mills carry the said bill to the senate and request their concurrence.

A bill to provide for carrying into effect the decrees and
judgments of the late Supreme Court, for the district of Kentucky, was read a second time, amended, and with the amendments, ordered to be engrossed and read a third time on Monday next.

A bill to establish a bank at Louisville, and a bank at Lexington, founded on specie capital, was read a second time and amended.

Mr. Blackburn then moved to attach to the said bill the two following, as additional sections to the bill, to-wit:

Be it further enacted, That the said president, directors and company of the bank of Lexington, and also those of the bank of Louisville, are hereby constituted and incorporated each into separate Turnpike companies, for the purposes of turnpiking the road from Maysville to Lexington, and from Lexington to Louisville, in such manner and on such ground as the legislature may hereafter direct.

Be it further enacted, That at declaring each of the half yearly dividends, there shall be reserved on each share out of the dividends the sum of fifty cents, which sum shall not be distributed, but shall be subscribed and expended in stock, in clearing and turnpiking the road aforesaid, in such proportions, from year to year, as the fund hereby created will allow, subject to the future control of the legislature: Provided, however, that the legislature shall enact no law which shall deprive said companies of the profits or tolls at the turnpike gates, on said road.

The first section of said amendment was then amended by striking out the words "Maysville to Lexington, and from Lexington," printed in italics, and inserting in lieu thereof, the words "Cumberland Gap to Danville, and from Danville."

Mr. Breathitt then moved to strike out the first section of the said amendment as amended; and to amend the second section of said amendment, by expunging the whole of said section, after the words shall, in the fourth line thereof, and in lieu thereof, to add "by the President and Directors of said banks be paid into the public treasury."

Mr. Rowan called for a division of the question, and the question was put first upon striking out, upon which it passed in the affirmative.

The yeas and nays being required thereon by Messrs. Blackburn and Breathitt, were as follows, to-wit:

Yeas—Messrs. Allan, Bates, Buckner, Breathitt, Bell, Blackburn, Beauchamp, Caldwell, Chambers, Clarke, Cotton, Coffey, Drollerhide, Eve, Flournoy, Ferguson, Forrest,
Ford, Gaither, Goode, Given, Hughes, Hornbeck, Hart, J.
Hubbard, W. S. Hunter Letcher, Mills, Moorman, M'Guire,
Marshall, M'Mahan, Metcalfe, M'Clanahan, Owen, Patton,
Payne, Robinson, Reeves, R. Smith, Stratton, Stockton,
Shacklett, South, J. B. Smith, Sandford, W. Thompson,
True, Todd, Ward, Wier, Wall, Williams, Wade and Yates—56.

Nays—Messrs. Anderson, Craig, Cosby, Daniel, Emerson,
George, Harrison, Jameson, J. T. Johnson, Kerley,
Knight, Logan, M'Albe, M'Hatton, Owings, Ray, Rowan,
P. Thompson and Yantis—19.

The amendment proposed to the said second section of the
amendment was then agreed to.

Mr. Hughes then moved to lay the said bill and amendments
on the table, till the first day of March next.

And the question being taken thereon, it passed in the neg-
ative.

The yeas and nays being required thereon, by Messrs.
Mills and Hughes, were as follows, to-wit:

Yeas—Messrs. Bates, Breathitt, Blackburn, Chambers,
Clarke, Dolechide, Gaither, Goode, Hughes, W. S. Hunter,
Mills, M'Guire, Marshall, Robinson, R. Smith, Stratton,

Nays—Messrs. Allan, Anderson, Buckner, Bell, Beauchamp,
Caldwell, Craig, Cotton, Coffey, Cosby, Daniel,
Emerson, Eve, Flournoy, Fergus, Ford, George, Given,
Hornbeck, Hart, J. Hunter, Hubbard, Harrison, Jameson, J.
T. Johnson, Kerley, Knight, Letcher, Logan, Moorman, M'
Mahan, M'Albe, M'Clanahan, M'Hatton, Owings, Owen,
Patton, Payne, Reeves, Ray, Rowan, Shacklett, J. B.
Smith, W. Thompson, True, Todd, Wier, Wall, Yantis and
Yates—50.

Mr. Beauchamp then moved to amend the said second sec-
tion as amended, by inserting after the word "dividends," in
the second line thereof, the words "of the Lexington and
Louisville banks and their branches, as well as of the bank of
Kentucky, and its branches, and the Kentucky Insurance Com-
pany."

And the question being taken thereon, it passed in the af-
firmative.

The yeas and nays being required thereon by messrs. Bea-
uchamp and Letcher, were as follows, to-wit:

Yeas—Messrs. Anderson, Buckner, Bell, Beauchamp,
The question was then taken on concurring in the said second section as amended; upon which it passed in the negative.

The yeas and nays being required thereon by messrs. South and Breathitt, were as follows, to-wit:


The question was then taken on engrossing the said bill and reading it a third time; upon which it passed in the affirmative.

The yeas and nays being required thereon by messrs. Stratton and Anderson, were as follows, to-wit:


A message from the senate by Mr. Lee, their secretary:
Mr. Speaker,

The senate have passed bills from this house of the following titles: An act to amend the law concerning writs of error, as relates to divorces; an act to amend the penal laws of this commonwealth; and an act to enable owners of slaves to protect them from the violence of the wanton and unfeeling: with amendments to each. And they have passed a bill entitled an act for the relief of Taylor and George Noel—in which amendments and bills they request the concurrence of this house. And then he withdrew.
And then the house adjourned, until Monday morning nine o'clock.

MONDAY, FEBRUARY 5, 1816.

Mr. Patton from the select committee to whom was referred, a bill further regulating civil proceedings, reported the same without amendment.

Ordered, That the said bill be laid on the table.

Mr. Rowan presented the memorial of Robert H. Bishop, representing that he is much injured and aggrieved by the report of the select committee who reported on the subject of the Transylvania University; alleging that said report is founded on the want of proper information, and praying that he may be permitted to introduce on that subject, additional evidence; and the memorial and remonstrance of the trustees of the Transylvania University, on the same subject;
Were severally received and read. It was then moved and seconded to commit the said memorials to a committee of the whole house on the state of the commonwealth.
And the question being taken thereon, it passed in the negative.

The yeas and nays being required thereon by messrs. Beanchamp and Mills, were as follows, viz.
Mr. Rowan then moved the following resolution, viz.,
Resolved, That the trustees of the Transylvania University be permitted to appear at the bar of this house to-morrow to show cause, if any they can, why they shall not be turned out of office.

Which was twice read. It was then moved and seconded to lay the said resolution and the memorials aforesaid on the table until the 12th instant. A division of the question was called for, and the question first put on laying them on the table, upon which it passed in the affirmative.

The yeas and nays being required thereon by messrs. Beaucamp and Hart, were as follows, viz.,


It was then moved and seconded to lay the said resolution and memorials on the table until the first day of March next, upon which it passed in the affirmative.

The yeas and nays being required thereon by messrs. Beaucamp and Flournoy, were as follows, to-wit:


Nays—Messrs. Bates, Buckner, Breathitt, Bell, Black-
burn, Beauchamp, Caldwell, Craig, Cotton, Coffey, Coshy; Emerson, Eve, Flournoy, Ferguson, Forrest, Gaither, Goode; Given, Horshock, Hart, Hubbard, Harrison, Knight, Letcher, Logan, Marshall, M'Mahan, M'Clannahan, Patton, Robinson, Rowan, Stockton, Sandford, P. Thompson, Yantis and Yates—27

The house being equally divided, Mr. speaker voted in the affirmative.

Mr. Stockton from the joint committee of enrollments, reported that the committee on Saturday last, deposited in the office of the secretary of state, the enrolled bills last signed by the speaker of this house; and that the committee had examined enrolled bills of the following titles:

An act directing the mode of choosing electors to vote for a president and vice-president of the United States; an act concerning the town of Jefferson in Jefferson county; an act for the relief of Wilson Sullivan; an act for the benefit of the heirs of James C. Price, deceased, and others; an act authorizing certain advertisements to be inserted in the George Town Patriot, printed in George Town; an act for the benefit of Betsey Irvine and the heirs of Job Carter, deceased; and an act to authorize the Auditor to transcribe certain books, and for other purposes: And had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto:

Ordered, That Mr. Stockton inform the senate thereof.

Mr. Blackburn from the committee of propositions and grievances, reported a bill for the better securing the navigation of Main Licking; which was received and read the first time, and ordered to be read a second time.

And thereupon the rule of the house and second reading of the said bill being dispensed with, the same was committed to the committee of propositions and grievances.

The house took up the amendments proposed by the senate to bills from this house of the following titles:

An act adding part of the county of Nicholas to the county of Fleming; an act to amend the law concerning writs of error, as relates to divorces; and an act to authorize the guardians of infants and committees of idiots and lunatics to execute bonds and convey lands in certain cases:

Which being severally twice read, were concurred in.

Ordered, That the clerk inform the senate thereof.

The house took up the amendments proposed by the senate upon concurring in those proposed by this house, to the bill from that, entitled an act to increase the number of justices
Ordered, That the clerk inform the senate thereof.

The house proceeded to reconsider the fourth amendment proposed by the senate to a bill from this house entitled, an act further to suspend law process in certain cases. Which being again twice read,

Resolved, That this house do insist on their disagreement to the said amendment.

Ordered, That the clerk inform the senate thereof.

The house took up the amendment proposed by the senate to a bill from this house entitled, an act to enable the owners of slaves to protect them from the violence of the wanton and unfeeling: Which being twice read, was concurred in, with an amendment.

Ordered, That Mr. Cutcher inform the senate thereof, and request their concurrence in the said amendment.

The house then took up the amendment proposed by the senate to a bill from this house entitled, an act to amend the penal laws of this commonwealth; which was twice read as follows, viz.

Add to the bill as an additional section.

