JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

COMMONWEALTH OF KENTUCKY,

BEGUN AND HELD IN THE TOWN OF FRANKFORT, ON MONDAY THE
THIRD DAY OF DECEMBER, IN THE YEAR OF OUR LORD 1827,
AND OF THE COMMONWEALTH THE THIRTY-SIXTH.

FRANKFORT:
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1827.
AT a General Assembly begun and held for the State of Kentucky, in the town of Frankfort, on Monday the third day of December, in the year of our Lord, 1827.

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 Adair and part of Russell, Simeon Creel and William D. Parrish; from the county of Allen, Walter Thomas; from the county of Bath, Samuel Stone; from the county of Barren, Michael W. Hall and James G. Hardy; from the county of Boone, John P. Gaines; from the county of Bourbon, Thomas A. Marshall, Nimrod L. Lindsay and Boon Ingels; from the county of Bracken, John Colglazier; from the county of Breckinridge, Anselm Watkins; from the county of Bullitt, Nathaniel P. Sanders; from the county of Caldwell, James W. Rucker; from the county of Casey, Christopher Riffe; from the county of Campbell, William Wright Southgate; from the county of Christian, William Davenport; from the county of Clarke, Isaac Cunningham and Samuel Hanson; from the counties of Clay and Perry, Alexander Patrick; from the county of Daviess, John Roberts; from the county of Estill, Heth Woodland; from the county of Fayette, Robert J. Breckinridge, James True and Leslie Combs; from the county of Fleming, Edward H. Powers and Joseph Secrest; from the counties of Floyd and Pike, Thomas W. Graham; from the county of Franklin, Lewis Sanders and James Downing; from the county of Gallatin, Robert S. Dougherty; from the county of Garrard, John Yantis and Robert McConnell; from the county of Grant, Nathaniel Henderson; from the county of Grayson and part of Edmonson, William Inglish; from the county of Green, Samuel White and Elias Barbee; from the county of Greenup, William Conner; from the counties of Hardin and Meade, John C. Ray; from the counties of Harlan, Knox and Laurel, Robert George; from the county of Harrison, John O. Baseman and Joseph Patterson; from the county of Hart and part of Edmonson, Richard I. Munford; from the county of Henderson, Daniel McBride; from the county of Henry, Henry Moore and John Miner; from the counties of Hickman, Graves, Calloway and
McCracken, Linn Boyd; from the county of Hopkins, James Bishop; from the counties of Jefferson and Oldham, James Guthrie, Charles L. Harrison and John Joyce; from the county of Jessamine, Harrison Daniel; from the county of Lewis, John Bruce; from the county of Lincoln, Adam Wilson; from the county of Livingston, Joseph Hughes; from the county of Logan, John B. Bibb; from the county of Madison, Joseph Turner, Daniel Breck and John Speed Smith; from the county of Mason, Adam Beatty and David Morris; from the county of Mercer, Joel P. Williams, Tera T. Haggin and Thomas Hall; from the county of Monroe, James McMillan; from the county of Montgomery, Amos Davis and William Wilkerson; from the counties of Morgan and Lawrence, Thomas F. Hazlerigg; from the county of Muhlenburg, John P. Coffman; from the county of Nelson, Jonathan Simpson and Burr Harrison; from the county of Nicholas, Thomas West and Robert C. Hall; from the county of Ohio, William M. Davis; from the county of Owen, Cyrus Wingate; from the county of Pendleton, John H. Barker; from the county of Pulaski, John Griffin and John Evans; from the county of Rockcastle, William Smith; from the county of Scott, Robert J. Ward and John Duvall; from the county of Shelby, James Ford, Alexander Reid and David W. Wilson; from the county of Simpson, Henry B. Montague; from the county of Todd, Thompson M. Ewing; from the county of Trigg, Abraham Boyd; from the county of Union, William Spalding; from the county of Warren and part of Edmonson, James R. Skyles and Henry Grider; from the county of Washington, Richard Forrest, Thomas H. Waters and John S. Watts; from the county of Wayne, Moses Sallee; from the county of Whitley, Burton Litton; and from the county of Woodford, William D. Blackburn and John Buford; who, constituting a quorum, and having taken the several oaths required by the constitution of the United States and the constitution and laws of this State, repaired to their seats.