And be it further enacted, That so much of any law as requires the name of a prosecutor to be set at the foot of an indictment or information for a trespass or misdemeanor, shall be, and the same is hereby repealed, except in cases that relate to a trespass upon the person or property of individuals, and in such cases the prosecution shall have his or her name annexed to the indictment or presentment, and shall be liable for costs on the failure of the prosecutor as heretofore.

And the question being taken on concurring in the said amendment, it passed in the negative.

The yeas and nays being required thereon, by messrs. Patton and Hughes, were as follows, viz.


Ordered, That the clerk inform the senate thereof.

A message from the senate by Mr. R. Ewing:

Mr. Speaker,

The senate have passed a bill entitled, an act for the benefit of the widow and children of William Lisles, deceased; in which they request the concurrence of this house. And then he withdrew.

On motion,

Ordered, That Mr. Hatton have leave of absence from the service of this house until Wednesday next.

Bills from the senate of the following titles:

1. An act to authorize the governor to subscribe to the state bank certain monies that have been and may be received by the treasurer; 2. An act for founding and establishing a public Hospital in Fayette county; 3. An act for the relief of Polly Robertson and the heirs of Thomas Robertson, deceased; 4. An act to amend the law respecting the town of Maysville, in Mason county; 5. An act to compel the manufacturers of salt petre to enclose their works prior to making petre; 6. An act to explain and amend the several acts concerning the trial of slaves; 7. An act to continue in force an act to suspend law process in certain cases; and an act concerning county levies and certain officers' fees; and 8. An act to incorporate the Cynthiana manufacturing company;

Were severally read the first time; and the first, second, third, fourth, fifth and eighth, ordered to be read a second time; the sixth was ordered to be laid on the table until the first day of March next; and the question being taken on reading the seventh bill a second time, it passed in the negative; and so the said bill was rejected.

Ordered, That Mr. Patton inform the senate thereof.

And thereupon the rule of the house and second reading of the first, third, fourth, fifth and eighth bills being dispensed with, (and the fifth being amended,) the said bills with the exception of the eighth, were ordered to be read a third time; and the eighth bill committed to a select committee of messrs. Wall, Forrest and Mills.

And thereupon the rule of the house, and third reading of the first, third and fifth bills being dispensed with,

Resolved, That the said bills do pass.

Ordered, That Mr. Hughes carry the said bills to the senate,
and request their concurrence in the amendment proposed to
the fifth bill.

A message from the senate by mr. Lee, their secretary:

Mr. Speaker,

The senate insist on their amendment proposed to a bill
from this house entitled, an act to amend the penal laws of
this commonwealth; and they again insist on their fourth am-
endment proposed to the bill from this house entitled, an
act further to suspend law process in certain cases. And then
he withdrew.

A bill from the senate entitled, an act fixing the ratio and
apportioning the representation for the ensuing four years,
was read the first time and ordered to be read a second time;
and the rule of the house as to the reading of said bill on
three several days being dispensed with:

The house on a motion dispensed with the further consider-
at ion of said bill and the orders of the day, and took up
the resolution for the adjournment of the General Assembly.

And then the house adjourned until to-morrow morning,
nine o'clock.

TUESDAY, FEBRUARY 6, 1816.

Mr. Blackburn from the committee of propositions and
grievances to whom was referred, a bill for the better security
of the navigation of main Licking, reported the same with
amendments; which being severally twice read, were con-
curred in.

Ordered, That the said bill as amended, be engrossed and
read a third time; and thereupon the rule of the house and
the third reading of said bill being dispensed with, and the
same being engrossed.

Resolved, That the said bill do pass, and that the title
thereof be as aforesaid.

Ordered, That mr. Wall carry the said bill to the senate
and request their concurrence.

The house took up the resolution for an adjournment of
the General Assembly; which being twice read:

It was then moved and seconded to fill the blank in the said
resolution with "the 10th instant," as the time for a final
adjournment of the legislature.

And the question being taken thereon, it passed in the
affirmative.

The yeas and nays being required thereon, by messrs.
Breathitt and Patton, were as follows, to wit:


The said resolution was then concurred in.

Ordered, That Mr. Crutcher carry the said resolution to the senate and request their concurrence.

A message from the governor by Mr. secretary Hardin:

Mr. Speaker,

The governor did on the 3d inst. approve and sign enrolled bills which originated in this house of the following titles:

An act further regulating the circuit courts of this commonwealth; an act authorizing and directing the surveyor of Logan county to record certain plats and certificates of survey; an act for the benefit of Leth M'Gonegle, and others; an act to amend an act entitled an act authorizing the transcript of certain records in the county court of Pendleton; an act to add a part of Allen county to the county of Warren; an act for the relief of the 20th regiment of the militia of this state; an act authorising the county court of Harrison to sell a part of their public ground; an act to alter the time of holding the chancery term of the Mason circuit court; an act to legalize the proceedings of the county court of Livingston, and the trustees of the town of Salem. And then he withdrew.

Ordered, That Mr. Craig inform the senate thereof.

A bill from the senate entitled, an act fixing the ratio and apportioning the representation for the ensuing four years, was read the second time and ordered to be read a third time. And thereupon the rule of the house and third reading of said bill was dispensed with.

The question was then taken on the passage of said bill, upon which it passed in the affirmative.

The yeas and nays being required thereon by Messrs. South and Yantis, were as follows, viz:

Yeas—Messrs. Allan, Bates, Buckner, Breathitt, Bea
Ordered, That Mr. Yates inform the senate thereof:

A bill from the senate entitled, an act to increase the salaries of certain officers, was read the first time as follows, viz.

Be it enacted by the General Assembly of the commonwealth of Kentucky, That the several officers hereafter mentioned shall receive for their salaries annually, the following sums, that is to say: To the Governor, two thousand four hundred dollars; to the Secretary of State, the sum of eight hundred dollars; to the Auditor of Public Accounts, the sum of two thousand dollars; to the Register, the sum of one thousand five hundred dollars; and to the Treasurer the sum of one thousand two hundred dollars; which sums shall be paid in the manner and form heretofore prescribed by law.

And ordered to be read a second time: and thereupon the rule of the house and second reading of said bill being dispensed with:

It was then moved and seconded to amend the said bill by striking out the words "four hundred," before the word dollars in the 6th line, from the governor's salary:

And the question being taken thereon, it passed in the affirmative.

The yeas and nays being required thereon, by Messrs. Hughes and Daniel, were as follows, to wit:


Ordered, That Mr. Yates inform the senate thereof:

A bill from the senate entitled, an act to increase the salaries of certain officers, was read the first time as follows, viz.

Be it enacted by the General Assembly of the commonwealth of Kentucky, That the several officers hereafter mentioned shall receive for their salaries annually, the following sums, that is to say: To the Governor, two thousand four hundred dollars; to the Secretary of State, the sum of eight hundred dollars; to the Auditor of Public Accounts, the sum of two thousand dollars; to the Register, the sum of one thousand five hundred dollars; and to the Treasurer the sum of one thousand two hundred dollars; which sums shall be paid in the manner and form heretofore prescribed by law.

And ordered to be read a second time: and thereupon the rule of the house and second reading of said bill being dispensed with:

It was then moved and seconded to amend the said bill by striking out the words "four hundred," before the word dollars in the 6th line, from the governor's salary:

And the question being taken thereon, it passed in the affirmative.

The yeas and nays being required thereon, by Messrs. Hughes and Daniel, were as follows, to wit:


Nays—Messrs. Allan, Anderson, Buckner, Breathitt, Blackburn, Beauchamp, Crutcher, Caldwell, Craig, Cham-
It was then moved and seconded, to insert after the word thousand, "in the same line, the words "three hundred and thirty three and one third," so as to increase the governor's salary to $2,333.13.

And the question being taken thereon, it passed in the negative.

The yeas and nays being required thereon by Messrs. Hughes and Blackburn, were as follows, to-wit:


It was then moved and seconded to lay the said bill on the table until the first day of March next.

And the question being taken thereon, it passed in the negative.

The yeas and nays being required thereon by Messrs. South and Emerson, were as follows, to-wit:

Yeas—Messrs. Coffey, Dillerhide, Emerson, Ferguson, Forrest, Good, Harrison, M'Guire, Ray, South and True—36.


Ordered, That the said bill as amended, be read a third time.
And thereupon the rule of the house, and the third reading thereof, being dispensed with.

The question was then taken on the passage of said bill, and it passed in the affirmative.

The yeas and nays being required thereon by messrs. Dollerhide and Hughes were as follows, to-wit:


**Nays—Messrs. Coffey, Dollerhide, Emerson, Fergus, Goode, Hughes, Hart, Harrison, Ray, South, True, and Wall—13.**

**Ordered, That Mr. Rowan inform the senate thereof, and request their concurrence in the said amendment.**

Bills from the senate of the following titles: 1st, an act for the benefit of William Spiers, and the heirs of Spencer Fletcher, deceased; 2, an act for the benefit of the Register of the land office; 3, an act for the benefit of Elizabeth Dougherty, and the heirs of William Dougherty, deceased; 4, an act to amend the act entitled an act to reduce into one the several acts respecting the militia—and 5, an act to amend the laws regulating the town of Paris;

were severally read the first time and ordered to be read a second time:

And thereupon the rule of the house and second reading of the first, second, third and fifth bills being dispensed with; the said bills were ordered to be read a third time:

And the same rule and third readings of the first, second and third bills being dispensed with,

**Resolved, That the said bills do pass, and that the titles thereof, be as aforesaid.**

**Ordered, That Mr. Blackburn inform the senate thereof.**

And then the house adjourned.
Mr. Wall from the select committee to whom was referred a bill from the senate, entitled an act to incorporate the Cynthiana Manufacturing Company, reported the same without amendment.

Ordered, That the said bill be read a third time. And thereupon the rule of the house, and third reading of the said bill be dispensed with.

Resolved, That the said bill do pass, and that the title thereof, be as aforesaid.

Ordered, That Mr. Wall inform the senate thereof.

On the motion of Mr. W. Thompson,

Ordered, That the vote by which the memorial and petition of Robert H. Bishop was laid on the table until the first day of March next, be re-considered.

The question was then taken on referring the said memorial and petition, to a select committee, upon which it passed in the affirmative.

The yeas and nays being required thereon, by messrs. Mills and South, were as follows, to-wit:


Ordered, That the said memorial and petition, be referred to a select committee, of Messrs. Allan, Breathitt, Buckner, Gaither, M'Afee, F. Johnson, Anderson, J. T. Johnson, Letcher, Blackburn, Robinson and Cosby.

On motion,

Ordered, That Mr. James Moorman have leave of absence from the service of this house for the remainder of the present session.

The house proceeded to re-consider the amendment proposed by the senate to the bill from this, entitled an act to amend the penal laws of this commonwealth: which being again twice read,
Resolved, That this house will insist on their disagreement to the said amendment.

Ordered, That Mr. Blackburn inform the senate thereof.

A message from the senate by Mr. Y. Ewing:

Mr. Speaker,

The senate have adopted a resolution from this house, for an adjournment of the general assembly, with the following amendment: After the word "instant," insert at "two o'clock, post meridian;" in which they request the concurrence of this house, and they concur in the amendment proposed by this house; to the bill from that, entitled an act to regulate certain officers' salaries. And then he withdrew.

The house then proceeded to re-consider the senate's fourth amendment, to the bill from this house, entitled an act further to suspend law process, in certain cases; which being again twice read as follows, to-wit:

Strike out the balance of the 38th section after the word "bonds;" in the 7th line, and insert, "which have been taken upon one year's credit; the person or persons to whom the same shall be payable, may sue out execution thereon, and may by himself, his attorney or agent, order the clerk or justice, as the case may be, to endorse thereon, that notes on the bank of Kentucky or its branches, or notes on any other incorporated bank of this state, or on the treasury of the United States, will be received in discharge of the execution." And after making such endorsement, the clerk or justice shall further endorse, that "no security of any kind shall be taken;" and the sheriff or constable levying the same, shall sell the estate taken thereby for the best price in ready payment he can get in such notes; but if such endorsements are not made, the sheriff or constable shall sell the estate, taken by virtue of such execution upon one year's credit, with interest from the day of sale, and shall take bond and good security of said purchaser, unless the person or persons or some of them, against whom the execution has issued, shall before the sale, enter into bond with good security, to pay the amount with interest at the end of one year, from the date of such bond.

And the bonds taken under this section, shall be substantially in the same form, and in all respects have the same force and virtue, and be proceeded on when due, to obtain payment as is provided by the second section of this act, as to the bonds mentioned in the said section.

It was then moved and seconded, that this house adhere to their disagreement to the said amendment.

And the question being taken thereon, it passed in the affirmative.
The yeas and nays being required thereon, by messrs. Rowan and Mills, were as follows, viz.


Ordered, That mr. F. Johnson inform the senate thereof.

A bill from the senate entitled an act for the benefit of the heirs and devisees of Richard Young and Sandford Carroll, deceased; was read a third time as amended.

Resolved, That the said bill as amended do pass, and that the title thereof, be as aforesaid.

Ordered, That mr. F. Johnson inform the senate thereof, and request their concurrence in said amendment.

Engrossed bills of the following titles: 1st, an act to legalize the appointment of commissioners to take in lists of taxable property in the county of Casey; 2, an act for the benefit of Elizabeth Prichard; 3, an act to compel the attendance of justices of the peace at the court of claims; 4, an act for the relief of William White; 5, an act increasing the powers of the trustees of Georgetown, and for other purposes; 6, an act for the classification of Tobacco; 7, an act for the relief of the widows and heirs of William Harrill, John Stephens and William Harris; 8, an act to authorize a lottery in Millersburg; 9, an act appropriating part of the turnpike money to opening the road to Somerset; 10, an act authorizing a lottery for the purpose of paving the streets of Georgetown; 11, an act to amend an act entitled an act concerning certain attorneys; 12, an act for the relief of the heirs of Joseph Dupuy; 13, an act to amend the act entitled an act more effectually to suppress the practice of duelling; were severally read a third time.

Resolved, That the said bills (the third excepted) do pass; that the titles of the 1, 2, 4, 5, 6, 7, 9, 11, 12 and 13, be as aforesaid; that of the eighth be amended to read, "an act authorizing lotteries for certain purposes;" and that of the tenth
be amended to read, "an act authorising certain lotteries."

Ordered, That mr. Blackburn carry the 1, 2, 3, 4, 5, 6, and 7; mr. Hughes the eighth; mr. Letcher the ninth; and mr. George the 10, 11, 12 and 13 bills to the senate, and request their concurrence.

Ordered, That the third bill be re-committed to a select committee of messrs. Rowan, Blackburn, Mills, Payne and Given.

An engrossed bill entitled an act to fix the amount of revenue to be collected in the year 1816; was read a third time, and the first blank thereon filled.

It was then moved and seconded to fill the second blank in the said bill with 'seven and an half per cent,' being the amount proposed to be allowed the collectors for collecting the revenue.

And the question being taken thereon, it passed in the affirmative.

The yeas and nays being required thereon, by messrs. Goode and Dollerhide were as follows, to-wit:


Mr. Beauchamp then moved to attach to the said bill the following engrossed clause by way of rider, to-wit:

Be it further enacted, That on all shares of bank stock, in the bank of Kentucky held by individuals, and all shares held in the Kentucky insurance company, or any bank hereafter established, there shall be levied and collected yearly, a revenue at the rate of fifty cents on each share of one hundred dollars, in lieu of the tax now imposed by law; and the president and directors, or cashier, on making their last dividend of each preceding year, shall retain the said amount of taxes, and pay the same into the treasury of this commonwealth; and shall produce the treasurer's receipt and the auditors quietus, on or before the first day of January in every
year; and on failure thereof, the president and directors of said institutions, or any number of them, in their individual capacity, shall pay a fine to the commonwealth of five hundred dollars; to be recovered on motion in the general court, by a notice from the auditor of public accounts, given to the president of said bank, or insurance company, or other bank so making default as in case of sheriffs or other public debtors.

It was then moved and seconded to amend the said reader, by striking out the words, "fifty cents" in the 6th line, and to insert in lieu thereof, "31 3½ cents." A division of the question was called for, and the question put first on striking out, upon which it passed in the affirmative.

The yeas and nays being required thereon by messrs. Beauchamp and Rennick, were as follows, viz.


It was then moved and seconded to fill up the blank occasioned by the preceding vote, with "thirty-seven and half cents."

And the question being taken thereon, it passed in the affirmative.

The yeas and nays being required thereon by messrs. Hubbard and Beauchamp, were as follows, viz.


Nays—Messrs. Anderson, Bates, Breathitt, Crutcher, Caldwell, Craig, Chambers, Clarke, Cotton, Emerson, Eve, Flournoy, Gaither, Given, Hughes, J. Hunter, W. S. Hunter, Jameson, J. T. Johnson, F. Johnson, Kerley, Knight,
The question was then taken on agreeing to the said ryder as amended, upon which it passed in the affirmative.

The yeas and nays being required thereon, by messrs. Beaucamp and Hornbeck, were as follows, to-wit:


The question was then taken on the passage of the said bill, upon which it passed in the affirmative.

Ordered, That the title of said bill be amended to read, 'an act to fix the permanent revenue of this commonwealth."

Ordered, That Mr. Blackburn carry the said bill to the senate and request their concurrence.

A message from the governor by mr. Secretary Hardin:

Mr. Speaker,

The governor did on yesterday, approve and sign enrolled bills which originated in this house, of the following titles:

An act to establish the town of Bedford, in the county of Henry, and the town of Crab Orchard, in the county of Lincoln; an act for the relief of Wilson Sullivan; an act concerning the town of Jefferson, in Jefferson county; an act authorizing the insertion of certain advertisements in the Georgetown Patriot, printed in Georgetown; an act directing the mode of choosing electors, to vote for a president and vice president of the United States; an act for the benefit of the heirs of James C. Price and others; an act to authorize the auditor to transcribe certain books, and for other purposes; an act vesting certain powers in the trustees of the town of Newport and Georgetown; an act for the benefit of Betty Irvine, and the heirs of Job Carter, deceased.

And then he withdrew.

Ordered, That Mr. Craig inform the senate thereof.
A message from the senate by Mr. R. Ewing:

Mr. Speaker,

The senate have passed a bill entitled an act for the benefit of William Marrs and Thomas Philips; in which they request the concurrence of this house. And then he withdrew.

An engrossed bill entitled an act authorizing mills to be built on the Rolling fork of Salt river; was read a third time as follows, to-wit:

**Be it enacted by the general assembly of the Commonwealth of Kentucky, That it shall and may be lawful for mills to be built on the Rolling fork of Salt river, above the mouth of Cherry run, under the same rules and regulations that mills are now allowed to be built on the Beech fork of Salt river, except that the slopes of the mill dams shall be made of hewn timber, closely laid or well plank'd with good strong plank.**

And the question being taken on the passage thereof, it passed in the negative; and so the said bill was rejected.