Mr. Buford nominated Mr. William B. Blackburn as a proper person to fill the office of Speaker of the House during the present session; and Mr. Hall nominated Mr. Robert J. Ward, and upon taking a vote it stood thus:


For Mr. Robert J. Ward—Messrs. Barbee, Baseman, Bishop, A. Boyd, L. Boyd, Bruce, Coffman, Creet, Daniel, Davis, Dough-
Dec. 3] HOUSE OF REPRESENTATIVES.

In the House of Representatives, December 3, 1847.

Mr. George Swope, a member returned to serve in this House from the county of Cumberland, appeared, produced a certificate of his election, was qualified and took his seat.

The House then proceeded to a second vote for a Speaker, between the persons on nomination, when it stood thus:


Mr. George Swope, a member returned to serve in this House from the county of Cumberland, appeared, produced a certificate of his election, was qualified and took his seat.

The House then proceeded to a second vote for a Speaker, between the persons on nomination, when it stood thus:


The vote being again equally divided.

The house was adjourned until to-morrow morning ten o'clock.

TUESDAY, DECEMBER 4, 1827.

The House met pursuant to adjournment, and proceeded to take a vote for a Speaker, which resulted as follows, to-wit:


It was then moved and seconded that the house take a recess until 2 o'clock P. M.

And the question being taken thereon, it was decided in the affirmative.

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


The House having met at 2 o'clock, P. M., it was moved and seconded, that the House do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon," by Messrs. Breck and C. L. Harrison, were as follows, to-wit:


Mr. Breckenridge then moved the following resolutions, viz:

Resolved, That this House will appoint as its Speaker, provisionally, and until it can agree in the election of a Speaker for the present session, that member of this House who has served the greatest number of years, as a member of this House.

Resolved, That said individual thus provisionally appointed, shall have all the powers of Speaker of this House, during his appointment, except the power of appointing the standing committees of this House: and that all his powers conferred by this appointment shall determine and be at an end so soon as this House shall elect a Speaker for the session.

Which being twice read, the House then adjourned until tomorrow morning 10 o'clock.

WEDNESDAY, DECEMBER 5, 1827.

The House met pursuant to adjournment.

On motion—The House proceeded to take a vote for Speaker, between the candidates on nomination, which was as follows:

For Mr. William B. Blackburn—Messrs. Barker, Beatty, Bibb, Breck, Breckenridge, Buford, Colglazier, Combs, Conner, Cunningham, A. Davis, Davenport, Evans, Ewing, Ford, Gaines, George, Grider, Hanson, B. Harrison, Hughes, Ingels, Joyes, Lindsay, Marshall, McBride, McConnell, Miner, Moore, Montague, Morris, Patrick, Powers, Reid, Sallee, Simpson, Skiles,
It was then moved and seconded, that the House take a recess until 2 o'clock, P. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Spalding and Yantis, were as follows, viz.


It was then moved and seconded, that the House again forthwith proceed to take a vote for a Speaker.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Breck and Daniel, were as follows:


The House then proceeded to vote for a Speaker, when the vote stood thus:


The House then took a recess until 2 o'clock P. M.

Two o'clock P. M.—The House met and again proceeded to a vote for Speaker, between the persons on nomination, which was as follows:


On motion, The name of Robert J. Ward, Esq. was withdrawn from the nomination: and John Speed Smith, Esq. was nominated for the office of Speaker.

Mr. John L. Helm, a member, returned to serve in this house,
from the counties of Hardin and Meade, appeared, produced a certificate of his election, was duly qualified, and took his seat.

Mr. Breck moved the following resolution:

Resolved, That in the election of a Speaker, if there shall be more candidates than two, that the candidate having the smallest number of votes, shall not on that account, be dropped—provided there be no election—but such candidate shall be eligible to be voted for on a further ballot.

Which was twice read, and the question being taken on the adoption thereof, it was decided in the negative, and so the said resolution was disagreed to.

The Yeas and Nays being required thereon by Messrs. R. C. Hall and Breck, were as follows:

YEAS—Messrs. Barker, Beatty and Breck—3.


The House then proceeded to take a vote for Speaker, Messrs. Blackburn and Smith, being on nomination, when the vote stood thus:


Dec. 6]  HOUSE OF REPRESENTATIVES.  11

The vote being equally divided,
The House then adjourned until To morrow morning ten
o'clock.

THURSDAY, DECEMBER 6, 1827.

The House met pursuant to adjournment, and proceeded to take a vote for Speaker, between the persons on nomination, which stood thus:


Whereupon, Mr. John Speed Smith, (having obtained a majority of all the votes given,) was declared duly elected, and conducted to the chair: from whence he recommended the observance and preservation of good order and decorum.