The yeas and nays being required thereon, by messrs. Beauchamp and Cosby, were as follows, to-wit:

**Yeas—Messrs. Breathitt, Blackburn, Beauchamp, Caldwell, Craig, Flourney, Forrest, Gaither, Goode, Given, Hubbard, J. F. Johnson, Knight, Logan, Marshall, McMahen, McAfee, Metcalfe, McCanahan, Reeves, Ray, Rowan, Stockton, J. B. Smith, Todd, P. Thompson and Wall—27.**


An engrossed bill entitled an act to repeal the law selling non-residents' land for the tax, was read a third time as follows, to-wit:

**§ 1. Be it enacted by the general assembly of the commonwealth of Kentucky, That hereafter no land belonging to non-residents, shall be sold for the tax; but on failure of the payment thereof, it shall be forfeited to the commonwealth, and may be redeemed in two years, by paying the tax, interest and costs, occasioned by such forfeiture, together with per cent, except the land so forfeited, shall interfere with any actual settler, deducing a fair title from some public record, that they claim title to said land, either under the laws of Virginia or this state; and in that case, the land so forfeited to the commonwealth shall not be redeemed.**
§ 2. Be it further enacted, That in cases of land listed with the commissioners in this commonwealth, where the sheriff may not be able to collect the tax imposed by law, the land shall not be sold for the tax as heretofore, but the same shall revert to the commonwealth; subject, however, to redemption within two years from the time of such reversion, (by the original owner) at the rate of per cent on the amount of the tax due, and all cost that may have accrued.

§ 3. Be it further enacted, That in cases where the sheriff shall not be able to collect the tax as above, he shall return a fair list of such lands to the auditor, who shall enter the same in a book kept for that purpose.

It was then moved and seconded to lay the said bill on the table, until the first day of March next; upon which it passed in the affirmative.

The yeas and nays being required thereon by Messrs. Patton and Beauchamp, were as follows, to-wit:


A message from the senate by Mr. Lee, their secretary:

Mr. Speaker,

The senate concur in the amendment proposed by this house to the bill from the senate entitled, an act for the benefit of the heirs and devisees of Richard Young and Sandford Carrell, deceased: They concur in the amendment proposed by this house upon concurring in that proposed by the senate to the bill from this house entitled, an act to enable owners of slaves to protect them from the violence of the wanton and unfeeling. They adhere to their amendment proposed to the bill from this house entitled, an act to amend the penal laws of this commonwealth. They disagree to the amendment proposed by this house to the bill from that, entitled an act to amend the several acts authorizing a change of venue in civil cases. They have passed bills from this house of the following titles: An act for the relief of William White; an
act for the benefit of James Williams; an act to amend and explain an act concerning witnesses in certain cases and venire men; an act for the relief of the heirs of David Simpson; an act to legalize the appointment of commissioners to take in lists of taxable property in the county of Casey; an act for the benefit of Elizabeth Prichard; an act for the benefit of Henry Garner and Peter Catron; an act for the benefit of Benjamin Williams and Catharine Petty; and an act for the benefit of the heirs and devisees of Christopher McCullough and the heirs of Stephen Hanna, deceased—with an amendment to the three latter. And they have passed bills of the following titles: An act to provide for the appointment of a keeper to the state house and public square; an act providing for proceeding against absent debtors cognizable before a justice of the peace; and an act to amend the act entitled, an act establishing the town of Covington, at the mouth of Licking river: In which amendments and bills they request the concurrence of this house.

And then he withdrew.

An engrossed bill entitled an act further to regulate the Transylvania University, was read the third time; and an engrossed clause added thereto by way of rider, viz.

Be it further enacted, That the governor of this state and the judges of the court of appeals, shall each by virtue of their offices, be members of said board of trustees, in addition to the number directed by this act; and shall have a right to act and vote therein as other members, and the places they hold in the board shall not be filled by election as in this act directed, with regard to the other trustees: Provided, however, that the governor and judges, shall not be counted a necessary part of the quorum to do the business and duties assigned to the said board, by the several laws regulating the institution.

Mr. Harrison then moved to attach to the said bill, the following engrossed clause, by way of rider, viz.

Be it further enacted, That the seat of the said Transylvania University shall be, and the same is hereby removed from the town of Lexington, and fixed at Danville, or within one mile thereof.

And the question being taken on agreeing thereto, it passed in the negative.

The yeas and nays being required thereon, by messrs. Harrison and Letcher, were as follows, to-wit:

Yeas—Messrs. Bates, Buckner, Breathitt, Beauchamp, Craig, Cotton, Coffey, Cosby, Dollard, Emerson, Flour-
Mr. Emerson then moved to add to the said bill, as an inserted rider, the following section, viz.

"Be it further enacted, That the seat of the said Transylvania University shall he, and the same is hereby removed from the town of Lexington, to the town of Perrysville, in Mercer county."

And the question being taken thereon, it was passed in the negative.

The yeas and nays being required thereon, by messrs. Emerson and Rowan, were as follows, viz.

Yeas—Messrs. Beauchamp, Coffey, Cashby, Dollerhide, Emerson, Letcher, McAlfe, Patton, Reeves, Ray, Rowan, J. B. Smith, Sandford and Yates—35.


Mr. Emerson then moved to add to the said bill, as an engraved rider, the following section, viz.

"Be it further enacted, That the seat of the said Transylvania University shall be, and the same is hereby removed from the town of Lexington, to the town of Perrysville, in Mercer county."

And the question being taken thereon, it was passed in the negative.

The yeas and nays being required thereon, by messrs. Emerson and Rowan, were as follows, viz.


The question was then taken on the passage of the said bill, upon which it passed in the affirmative.

The yeas and nays being required thereon by messrs. South and Mills, were as follows, to-wit:


Nays—Messrs. Backner, Beauchamp, Cotton, Coffey, Cos-
Ordered, That Mr. F. Johnson carry the said bill to the Senate and request their concurrence.

And then the house adjourned until to-morrow 9 o'clock.

**THURSDAY, FEBRUARY 8, 1816.**

Mr. Craig from the joint committee of enrollments, reported that the committee had examined enrolled bills of the following titles: "an act to incorporate the Louisville and Hopkinsville Library companies; an act adding a part of the county of Nicholas, to the counties of Fleming and Harrison; an act to amend the law concerning writs of error as relates to divorces; an act to increase the number of justices of the peace in sundry counties in this commonwealth; and an act to authorize the Governor to subscribe to the state bank, certain monies that have been and may be received by the Treasurer.

And had found the same truly enrolled; Whereupon the speaker affixed his signature thereto.

Ordered, that Mr. Craig inform the Senate thereof.

Mr. Rowan from the select committee, to whom was referred an engrossed bill entitled an act to compel the attendance of justices of the peace at the court of claims, reported the same with sundry amendments; which being severally twice read, were concurred in.

Ordered, that the said bill as amended, be re-engrossed, and again read a third time; and thereupon the rule of the house and third reading of said bill being dispensed with, and the same being engrossed.

Resolved, that the said bill do pass, and that the title thereof be as aforesaid.

Ordered, that Mr. Given carry the said bill to the Senate, and request their concurrence.

Mr. Buckner from the joint committee of enrollments, reported that the committee had examined enrolled bills of the following titles: "an act for the benefit of Elizabeth Prichard; an act to amend and explain an act concerning witnesses in certain cases, and venire men; an act for the relief of the heirs of David Simpson; an act for the relief of William White; an act for the benefit of James Williams; an act to enable owners of slaves to protect them from the violence of the wanton and unfeeling; an act to legalize the appointment of commissioners, to take in lists of taxable property for the
county of Casey; and an act to compel the manufacturers of Salt Petre, to enclose their works prior to making Salt Petre; and had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Buckner inform the Senate thereof.

On the motion of Mr. George, Ordered, that leave be given to bring in a bill supplemental to the act entitled, an act fixing the ratio, and apportioning the representation for the ensuing four years; and that Messrs. George, Caldwell, Dolcher, Emerson, Anderson, Marshall, Blackburn and Rowan prepare and bring in the same. Mr. George then presented a bill under the title aforesaid, which was received and read the first time, and ordered to be read a second time; and thereupon, the rule of the house and second and third readings of said bill being dispensed with, and the same being engrossed, and an engrossed Ryder being attached thereto,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That Mr. George carry the said bill to the Senate and request their concurrence.

A message from the Senate by Mr. Lee, their secretary:

Mr. Speaker,

The Senate recede from their fourth amendment, proposed to the bill from this house, entitled, an act further to suspend law process in certain cases: they have passed bills from this house, of the following titles: an act regulating certain surveys in this commonwealth; and an act increasing the powers of the trustees of Georgetown, and for other purposes, with an amendment to the latter; and they have passed a bill entitled, an act for the relief of the heirs of Wm. Sampson, deceased, in which amendment and bills, they request the concurrence of this house. And then he withdrew.

The house took up the amendment proposed by the Senate to the resolution from this house for an adjournment of the General Assembly, which being twice read, was disagreed to.

Ordered, That Mr. Crutcher inform the Senate thereof.

An engrossed bill, entitled, an act granting a loan to Achilles Sneed and Luke Munsell, to enable them to execute a map of Kentucky; was read a third time as follows, viz.

Whereas it is represented to the present General Assembly, that Achilles Sneed and Luke Munsell, have undertaken the publication of a Map of this state from actual survey, and have made considerable progress therein; but finding the work more expensive than they at first conceived, and are able promptly to meet, have petitioned this Legislature for a
loan, to enable them to complete the same; and this legislature deeming it a work of public utility, if correctly executed, and believing from the specimens thereof exhibited to them, that such will be its character; and that it is their duty to promote as far as possible such a work: therefore,

§ 1. Be it enacted by the General Assembly of the commonwealth of Kentucky, That Martin D. Hardin, George Madison and John P. Thomas, esquires, be, and they are hereby appointed commissioners on the part of this state, to take from said Achilles Sneed and Luke Munsell, a mortgage on so much real estate as they shall deem sufficient to secure the payment of the sum or sums of money within the time or times hereafter mentioned, which they, the said Achilles Sneed and Luke Munsell shall think proper to draw from the treasury of this state, with interest thereon, after the rate of six per centum per annum, from the time they shall draw the same until paid.

§ 2. And be it further enacted, That in giving such mortgage, they the said Achilles Sneed and Luke Munsell shall be at liberty at any time thereafter, to apply to the treasurer, who is hereby authorized and required to pay over to them, such sum or sums of money aforesaid, not exceeding the sum of $3500 in all; which said sum of $3500 may be drawn at such time or times as they the said A. Sneed and L. Munsell shall choose, and as the nature of their undertaking may require; payable back into the treasury within two years from the time of drawing the same, with the interest aforesaid; which mortgage so taken, shall be recorded in the proper office for that purpose, and shall be deemed null and void, when satisfied.

It was then moved and seconded, to amend the said bill, by attaching thereto the following engrossed clause by way of rider, viz.

Be it further enacted, That the sum of fifteen hundred dollars be, and the same is hereby loaned to the Kentucky Bible Society, for five years, without interest; and upon Thomas January, George Trotter, sen. and John K. Witherspoon giving their bonds to the Auditor of public accounts, with good security for the re-payment of the money in five equal annual installments: the Auditor is hereby authorized and required to issue a warrant in their favour on the Treasurer for the aforesaid sum of fifteen hundred dollars, which the Treasurer is hereby directed to pay; which money shall be appropriated by the Bible Society, for the purpose of procuring a set of stereotype plates.
And the question on agreeing thereto, it passed in the affirmative.

The yeas and nays being required thereon by messrs. Rowan and Rennick, were as follows, viz.


The question was then taken on the passage of the said bill, upon which it passed in the negative.

The yeas and nays being required thereon by Messrs. South and Mills, were as follows viz.


**Nays.** Messrs. Allan, Bates, Bell, Chambers, Coffey, Cosby, Daniel, Dollerhide, Emerson, Forrest, Ford, Gaither, Goode, George, Given, Hornbeck, Harrison, J. T. Johnson, Kerley, Letcher, M'Mahan, Metcalf, Patton, Payne, Reeves, R. Smith, Stratton, Stockton, South, J. B. Smith, True, Wier, Williams and Yantis.—33. Mr. Speaker then voted in the negative—which producing an equal division of the house, the said bill was rejected.

A message from the senate by Mr. Owens:

**Mr. Speaker,**

The Senate recede from their amendment to the resolution from this house for an adjournment of the General Assembly; And then he withdrew.

A message from the senate by Mr. Parks:

**Mr. Speaker,**

The Senate have passed a bill from this house entitled, an act for the better security of the navigation of main Licking. And then he withdrew.

Mr. Flournoy from the joint committee of enrollments, re-
ported that the committee did on this day, deposit in the office of the Secretary of state, for the approbation and signature of the Governor, the enrolled bills signed on this day by the speaker of this house.

An engrossed bill entitled, an act to repeal an act, concerning champerty and maintenance, approved 22d of Dec, 1798, was read the third time.

The question was then taken on the passage thereof, and it passed in the affirmative.

The yeas and nays being required thereon by messrs. Beauchamp and Cosby, were as follows, viz.


Ordered, that Mr. Beauchamp carry the said bill to the Senate, and request their concurrence therein.

On motion—Ordered, that the committee of enrollments be permitted to amend the title of an enrolled bill, which originated in this house entitled, an act concerning wits of error, as relates to divorces, by expunging therefrom, the words printed in italics—that Mr. Craig inform the Senate thereof, and request their concurrence.

A message from the Senate by Mr. Faulkner;

Mr. Speaker,

The Senate concur in the proposed amendment to the title of an enrolled bill entitled, an act concerning wits of error as relates to divorces; and then he withdrew.

An engrossed bill entitled, an act to establish a bank at Louisville, and a bank at Lexington, founded on specie capitals; was read a third time, and the following engrossed clause added thereto by way of rider, viz.

Be it further enacted, That the charter granted to the Bank of Kentucky, by the act entitled, an act to establish a state Bank, approved December 27th, 1806, shall be, and the same is hereby extended and continued in full force, together with all the rights, privileges and immunities now given by law to the President, Directors and Company of the said Bank, un-
until the time limited by this act, for the continuance of the Louisville and Lexington Banks shall have expired.

Provided, the said President, Directors and Company, shall previous to the expiration of their charter, under the act aforesaid, signify their acceptance of the said extension of their said charter by an instrument in writing, signed by them, and filed in the office of the Secretary of State.

Mr. Beauchamp then moved to attach to the said bill, the following sections, as engrossed clauses, viz.

Be it further enacted, That if the President, Directors and Company of the Bank of Kentucky, shall avail themselves of the provisions contained in the preceding section of this act, and shall continue their banking operations after the expiration of their present charter, they shall, at all times thereafter, upon making each and every semi-annual dividend, reserve and pay into the public Treasury, fifty cents upon each share of the stock of the said bank held by individuals, as a bonus to the state.

Be it further enacted, That so soon as the existing charter of the Bank of Kentucky shall have expired; the banks established by this act at Louisville and Lexington, shall in like manner, reserve and pay into the public treasury semi-annually, fifty cents upon each share of the stock of the said Banks, which shall have been, or thereafter may be subscribed for and held by individuals, as a bonus to the state.

Mr. Mills then moved to amend the said Ryder, by attaching thereto the following proviso.

Provided, however, That whenever the bonus on the Banks established by this act at Louisville and Lexington shall take place, and become payable, it shall be in lieu of the tax imposed on Bank stock, and thereafter no tax shall be levied on either of the charters aforesaid.

The question was then taken on concurring in the said amendment, upon which it passed in the affirmative.

The yeas and nays being required thereon by Messrs Beauchamp and Hart, were as follows, viz.


Nay—Messrs. Allan, Beauchamp, Coffey, Cosby, Dolerhide, Gaither, Goode, Hubbard, Harrison, M'Guire, M'
The question was then taken on agreeing to the said ryde as amended, upon which it passed in the affirmative.

The yeas and nays being required thereon by messrs. Beauchamp and Hart, were as follows, viz.


The question was then taken on the passage of the said bill; upon which it passed in the affirmative.

The yeas and nays being required thereon by messrs. Dollerhide and Beauchamp, were as follows, viz.


Ordered, That the title of the said bill be as aforesaid; and that Mr. Anderson carry the said bill to the Senate and request their concurrence.

The Speaker laid before the House a letter from Messrs. Gerrard and Berry, public printers, containing a statement of their account against the commonwealth, for services performed from the 5th day of February 1815, until the 6th day of February 1816.

Ordered, That said letter and statement be laid on the table.

Engrossed bills of the following titles.—1st, an act authorizing a lottery for the benefit of Allen Lodge, No. 24, in the
town of Glasgow—2d, an act for the relief of Sarah Patillo—3d an act for the benefit of the devises of John Campbell, deceased—were severally read the third time.

Resolved, That the first and second bills do pass, and that the titles thereof be as aforesaid.

Ordered, That Mr. W. Thompson carry the said bills to the senate, and request their concurrence.

Ordered, That the third bill be laid on the table until the 1st day of March next.

Bills from the senate of the following titles:

1—An act to amend the law against usury—2, an act to alter the time of holding, and to extend the March, June and September terms of the Fayette circuit court—3, an act for the benefit of the infant heirs and devises of William Smith and Sally Thrift, deceased—4, an act for the benefit of the Breckenridge seminary, and to allow a farther to survey certain seminary lands—5, an act for the relief of the sheriff of Breckenridge county; and 6, an act to amend the act establishing the state bank: Were severally read the first time, and the second, third, fourth, fifth and sixth bills, ordered to be read a second time; and the question being taken on reading the first bill a second time, it passed in the negative; and so the said bill was rejected.

And thereupon the rule of the house and second reading of the second bill being dispensed with, and the same being amended at the clerk's table.

The said bill was ordered, as amended, to be read a third time; and thereupon the same rule and third reading of the said bill as amended being dispensed with; the question was then taken on the passage thereof, upon which it passed in the affirmative.

The yeas and nays being required thereon by Messrs. Emerson and Rennick, were as follows, to wit:


Nays—Messrs. Bell, Coffey, Cosby, Emerson, Ferguson, Ford, George, Hornbeck, Hubbard, Harrison, J. T. Johnson, Kerley, M'Guire, M'Mahan, Reeves, Shacklett, South, J. B. Smith, Wier and Williams—20.

Ordered, That Mr. Mills inform the senate thereof, and re-
quest their concurrence in the amendments to the latter bill. The house took up a resolution from the senate respecting public arms, which being twice read, was concurred in. 
Ordered, That Mr. Mills inform the senate thereof. And then the house adjourned.

FRIDAY, Feb. 9, 1816.

Mr. Patton from the select committee to whom was refered a resolution relative to the extinguishment of Indian title to certain lands in this commonwealth, reported the same without amendment; and the said resolution being again twice read, was concurred in.
Ordered, That Mr. Patton carry the said resolution to the senate and request their concurrence.

The house took up a bill for the benefit of William Meriwether—which being read a second time, and amended, was, with the amendment, ordered, to be engrossed and read a third time:

And thereupon, the rule of the house and third reading of said bill being dispensed with, and the same being engrossed:
Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That Mr. Anderson carry the said bill to the senate, and request their concurrence.

The house proceeded to re-consider the amendment proposed by the senate to the bill from this house entitled, an act to amend the penal laws of this commonwealth—which being again twice read:

Resolved, That this house recede from their said amendment.

Ordered, That the clerk inform the senate thereof.

The house took up the amendments proposed by the senate to the bills, from this house of the following titles: An act for the benefit of Benj. Williams and Catharine Petty; an act for the benefit of the heirs and devisees of Christopher McCullough, deceased, and the heirs of Stephen Hanna, deceased; and an act increasing the powers of the trustees of Georgetown, and for other purposes—which being again twice read:

Resolved, That this house concur in the amendment proposed to the first, and disagree to those proposed to the second and third.

Ordered, That the clerk inform the senate thereof.