Mr. Robert S. Todd, was unanimously elected Clerk: and Mr. Richard Taylor, Sergeant at arms.

Mr. Sanders nominated Mr. Roger Devine and James Baker, as being either, proper persons to fill the office of Door-keeper: and upon taking a vote, a majority appearing in favor of Mr. Roger Devine, he was thereupon declared duly elected.

A message from the Senate by Mr. Daveiss:
Mr. Speaker, I am directed by the Senate to inform this house, that the Senate having met, formed a quorum and elected their officers, are now ready to proceed to Legislative business: and have appointed a committee of three on their part to act in conjunction with such committee as may be appointed on the part of 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.

Ordered, That a message be sent to the Senate, informing that
body, that this house having met, formed a quorum, elected its officers, is now ready to proceed to Legislative business, and that Mr. Yantis carry the said message.

Ordered, That Messrs. Barbee, Ward, Blackburn, Hall, Smith and Buford, be a committee on the part of this house, to meet the committee 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, and that Mr. Barbee inform the Senate thereof.

The said committee then retired, and after a short time returned, when Mr. Barbee from said committee reported, that the joint committee had discharged the duty assigned them, and were informed by the Governor, that he would make a communication to each House of the General Assembly in their respective chambers at half past 11 o'clock A. M.

Ordered, That a committee of Propositions and Grievances, be appointed; and a committee was appointed, consisting of Messrs. Blackburn, Wingate, Colglazier, Davis (of Ohio) Buford, Daniel, Joyces, Hardy, Munford, Grider and Wilson, (of Shelby) and such other members as may from time to time choose to attend, who are to meet and adjourn from day to day, and to take under consideration all propositions and grievances which may legally come 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. Spalding, Hughes, Hall (of Nicholas) Bishop, Connor, Gaines, Ford, George, McConnell, Downing, Graham, Woodland and Simpson, 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. M. W. Hall, Forrest, A. Wilson, Ray, Roberts, Base man, L. Boyd, Miner, Creel, English and Coffman, who are to meet and adjourn from day to day, and 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. Beatty, Ward, Hanson, Guthrie, Breckenridge Southgate, L. Sanders, Marshall, Haggin, Helm, and Hazlerigg; 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 journal of the late session, and draw up a statement of the matters then depending and undetermined and the progress 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 thereupon, 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. Barbee, A. Boyd, Griffin, Reid, Patrick, Litton, Secrest, Thomas, Morris, Bruce and Wilkerson; who are to meet and adjourn from time to time, and take under consideration all matters and things relating to religion and morality, and such other as may from time to time, be referred to them, report their proceedings with their opinion 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 ways and means be appointed; and a committee was appointed, consisting of Messrs. Breck, C. L. Harrison, M'Millan, Skiles, Davenport, Dougherty, Yantis, Williams, Turner, Waters and Patterson; who are to meet and adjourn from day to day, and take under consideration the revenue laws of this Commonwealth, and all matters and things relating to, or connected with the fiscal concerns thereof, and such other as may, from time to 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.

Ordered, That a committee on Internal Improvements, be appointed, and a committee was appointed, consisting of B. Harrison, Southgate, Combs, Guthrie, Bibb, Ewing, L. Sanders, A. Davis, Lindsay, White and Watts, who are to meet and adjourn from day to day, and take under consideration, all such matters and things relating to the improvement of the condition of the country, by roads and canals, and such other as may come legally before them, or 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.
Ordered, That Messrs. W. Smith, Duvall, Rucker, West, N. P. Sanders and Stone, be appointed a committee of Enrollments on the part of this house; that Mr. Smith inform the Senate thereof and request the appointment of a committee on their part.

Ordered, That the rules of the last be adopted as those of the present session; and that the public printer forthwith print 150 copies thereof, for the use of the members of this house.

On motion—Ordered, That the Clerk of this house be permitted to avail himself of the assistance of Mr. William S. Bodley, in the discharge of the duties of his office during the present session.

A message from the Governor by Mr. Pickett his secretary:

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: G gentlemen of the Senate,

And of the House of Representatives:

Under the auspices of divine Providence, I am again permitted to address the assembled Representatives of the people. Suffer me to congratulate you, my fellow-citizens, on your safe arrival at the scene of your future labors. Unable, from their number and scattered situation, to assemble together themselves for the purpose of making and amending their own laws and vindicating their rights, the people annually delegate those high powers to agents or representatives, whose business it is to speak their will and provide for their necessities. It is in this character, that it gives me pleasure to address you. In this character, your attitude is more honorable than that of Princes and Potentates. You act for the people, with their consent; they oppress the people, in contempt of all rightful authority. You administer to the wants and redress the wrongs of the people, in accordance with their will; they listen to the petitions of the people only when it is agreeable to their own will or in obedience to stern necessity. There is no other rightful title to power, but that of representative of the people, and the man who is clothed with that, may well feel proud. Let us join in thanks to the great Disposer of all things, that the people of Kentucky have not as yet been compelled to acknowledge any other rulers; and that while He has filled our houses with health, clothed our fields with plentiful crops, and given a bounteous increase to our flocks, He has enabled us, in the main, to maintain our representative government in its purity.

One of the most important subjects that demand your early and assiduous attention, is a revision of our Execution Laws. Fre-
sequent legislation, and the decisions of courts, have filled them with intricacies, which, however beneficial they may be to those who live upon litigation, are fatal to the best interests of the people. In every species of government, and especially in a republic, simplicity in the laws is essential to public prosperity. Every good citizen desires to know enough of the laws to avoid violating them, and to avoid infringements of his own lawful rights. Unintelligible laws are no better than unpublished laws, known only to the tyrant who makes them. As well might our Execution laws, like the laws of the Roman tyrant, be written in characters so small and posted on pillars so high that the people could not read them, as to be presented to them in a form which it is impossible for them to understand. I, therefore, deem it the first duty of the representatives of the people, at their present session, to mature a plain and simple system of Execution Laws, adapted to the present condition of society and the comprehension of every description of our fellow citizens. If I might be permitted to hazard an opinion as to the leading features of the system, it would be, that the remedies afforded for the collection of debts or the enforcing of other rights, should be as cheap and expeditious as practicable, without undue sacrifices of the property of defendants. I have long thought a substitute might be found for the present system of replevin, equally safe to the creditor and less oppressive to the debtor, who is now taxed with accumulating costs and commissions, not for the benefit of society, but for the support of an unnecessary number of ministerial officers. It is the part of wisdom, not to be so far wedded to ancient systems as to shut our eyes to their obvious defects. It is the spirit of improvement only which has made us free, and is rapidly ameliorating the condition of mankind in general. We should, therefore, no more retain the replevin system which we have derived from Virginia, than we should return to the government of monarchy, because that was the system of our fathers.

The entrusting of the decisions of questions involving the lives and liberties of our fellow-citizens to a single judge, without appeal, as is now the case in our circuit courts, has never appeared to me consistent, republican or safe. In questions which relate to property, our constitution and laws have provided for an appeal from the opinions of the circuit judge to a Court of Appeals, consisting of three judges; so that no man can be deprived of his property, as he may think, wrongfully, without the concurrence of at least two judges. But his life and his liberty may be placed at the entire disposition of one judge, whose opinion on points of law in criminal trials, is final. Man is not free from partiality, prejudice, caprice, ignorance and corruption, in America, because the general scope of our government is republican and free. The judge may play the tyrant as well as the monarch, and the
blood of innocence may attest, even in Kentucky, the danger of entrusting the decision of any question on which life and liberty are suspended, to a single individual. I, therefore, deem it my duty, before we are admonished by some awful example, to call your attention to the circuit courts, and recommend an increase in the number of judges, at least in all cases involving the life and liberties of the citizen.

General education is one of the fundamental interests of the state, the importance of which is universally acknowledged, and the promotion of which is almost universally neglected. Popular intelligence, which constitutes the basis of freedom and its best security, ought to be a leading object with every republican legislator. Some of the monarchs of Europe, aware that the diffusion of information among their subjects is dangerous to their thrones, have taken steps to discourage seminaries of learning and diminish the number of students. It becomes all those who prefer free government, to adopt the contrary policy, and secure the blessings of liberty by enabling the people universally to appreciate them. This state has appropriated freely of its lands to the county seminaries, and of its funds to the Transylvania University. The lands thus assigned to the interests of education, have been generally lost through neglect, wasted in temporary projects, or are lying useless to those institutions and to the people. The system of county seminaries has been almost an entire abortion, attended with the loss of an immense fund to the state. It is feared by many, that the fate of the Transylvania University is not likely to be much better. For a short period, it appeared to flourish, and seemed to be gaining an extensive celebrity. Latterly, it has fallen as rapidly as it rose. Whether the late appointments made by the Trustees will enable it to regain its importance and take the lead among the literary institutions of the state, remains to be proved by the event. That institution is too important to be abandoned, and I trust you will do every thing that can properly be done, to aid the efforts of the newly appointed officers. It is your especial duty to see that the funds of the institution are not jeopardized or wasted. On this subject, hints have been thrown out in the public papers, that the Trustees have not proceeded with due caution; and although these are not sufficient to authorize the forming of a definitive opinion, they make it my duty to call your attention to an investigation of that subject. It is due to the people, who own this institution, that all doubts in relation to the prudence of its management, should be put to rest.