Ordered, That an engrossed bill entitled, an act for the benefit of Henry Garner and Peter Catron, and the senate's amendments thereto, be laid on the table until the first day of March next.
The house proceeded to re-consider their amendment proposed to the bill from the senate entitled, an act to amend the several acts authorizing a change of venue in civil cases—which being again twice read:

Resolved, That this house will insist on their said amendment.

Ordered, That the clerk inform the senate thereof.

An engrossed bill entitled, an act to provide for carrying into effect the decrees and judgments of the late supreme court for the district of Kentucky, was read a third time:

The question was then taken on the passage of the said bill, upon which it passed in the affirmative.

The yeas and nays being required thereon, by messrs. Rowan and Mills, were as follows, to wit:


Ordered, That Mr. Mills carry the said bills to the senate; and request their concurrence.

A message from the senate by Mr. Lee, their secretary:

Mr. Speaker,

The senate have received official information that the governor did, on yesterday, approve and sign enrolled bills which originated in that house, of the following titles:

An act to authorize the governor to subscribe to the state bank, certain monies that have and may be received by the treasurer; an act to increase the number of justices of the peace in sundry counties in this commonwealth; and an act to compel manufacturers of salt petre to enclose their works prior to making salt petre:

They disagree to a bill from this house entitled, an act to amend the act more effectually to suppress the practice of duelling. They have passed bills from this house of the following titles: An act appropriating part of the turnpike money to opening the road to Somerset; an act to amend an act entitled, an act concerning certain attorneys; an act for the relief of the heirs of Joseph Dupuy; an act to settle the
boundary line between this state and the state of Tennessee; and an act to improve the navigable streams of this commonwealth; with amendments to the two latter—in which they request the concurrence of this house. And then he withdrew.

The house took up the amendments proposed by the senate to the bills from this house entitled, an act to settle the boundary line between this state and the state of Tennessee; and an act to improve the navigable streams of this commonwealth—which being severally twice read, were concurred in.

Ordered, That Mr. Mills inform the senate thereof.

Mr. Craig from the joint committee of enrollments, reported that the committee had examined enrolled bills of the following titles: An act further to suspend law process in certain cases; an act to amend the penal laws of this commonwealth; an act for the better securing the navigation of main Licking; an act regulating certain surveys in this commonwealth; an act for the benefit of William Spiers and the heirs of Spencer Fletcher, deceased; an act fixing the ratio and apportioning the representation for the next four years; an act for the relief of Polly Robertson and the heirs of Thomas Robertson, deceased; an act to incorporate the Cynthiana manufacturing company; an act to regulate certain officers' salaries; an act for the benefit of the heirs and devisees of Richard Young; and Sanford Carrell, deceased; an act for the benefit of the Register of the land office; an act for the benefit of Elizabeth Dougherty, and the heirs of William Dougherty, deceased; and an enrolled resolution for the adjournment of the general assembly; and had found the same truly enrolled.

Whereupon, the speaker affixed his signature thereto.

Ordered, That Mr. Craig inform the senate thereof.

Bills from the senate of the following titles:
An act to amend the law respecting the town of Maysville, in Mason county; and an act to amend the laws regulating the town of Paris; were severally read a third time.

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That Mr. Chambers inform the senate thereof.

Bills from the senate of the following titles:
An act to incorporate the Fayette paper manufacturing company; an act to amend the act entitled, an act to reduce into one the several acts respecting the militia; an act for the benefit of the infant heirs and devisees of William Smith and Sally Thrift, deceased; an act for the benefit of the
Breckenridge seminary, and to allow a further time to survey certain seminary lands; and an act for the relief of the sheriff of Breckenridge county: Were severally read a second time; and the first, fourth and fifth, (the fifth being amended) ordered to be read a third time; and the second and third laid on the table until the first day of March next.

And thereupon the rule of the house and third reading of the first, fourth and fifth bills being dispensed with:

Resolved, That said bills, the fifth as amended, do pass.

Ordered, That Mr. Todd carry the said bills to the senate, and request their concurrence in the amendment to the latter bills.

The speaker laid before the house a letter from Messrs. Gerard, Berry and Wood, containing proposals for binding the acts of the present session of the general assembly; which was then read as follows, to wit:

Frankfort, February 9, 1816.

Sir,

You will please to inform the house over which you preside, that we propose to bind the acts of the legislature, which you may pass the present session. They shall be substantially half bound, in leather backs and corners, and neatly lettered, at 25 cents per copy; which is, we believe, the price that has been heretofore allowed for that work. Should we be directed to execute the binding of the acts, we expect to be able to complete them in a very short time after they are printed, having procured some extra bands for that purpose.

Your humble servants,

GERARD, BERRY & WOOD.

The honorable the Speaker
of the House of Representatives.

Mr. Buckner from the joint committee of enrollments, reported that the committee deposited on this day, in the office of the secretary of state, for the approbation and signature of the governor, the enrolled bills, and resolution signed by the speaker on this day.

A bill from the senate entitled, an act for founding and establishing a public hospital in Fayette county, was read a second time.

Mr. Beauchamp then moved to attach to the said bill, the following proviso, as an amendment; Provided, that the legislature reserve to itself, the right always to regulate, or totally repeal this act.
And the question being taken thereon, it passed in the affirmative.

The yeas and nays being required thereon by messrs. Beauchamp and Hughes, were as follows, to-wit:


It was then moved and seconded, to dispense with the rule of the house as to reading the said bill on three several days. And the question being taken thereon, it passed in the negative.

The yeas and nays being required thereon, by messrs. Beauchamp and Hughes, were as follows, viz.


**Nays**—Messrs. Beauchamp, Coffey, Cosby, Dollerhide, Emerson, Fergus, Forrest, Hubbard, Harrison, McAlmonhan, Rowan and Stratton—12.

A bill to amend an act entitled, an act further regulating the penitentiary, was read a second time, and laid on the table until the 1st day of March next.

A bill from the senate entitled, an act to amend the act establishing the state bank, was read the second time and amended: It was then moved further to amend the said bill by striking out the 5th section of said bill, which is as follows:

§ 5. And be it further enacted, That of the stock reserved for the state, by the act to increase the capital of the state bank, approved, February 1845, the amount of four hundred thousand dollars thereof, shall be placed at the disposal of the board of directors thereof, to be subscribed for by individuals, in such manner as the board shall direct, if in their opinion it should be expedient.

The question was then taken on said amendment, upon which it passed in the affirmative.
The yeas and nays being required thereon by Messrs. Anderson and Mills, were as follows, viz.


Ordered, That the said bill be laid on the table until the first day of March next.

A bill from the senate entitled, an act to prevent the practice of gaming, was read the first time, and ordered to be read a second time.

And thereupon the rule of the house and second reading of said bill being dispensed with:

It was then moved and seconded to lay the said bill on the table until the first day of March next.

And the question being taken thereon, it passed in the negative.

The yeas and nays being required thereon by Messrs. Mills and Crutcher, were as follows, viz.


Mr. Patton then moved to amend said bill by attaching to the oath prescribed in the first section thereof, the words, "nor commit fornication, adultery, or get drunk."

And the question being taken thereon, it passed in the negative.

The yeas and nays being required thereon, by Messrs. Patton and South, were as follows, viz.
On the motion of Mr. Hornbeck—Ordered, That leave be given to bring in a bill for the relief of the sheriff of Bullitt county, and that Messrs. Hornbeck, Rowan and Letcher, be appointed a committee to prepare and bring in the same.

Mr. Hornbeck from the said committee, then presented a bill under the title aforesaid; which was received and read the first time, and ordered to be read a second time—and thereupon the rule of the house, and second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That Mr. Letcher carry the said bill to the senate and request their concurrence.

Mr. Craig from the joint committee of enrolments reported that the committee had examined enrolled bills of the following titles: An act to improve the navigable streams of this commonwealth—an act for the benefit of Benjamin Williams—an act appropriating part of the turnpike money to opening the road to Somerset—an act to amend an act entitled an act, concerning certain attorneys—an act for the relief of the heirs of Joseph Dupey—an act to settle the boundary line between this state and the state of Tennessee—an act to amend the law respecting the town of Maysville, in Mason county; and an act to amend the law regulating the town of Paris—and had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto.

Ordered, That Mr. Craig inform the senate thereof.

A message from the senate by Mr. Parks:

Mr. Speaker,

The senate recede from their amendment proposed to the bill from this house entitled an act increasing the powers of the treas-
In Senate, Feb. 9, 1816.

Resolved by the General Assembly of the Commonwealth of Kentucky, That the quarter-master-general be, and he is hereby authorized to take temporary possession of the left hand room, on the lower floor of the state-house, usually occupied as the court-room, for the purpose of holding the arms now in his possession, until the room set apart by law for that purpose, can be finished.

Extract, &c.

IN SENATE, Feb. 9, 1816,

Resolved by the General Assembly of the Commonwealth of Kentucky, That the quarter-master-general be, and be hereby authorized to take temporary possession of the left hand room, on the lower floor of the state-house, usually occupied as the court-room, for the purpose of holding the arms now in his possession, until the room set apart by law for that purpose, can be finished.

Extract, &c.

WILL. A. LEE, C. S.

In which resolution they request the concurrence of this house—and then he withdrew.

A message from the Senate by Mr. Owens:

Mr. Speaker,

The Senate have passed a bill entitled an act for the distribution of Bibb's Reports, in which they request the concurrence of this house—and then he withdrew.

The house, then, according to the standing order of the day, resolved itself into a committee of the whole house on the state of the commonwealth—Mr. South in the chair, which being resumed by Mr. Speaker, Mr. South reported that the committee had, according to order, had under consideration, a bill for the appropriation of money, and had made sundry amendments thereto, which he handed in at the clerk's table, and which being severally twice read, were concurred in, with the exception of the 18th, which being twice read, as follows, viz.: 'To the commissioners appointed to superintend the building of the Capitol of this state, to be drawn on the order of the Executive, any sum not exceeding ten thousand dollars, to be appropriated by them to the finishing of said building'—and the question being taken on concurring in said amendment, it passed in the affirmative. The yeas and nays being required thereon by Messrs. Beauchamp and South, were as follows, to wit:


Ordered, That the said bill, as amended, be engrossed & read a third time.