Could the Transylvania University be placed in the most prosperous state, little would be done towards promoting the great causes of general education. This can be done only in the adoption of a system of common schools, coextensive with the state, and
accessible to the children of all our white population. comparatively few are able to send their children to our University or Colleges; or even to the county seminaries, were they all in full operation. They must have schools in their own neighborhoods, so that their children can board at home while pursuing their studies, before they can enjoy the benefits of education. The experience of other states has proved, that such a system is practicable, and it needs but a little enterprise in us, to enable Kentucky to realize all its blessings. In some of our sister states, the system is supported by a voluntary ad valorem tax, levied by the people on themselves, in primary assemblies: it is practicable in Kentucky, to divide the counties into wards, and authorize the people of each ward, in public meeting, to tax themselves for the support of a school. By leaving it voluntary with the people to tax themselves or not, there would be left no just ground of complaint, while, it is believed, the example of a few wards, which would, by a moderate tax, keep up a respectable school for many months each year, would soon be imitated, and the system become practically universal. There cannot be a doubt, that system in this, as well as every thing else, would much diminish the expense, and that the people would receive much greater benefits from the money paid for education than they do now.

It would not be difficult for the state to raise a public fund in aid of the exertions of the wards, if it should be deemed expedient. The school fund in the Commonwealth's Bank is considerable. It might be increased by resuming the grants to the county seminaries in all cases where they are not applied in the support of a school. It might be further augmented, annually, by requiring all fines and forfeitures to be paid over for that purpose. A due proportion of the interest of this fund would encourage the wards to levy a tax on themselves in aid thereof, and thus more rapidly extend the benefits of the system.

But it is not my duty to prescribe the details of any system. I have thrown out these suggestions, with the hope that they may aid your minds in devising the means of accomplishing an object of the first importance to the state and to the permanency of our free institutions.

Internal Improvements constitute, also, an important interest, in which the state of Kentucky has done nothing. Pennsylvania, New-York, and even our younger sister, Ohio, have set examples worthy of empires, while Kentucky has folded her arms in apparent indifference to this great interest. It will ever be a subject of deep regret, that in a moment of excitement, the legislature gave into private hands the digging of the Canal around the falls of Ohio, and thus threw away a source of revenue as lasting as that noble river. The folly of that moment ought ever to admonish us to look upon the great interests of the Common-
wealth, Education, Internal Improvements and Revenue, with an eye unjaundiced by faction, and a mind unwarped by the temporary designs of party. The controversy about old court and new court is finally settled, as all knew it must be, in the course of one or two years; but the benefits to the state, in the making of the Louisville Canal, which the feelings originating with that controversy, induced the legislature to throw away, can never be reclaimed. I do not say this in a spirit of reproach, but only with the object of exciting to reflection, and inducing every man to fix his eye upon certain great interests of the Commonwealth, which ought never to be made subservient to the temporary objects of party, or involved in its collisions. The state of New-York affords us an illustrious example, in which party strife has raged with uncommon violence, and yet the state has marched on in the path of prosperity and glory, until she has eclipsed all of her once more powerful sister states. It was because all her statesmen, of every party, were devoted to her best interests, which were never made subservient to schemes of temporary advantage or individual ambition.