It was then moved and seconded, to dispense with the rule of the house, requiring said bill to be read on three several days—and the question being taken thereon, it passed in the affirmative.
The yeas and nays being required thereon by messrs. Rowan and Mills, were as follows, viz.


And thereupon the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That Mr. Mills carry the said bill to the senate and request their concurrence.

A message from the Governor by Mr. secretary Hardin.

Mr. Speaker,

The Governor did on yesterday approve, and sign enrolled bills which originated in this house, of the following titles:

An act further to suspend law process in certain cases—an act for the better securing the navigation of Main-Licking—an act to amend the penal laws of this commonwealth—an act regulating certain surveys in this commonwealth—an act to amend the act, entitled an act, concerning certain attorneys—an act for the benefit of Benjamin Williams—an act for the relief of the heirs of Joseph Dupuy—an act to improve the navigable streams in this commonwealth; and an act appropriating part of the Turnpike money to opening the road to Somerset. And then he withdrew.

Ordered, That Mr. Craig inform the senate thereof.

Mr. Allan from the select committee appointed for that purpose, made the following report, viz.

The committee to whom was referred the petition of the Rev. Robert H. Bishop, a Professor in the Transylvania University, in which petition he complains that he is aggrieved by the report of the committee appointed to enquire into the situation of the University aforesaid, without impugning the report of the former committee, or the credit of the witnesses who appeared before them:

Report, That so far as the Professor in question was implicated by the said report, it appears from numerous certificates given by persons who at different periods, from the year 1805 to the year 1815, attended said University, and the actions of said Professor, and also, from the testimony of sundry witnesses, that said Professor, in lecturing the students on the Science of Government, was in the habit of contrasting the American with the British Constitution; that on such occasions, he gave a decided preference to
the former, and used laudable exertions to impress upon the minds of his students its superior excellence. It is with pleasure the committee have it in their power farther to report, that the said Professor has acted the part of a good citizen, and justly sustained a high reputation for talents and integrity.

A message from the senate by Mr. Y. Ewing.

Mr. Speaker,—The senate insist on their amendment proposed to the bill from this house entitled an act for the benefit of the heirs and devisees of Christopher McCullock and the heirs of Stephen Hanna, deceased.—They insist on their disagreement proposed by this house, to the bill from that, entitled an act to amend the several acts authorising the change of venue in civil cases; and they have passed a bill entitled an act to provide for building a blacksmith's shop within the walls of the Penitentiary house, in which they request the concurrence of this house. And then he withdrew.

A message from the senate by Mr. Sharp.

Mr. Speaker,—The senate have passed a bill from this house entitled an act to prevent redemption of land, so as to give title against certain claims, with an amendment; in which amendment they request the concurrence of this house. And then he withdrew.

A message from the senate by Mr. Garrard.

Mr. Speaker,—The senate concur in the amendment proposed by this house to the bill from that, entitled an act to alter the time of holding, and to extend the March, June and September terms of the Fayette circuit court, and to change the terms of the Allen circuit court, with an amendment; in which they request the concurrence of this house. And then he withdrew.

Mr. Craig from the joint committee of enrolments reported, that the committee had examined an enrolled bill entitled an act to increase the powers of the trustees of Georgetown, and for other purposes; and had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto.

Ordered, That Mr. Craig inform the senate thereof.

The house took up a resolution relative to Gen. Adair; which being twice read and amended, by striking out the whole of said resolution after the word "that," where it first occurs, and inserting in lieu thereof the following, viz.

"Gen. John Adair, for his conduct in the late campaign at New-Orleans, to whom by the indisposition of the commandant of the Kentucky detached militia, the command was assigned, and for his singular gallantry on the memorable 8th of January, 1815, and more particularly for the deep interest which he took in vindicating a respectable portion of the troops of Kentucky from the un-appropriate imputation of cowardice, it is hoped, but certainly most unjustly, thrown upon them, is entitled to the highest approbation and thanks of his country, and this legislature.—Resolved, That the Governor of Kentucky is hereby re-
quested to transmit to General Adair, a copy of the foregoing resolution.

It was unanimously concurred in.

Ordered, That Mr. Rowan carry the said resolution to the senate, and request their concurrence.

On the motion of Mr. Rowan:

Ordered, That leave be given to bring in a bill supplemental to the act entitled an act regulating certain surveys in this commonwealth. Mr. Rowan then reported a bill under the title aforesaid, which was received and read the first time, & ordered to be read a second time, and thereupon the rule of the house and second and third reading of the said bill being dispensed with (the same being engrossed) Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That Mr. Rowan carry the said bill to the senate, and request their concurrence.

The house then took up the amendment of the senate upon concurring in an amendment of this house, to a bill from the senate entitled, an act to alter the time of holding and to extend the March, June and September terms of the Fayette circuit court, and to change the terms of the Allen circuit court. Which being twice read was concurred in.

Ordered, That the clerk inform the senate thereof.

The house proceeded to re-consider the amendments of the senate to a bill entitled an act for benefit of the heirs and devisees of Christopher M'Cullock, dec'd, and heirs of Stephen Hanna, dec'd. Which being twice read—

Resolved, That this house recede from their disagreement to the said amendments.

Ordered, That the clerk inform the senate thereof.

Ordered, That an engrossed bill entitled the act to prevent redemption of land so as to give title against certain claims, and the senate's amendments thereto, be laid on the table until the 1st day of March next.

The Speaker laid before the house a letter from William Goode, Esq. a member of this house from the county of Casey, announcing a resignation of his seat therein.

A bill from the senate entitled an act to amend an act entitled, an act establishing the town of Covington, at the mouth of Lick- ing river; and an act for the benefit of Walter Hamilton, former deputy sheriff of Washington county, were severally read the first time and ordered to be read a second time. And thereupon the rule of the house and second and third readings of said bills being dispensed with—

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the clerk inform the senate thereof.

Mr. Craig from the joint committee of enrolments, reported that the committee had examined enrolled bills of the following
titles: An act for the relief of the sheriff of Breckenridge county and others. An act for the benefit of the Breckenridge Seminary, and to allow a further time to survey certain seminary lands. An act to incorporate the Fayette Paper Manufacturing Company. And a resolution respecting public arms.—And had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto.

Ordered, That Mr. Craig inform the senate thereof.

A message from the senate by Mr. Y. Ewing:

Mr. Speaker,

The senate have passed a bill from this house entitled an act to fix the permanent revenue of this commonwealth. And then he withdrew.

Bills from the senate of the following titles—1st. An act for the benefit of the heirs of William Sampson, decd.—2d. An act for the distribution of Bibb's reports—3d. An act to amend the several acts concerning the town of Shelbyville—4th. An act for the benefit of the sheriffs of Campbell and Floyd counties—5th. An act to provide for building a blacksmith's shop within the walls of the Penitentiary—6th. An act to provide for the appointment of a keeper of the state-house and public square—and 7th. An act for the benefit of the orphans of those who fell in the late war, were severally read the first time and ordered to be read a 2d time. And thereupon the rule of the house, and 2d and 3d readings of the 1st, 2d, 3d, 4th, 5th and 6th (the 2d, 3d, and 4th being amended) bills being dispensed with—

Resolved, That the said bills do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk inform the senate thereof, and request their concurrence in the amendments proposed to the second, third and fourth bills.

It was then moved and seconded to dispense with the rule of the house and second and third readings of the seventh bills. And the question being taken thereon it passed in the negative.

The yeas and nays being required thereon by messrs. Blackburn and Beauchamp, were as follows, viz.


On the motion of Mr. J. T. Johnson:

Ordered, That leave be given to bring in a bill to extend the several terms of the Scott circuit court, and to change the time of
holding the Rockcastle circuit court; and that messrs. J. T. Johnson, Craig and Letcher be appointed a committee to prepare and bring in the same.

Mr. J. T. Johnson from the said committee then presented a bill of the title aforesaid, which was received and read the first time and ordered to be read a second time. And thereupon the rules of the house and second and third readings thereof being dispensed with and the same being engrossed—

Resolved, That the said bill do pass and that the title thereof be as aforesaid.

Ordered, That mr. Johnson inform the senate thereof.

A bill from the senate entitled an act for founding and establishing a public Hospital in Fayette county, was read a third time.

Resolved, That the said bill as amended do pass, and that the title thereof be as aforesaid.

Ordered, That mr. Wall inform the senate thereof and request their concurrence in the said amendment.

The house took up a resolution from the senate respecting arms, which being twice read, was concurred in with an amendment.

Ordered, That mr. J. Hunter inform the senate thereof, and request their concurrence in the said amendment.

A bill from the senate entitled an act to prevent the practice of gaming, which was read a second time on yesterday, was ordered to be read a third time.

A message from the senate by Mr. Parks:

Mr. Speaker,
The senate have passed a bill from this house, entitled an act for the appropriation of money, with amendments; in which they request the concurrence of this house. And then he withdrew.

The said amendments were then taken up, severally twice read and concurred in.

Ordered, That the clerk inform the senate thereof.

A message from the senate by Mr. Y. Ewing:

Mr. Speaker,
The senate concur in the amendments proposed by this house to the bill from that entitled, an act for founding and establishing a public Hospital in Fayette county. And then he withdrew.

A message from the senate by Mr. Owens:

Mr. Speaker,
The senate have passed bills from this house of the following titles: An act to provide for carrying into effect the decrees and judgments of the late supreme court for the district of Kentucky—an act supplemental to the act entitled an act fixing the ratio and apportioning the representation for the ensuing four years—and an act for the relief of the sheriff of Bullitt county—and they have unanimously adopted a resolution relative to General John Adair. And then he withdrew.