But, although we have lost one important object of Internal Improvement, and an enduring source of revenue; there are others still within our grasp. If it be possible to avoid it, no power should be authorized to raise a revenue from the people but the government itself. It is doubtless better for the people to pay toll to incorporated companies, for good bridges and good roads, than not to have them; but it would be better still, if all these tolls could be paid into their own treasury. A government which raises its revenue by dispensing blessings, must be doubly dear to the hearts of the people. Kentucky must have good roads. From year to year, the principal avenues of commerce through this State are becoming worse and worse. Our government must allow to private companies tolls adequate to induce them to make the necessary improvements, or undertake them itself. As far as practicable, the latter is certainly the best alternative. The capital of the State cannot be better or more safely vested, than in making good roads on the principal routes, upon which reasonable tolls should be exacted, to be paid into the State treasury. One road may thus be made to improve another, until all the principal routes in the State shall be made as perfect as practicable, and the tolls will yield a rich revenue to the people's treasury, enabling them to support many liberal institutions, and perhaps the government itself, without direct taxation. To your wisdom I commit the subject, with the earnest hope that you will not separate until some system of Internal Improvement has been adopted, worthy of the age in which we live and the people whom you represent.

Although it is acknowledged, that a well organized Militia is
he safety of a government which does not rely on standing armies for defence, the Militia of Kentucky has been suffered to dwindle away, until it is scarcely the skeleton of its former self. Frequent innovations, under the name of amendments, have almost destroyed the system, and I doubt the practicability of raising it into importance, except by an entire reorganization. Our musters are becoming a mockery to all military parades, useless to the men, and mortifying to the officers. Indeed, in some places, it has been found almost impracticable to find individuals willing to hold commissions, once deemed so honorable, on account of the disorder into which our Militia system has been suffered to fall. It seems to me, that steps ought to be taken to keep up at least a quota of officers, and inspire, if possible, some pride in the use of arms; so that, in case of emergency, our effective population may not be found destitute both of commanders and weapons. If there be time for nothing more, during your present session, I would suggest the expediency of amending the law as to vest some discretionary power in regimental courts, for the assessment of fines, under proper limitations and restrictions, which would ensure full parades, save the officers from mortification and discouragement, revive military pride, prevent frequent resignations, and place the whole system on a more respectable footing.

I am gratified in being able to state to you, that the present condition of the Penitentiary evinces the wisdom of the change of system which identified the interest of the Keeper with the interest of the State. It has ceased to be an annual burden on our treasury, and while it rewards the industry and perseverance of the Keeper with liberal profit, it promises to yield a considerable revenue to our treasury. Much labor-saving machinery has been constructed, and new branches of manufactures introduced, which promise to be highly advantageous, and give this institution the appearance of a busy and extensive manufacturing establishment, rather than a place of punishment. The convicts themselves, though constantly at labor at all proper hours, have the appearance of good usage, and seem as contented as men could be in such a situation. Much pains is also taken to inculcate upon them moral and religious principles; but I regret to say, that these efforts have been attended with but little success. The frequent and speedy return of convicts, under sentence for new crimes, committed almost in the first moments of their release, admonish us that we must not be too sanguine in looking to our Penitentiary as a means of reformation. Instances are known, in which they have formed associations within the Penitentiary, to plunder and rob as soon as they get out; and without further legislation, they may constitute a kind of bandit, which will be dangerous to society. Would it not be better for
the State, and safer for the people, in cases where repeated convictions for high crimes have proved the utter hopelessness of reformation, so to change the law as to confine these incorrigible offenders for very long terms, or even for life? They might then be made to support themselves, instead of living upon the plunder of honest citizens, and by their earnings, render to society some slight compensation for the evils they may have inflicted. By a call on the Keeper of the Penitentiary, you will be enabled to learn the number of the convicts which have been returned to him within any given period, since he had the management of that institution, and the crimes of which they now stand convicted, by which you will be enabled to appreciate the importance of the remarks I have submitted.

Permit me to say, gentlemen, that I view the poll tax levied on our fellow citizens for county purposes, as wrong in principle and oppressive in practice. The principle which gave rise to the Revolution, and made us a free republic, was, that the people ought not to be taxed without their consent. Rather than pay three pence per pound upon tea, when exacted by any other authority than that of the people's representatives, our fathers plunged their country into a doubtful war, and maintained the bloody conflict through a period of seven years. What voice have the people's representatives in laying the poll tax which we annually pay? It is imposed by the County Courts, the justices of which are not elected by the people, and but remotely responsible to their authority. On the contrary, they are a self-sustained, if not a self-created body, over whose decisions the people have no immediate control. It is a violation of principle, to suffer such a body to tax the people at all; but the violation is the more flagrant, when they are required to tax all, the rich and the poor, precisely alike. Property affords the only means of paying taxes, and for the protection of property most of the institutions of society have been established. It would seem, therefore, but right, that men of property should pay for sustaining them, especially as men destitute of property are now required to render, in service upon juries, labor upon roads, and military duty, an equivalent for personal protection. I can but consider the poll tax as a remnant of the Virginia system, in the management of which, men without property of the most durable kind, have no voice; and it has remained among us, more because it is a practice sanctioned by custom, than because it would stand the test of sound principle or good policy. The Legislature have rendered it less terrible to the poor, by restricting the county levy; but, in my view, it is an unjust tax, and ought to be superseded by an ad-valorem assessment upon the same property which yields our State revenue.

From the annual reports of the Auditor and Treasurer, you
will learn that there has been a great diminution in the revenue of the State. It is the especial duty of the people’s representatives to watch over their pecuniary concerns, and to their wisdom I commit this subject, with the single remark, that I earnestly hope the legislature will not, in providing for the exigencies of the treasury, take the capital of the State to pay its debts, when they can so easily increase its income.

Gentlemen, there are a variety of subjects involving the sovereignty of the State over which my fellow citizens have called me to preside, which I am reluctant to notice in the language of impotent complaint; and yet I cannot, consistently with my sense of duty to the people, pass them over in silence. Perpetual vigilence is the only condition upon which man is permitted to enjoy the blessings of liberty; and however dreary may be the prospect which presents itself to his watchful eye, it is his duty never to slumber.

I have frequently endeavored to point out to the legislature of my State, the dangers which threaten us from the Bank of the United States, and I cannot consider them as less at this moment; because that bank is silently rising on the ruins of almost every other monied institution, is accumulating property within the State, and bringing countless multitudes within the sphere of its influence; while, by the decisions of the United States Supreme and Circuit Courts, it is made wholly independent of State authority, and presents the anomaly of corporate powers exercised within a sovereign State, wholly independent of its legislature, and even constitutional power, in their nature hostile to society, and dangerous to the liberties of the people. Whether as a magistrate or a citizen, it will always be my pride to protest against the existence of this institution, as it would be my pleasure to aid the legislature of my State in all peaceful means to drive its dangerous influence beyond the borders of our State.

As to the decision of the Supreme Federal Court, disrobing Kentucky of her sovereignty in relation to her Occupant Laws, hope has been deferred until the heart is sick. We have been mocked with the hope of relief in the reorganization of the Supreme Court, while professions have been falsified by acts, and every movement of the general government only seems intended to rivet upon us the unjust principles of which we complain. So long as Kentucky cannot legislate over her own soil, or prescribe limitations to actions brought against her citizens, she cannot claim to be a sovereign State, she cannot consider herself the equal of her sister States: she is in a more hopeless condition than a colony dependant on a mother country for all its laws; for there exists no legislative power on earth which can give her redress. The written constitution of the United States becomes, in this respect, a tyrant of the most inexorable descrip-
A Nero might be moved to do justice by sympathy for the distressed, or at least by caprice of temper; but the constitution, as construed by the Federal Courts, cannot be moved to relent or change, by the petitions, prayers or tears of suffering thousands. If these principles were to be carried into all their details, it would be better for Kentucky to surrender her separate existence and seek relief in a re-union with her parent State, by which her people would regain those legislative rights, essential to their prosperity, which indeed they never intended to surrender. I am unable to recommend any course which will lead to certain relief. The only measure which seems to promise any beneficial result, is to reiterate our complaints to Congress and our sister States, and peradventure they will grant us redress, lest by our continual coming we weary them. If there be no way to obviate the principles and effects of these decisions, we ought never to rest until we have obtained redress through an amendment of the constitution.