Mr. Mills read and laid on the table the following resolution, viz.

Resolved by the General Assembly of the Commonwealth of Ken-
That the public printers be, and they are hereby directed to print fifteen hundred copies of the acts passed at the present session of the general assembly, and lodge them at the book bindery of Messrs. Gerard, Berry & Woods; whose duty it shall be immediately to bind said copies in substantial half-binding, with leather backs and corners, neatly lettered and rolled: and shall immediately after having completed the same, deposit them in the Secretary's office, to be distributed among the persons entitled thereto by law: Provided, that no person shall be entitled to more than one copy.

Resolved; That in like manner after the journals of both houses at the present session shall be printed, that the public printers be, and they are hereby directed to lodge 240 copies of each at the said book bindery; and the book binders are hereby directed to bind said copies in the same manner the acts are directed to be bound, and to lodge them in the office of Secretary of state, to be distributed to each member of the general assembly.

And thereupon the rule of the house being dispensed with, the said resolution was taken up, twice read and concurred in.

Ordered, That Mr. Mills carry the said resolution to the senate and request their concurrence.

A message from the senate by Mr. Simrell:

Mr. Speaker—The senate concur in the amendments proposed by this house to bills from that, of the following titles: An act to amend the several acts concerning the town of Saugusville—an act for the distribution of Bible—Acts—they concur in the amendments to the resolution from that respecting public arms—they have passed a bill from this house entitled an act supplemental to an act entitled, an act regulating certain surveys in this commonwealth—they have adopted a resolution relative to the extinguishment of the Indian title to certain lands in this commonwealth—they concur in the resolution from this house for binding the acts and journals of the present session; and they have adopted the following resolution, viz.

In Senate, Feb. 10, 1816.

Resolved, By the senate and house of representatives, That a committee of two from the senate and four from the house of representatives be appointed to wait on the governor and inform him that the general assembly have finished their legislative business, and are ready to adjourn without day; and know of him whether he has any further communications to make.

Extract, &c. WILL. A. LEE, c.s.

In which they request the concurrence of this house. And then he withdrew.

The said resolution was then taken up, twice read and concurred in; and conformably thereto, Messrs. South, Robinson, Payne and Rowan were appointed a committee on the part of this house.

Ordered, That Mr. Rowan inform the senate thereof, and request an appointment on their part.
Mr. Speaker—The senate have passed a bill entitled an act to compel the attendance of justices of the peace at the court of claims. And then he withdrew.

A message from the senate by Mr. Owens:

Mr. Speaker—The senate have passed a bill from this house entitled an act to extend the several terms of the Scott circuit court, and to change the time of holding the Rockcastle circuit court, with an amendment, in which they request the concurrence of this house. And then he withdrew.

The said amendment was then taken up, twice read and concurred in.

Ordered, That the clerk inform the senate thereof.

Mr. Rowan read and laid on the table the following resolution, viz.:

Resolved, By the Legislature of the state of Kentucky, That in taking leave of his excellency Isaac Shelby, at the close of the present session, they cannot suppress the emotions by which they are agitated. The age of his excellency, renders it improbable that they shall ever again act in official concert. They will content themselves with expressing their respect and gratitude for the services rendered by their venerable chief magistrate, to their common country. Those services will form a part of the history of this nation, and will transmit his name honorably to posterity. They implore the blessing of Heaven upon his declining age, and bid him a painful, but affectionate adieu.

And thereupon the rule of the house being dispensed with, the said resolution was taken up, twice read and concurred in.

Ordered, That Mr. Rowan carry the said resolution to the senate and request their concurrence.

A message from the senate by Mr. Sharp:

Mr. Speaker—The senate have unanimously adopted a resolution from this house valedictory to the governor. And then he withdrew.

A message from the senate by Mr. Lancaster:

Mr. Speaker—The senate have appointed a committee on their part to wait on the governor, and inform him that the Legislature have finished their legislative business before them, and are now ready to adjourn without day; and know whether he has any further communications to make. And then he withdrew.

Mr. Craig from the joint committee of enrollments, reported that the committee had examined enrolled bills and resolutions of the following titles; An act for the benefit of Walter Hamilton, late deputy sheriff of Washington county; an act to alter the time of holding certain circuit courts, and erecting two additional judicial districts; an act to amend an act entitled, an act establishing the town of Covington, at the mouth of Licking river; an act for the benefit of the heirs of Stephen Hanna, dec'd; an act to fix the permanent revenue of this commonwealth; an act for...
the relief of the heirs of William Sampson; an act for the distribution of Bibb's reports; an act for the appropriation of money; an act for the relief of the sheriff of Bullitt county; an act for founding and establishing a public hospital in Fayette county; an act to provide for the appointment of a keeper of the state-house and public square; a resolution respecting public arms; an act to provide for carrying into effect the decrees and judgments of the late supreme court for the district of Kentucky; an act supplemental to the act entitled, an act fixing the ratio and apportioning the representation for the ensuing four years; an act to extend the several terms of the Scott circuit court; a resolution relative to Gen. John Adair; an act supplemental to an act entitled, an act regulating certain surveys in this commonwealth; a resolution relative to the extinguishment of the Indian title to certain lands in this commonwealth; a resolution for binding the acts and journals of the general assembly; an act to compel the attendance of justices of the peace for the court of claims; an act to amend the several acts concerning the town of Shelbyville; an act for the benefit of the heirs of Wm. Sampson; and a resolution valedictory to the governor—and had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto.

Ordered, That Mr. Craig inform the senate thereof.

Mr. Craig from said committee reported, that he had deposited in the office of the Secretary of state for the approbation and signature of the governor, the enrolled bills signed to day by the speaker of this house.

A message from the governor by Mr. Secretary Hardin:

Mr. Speaker—The governor did on this day sign and approve enrolled bills which originated in this house of the following titles.

An act concerning the powers of the trustees of Georgetown, and for other purposes; an act for the benefit of the heirs of Stephen Hanna, deceased; an act to fix the permanent revenue of this commonwealth; an act for the appropriation of money; an act supplemental to an act entitled, an act regulating certain surveys in this commonwealth.

A resolution relative to the extinguishment of the Indian title to certain lands in this commonwealth.

An act to extend the several terms of the Scott circuit court; an act supplemental to an act entitled, an act fixing the ratio and apportioning the representation for the next four years; an act to provide for carrying into effect the decrees and judgments of the late supreme court, for the district of Kentucky.

A resolution relative to General John Adair; a resolution for binding the acts and journals of the present session.

An act to settle the boundary line, between this state and the state of Tennessee; an act to compel the attendance of justices of the peace at the court of claims; an act to authorise the guardians of infants and committees of idiots and lunatics, to execute bonds and convey lands to certain cases; an act to incorporate the Lou-
isville and Hopkinsville library companies; an act to amend the
law concerning writs of error; an act adding a part of the coun-
ty of Nicholas to the counties of Fleming and Harrison; an act
for the benefit of Caleb Lindsay; an act to legalize the appoint-
ment of commissioners to take in lists of taxable property, for the
county of Casey; an act for the relief of William White; an act
for the benefit of Elizabeth Prichard; an act to amend and explain an
act concerning witnesses in certain cases, and venire men; an act
to enable owners of slaves to protect them from the violence of
the wanton and unfeeling; an act for the relief of the heirs of Da-
vid Simpson; an act for the benefit of James Williams. And then
he withdrew.

Ordered, That Mr. Craig inform the senate thereof.

A message from the senate by Mr. Lee, their secretary:

Mr. Speaker—The senate have received official information
that the governor did on this day, approve and sign enrolled bills
which originated in this house of the following titles.

An act to incorporate the Cynthiana manufacturing company;
an act to regulate certain officers' salaries; an act for the ben-
efit of the heirs and devisees of Richard Young and Sanford Car-
rell, deceased; an act fixing the ratio and apportioning the re-
presentation for the ensuing four years; an act for the benefit of
William Spiers and the heirs of Spencer Fletcher, deceased; an
act for the benefit of the register of the land office; an act for
the benefit of Elizabeth Dougherty and the heirs of William Dougher-
ty, deceased; an act for the benefit of Polly Robertson and the
heirs of Thomas Robertson, deceased; an act to amend the law
respecting the town of Maysville in Mason county.

A resolution respecting public arms.

An act for the relief of the sheriff of Breckenridge county, and
others; an act for the benefit of the Breckenridge seminary, and
to allow further time to survey certain seminary lands; an act for
the relief of the heirs of William Sampson, deceased; an act to
provide for building a blacksmith's shop, within the walls of the
penitentiary; an act to alter the time of holding certain courts and
establishing new judicial districts; an act to amend the act enti-
tled, an act establishing the town of Covington, at the mouth
of Licking river; an act to incorporate the Fayette paper manufac-
turing company; an act for the benefit of Walter Hamilton, former
deputy sheriff of Washington county.

An act to provide for the appointment of a keeper to the state
house and public square; an act founding and establishing a pub-
lic hospital in Fayette county; an act to amend the several acts,
concerning the town of Shelbyville; an act for the distribution of
Bibb's reports. And then he withdrew.

Mr. South from the joint committee appointed to wait on the
governor and inform him that the legislature, having finished their
legislative business, are now ready to adjourn without day, and
to know whether he had any further communications to make, reported that the committee had performed the duty assigned them, and were informed by his excellency that he had no further communications to make.

 Ordered, That Mr. Rowan inform the senate, that this house having finished their legislative business, are now ready to adjourn without day; but are nevertheless disposed to continue in session until it shall suit the views, convenience and pleasure of that house to adjourn also.

 A message from the senate by Mr. Bullock:

 Mr. Speaker—I am instructed by the senate to inform this house that they have finished their legislative business, and are now ready to adjourn without day. And then he withdrew.

 Whereupon the Speaker having delivered a congratulatory and valedictory address, adjourned the house SINE DIE.