There is another subject on which Kentucky now presents an anomaly in free government. The property of her citizens is sold and transferred almost daily, in modes not only not sanctioned by laws to which the people have given their assent through their representatives, but directly contrary to their authority. This is not all. The liberty of her citizens is assailed, and they are confined in her own jails, by the arbitrary command of two men, who exercise an undefined power, to dispose of their properties and persons, under peculiar circumstances, according to their will. These men are not elected by the people of Kentucky to legislate for them; they form no part of our own Legislature or of the Congress of the United States, the only legislative powers known to our constitutions; yet do they make laws, or rules, by which our persons and properties are seized and disposed of, while the laws prescribed by our representatives are treated as a dead letter. So glaring a breach upon the principles of representative government, has never before been committed in America; and to the ear of a stranger, it must sound more like the arbitrary decrees of a French monarch, than the wholesome and legitimate exercise of power by the functionaries of a free people. It can hardly be necessary to apprise you, that I have reference to the rules of the Federal Court, adopted by the Judges for the regulation of their Marshal. They were enacted in the closet, and not in the public hall of legislation. They were not published in the newspapers, or otherwise, by the order of their makers, but entered on the order-book of their clerk: Unknown to the people, they were made accessible only to lawyers and ministerial officers. They have all the attributes of laws made only for the people of Kentucky. They operate only in this State. They direct sales and transfers of property in modes
never authorized by legitimate law. They direct persons to be imprisoned for debt, whose representatives have declared that imprisonment for debt shall be forever abolished. They prescribe retrospective replevins for the people of Kentucky, which the same Judges have declared to be unconstitutional when prescribed by the representatives of the people. They are a complete code of execution laws, enacted by two Judges, and afford a striking illustration of the effects of the Judiciary in the United States, to absorb both the other departments of government and make themselves supreme. In this instance, two Judges have made the law; and by their power over the Marshal, they carry it into execution. Here is a despotism, not theoretical, but direct and practical, now exercised almost daily, on our fellow citizens, friends and neighbors.

This power is claimed by a pretended delegation to the Courts by the Congress of the United States. I deny the intention to delegate, the power to delegate, and the right of Congress itself to make such laws. The obvious meaning of the acts of Congress on the subject, has seemed to me only to confer on the Federal Courts the power to modify the forms of their process, so as to suit the existing and varying condition of the execution laws in the various States. But had Congress the intention to confer on the Courts any thing beyond forms, they had not the power. The people, by their constitution, have vested the legislative power of the government in a Senate and House of Representatives, but have not authorized a further delegation of that power to the Judges, or any other person or functionary. As Congress cannot delegate their legislative powers, the effort to do so, if it was ever made, was nugatory and void, and could confer on the Judges no more rightful power than a pretended delegation from the King of Great Britain. But I deny the power of Congress itself, to enact such a system of laws. The powers of that body are all delegated powers. I can find in the constitution no grant to them of a power to pass execution laws; nor does it seem to me to be granted as an incidental power. It is unreasonable to suppose the people ever intended to have two separate systems of execution laws enacted for their government, one by Congress and the other by their State Legislatures, prescribing different modes for the transfer of their property and the disposition of their persons. Nor could it have been intended that Congress should have power to prescribe a separate system for each separate State, or one general system which would govern all the States and entirely supersede State legislation on the subject. It never was intended, that the slaveholders of Virginia should make laws for the transfer of property in Pennsylvania, or that the farmers of Pennsylvania should prescribe how the slave or the free men of Virginia should be disposed of, when under execution.
No; these things were never intended or imagined; but it seems now to have become the study of many of our eminent statesmen, to concentrate all possible powers in the hands, not of the general government only, but of a particular department of that government. Hence, we have two Judges legislating for Kentucky, and executing their own laws, as if we were a Roman province governed by pretors or proconsuls.

The same court adopted a rule at its last May term, which, perhaps, they might have intended as an alleviation of their former rules of which we complain, but which does not materially affect the subject, as it only applies to the valuation of landed property. The consequences which will necessarily arise, from these rules being imposed on the people, will not only be deleterious, but the principle of imposing, by an assumed power, execution laws on the community, ought to form a serious objection, as much as it is an encroachment on State rights, the abstaining from which is important to the perpetuation of the union of the States and the safety of American liberty.

If our sister States could be made fully sensible of the tendency of the steps taken by the Federal Courts, our grievances would soon be redressed. They would perceive, that if this power be tolerated, all the checks and balances of our government are utterly subverted, and our liberties are at an end. I hope, therefore, the present General Assembly will take efficient means to make our condition known to our sister States and the general Congress, soliciting their co-operation in remedying the present, and guarding against future evils.

The Legislatures of the several States are the only channel through which it has been deemed safe to introduce amendments into the constitution of the U. States. It is, therefore, one of the duties of each constituent part of the legislative body, to consider whether that instrument needs amendment. At the last session of the General Assembly, I had the honor to call the attention of that body to an amendment taking the election of the President and Vice President out of the hands of electors and members of Congress, and vesting it in the people. The subject was taken under consideration, but left among the unfinished business. Since that time, the reasons in favor of the amendment have rather increased than diminished.

It is thought by some, that those who had the chief agency in prescribing the present mode of electing the President and Vice President, did not intend, that the people should have any other voice in the election than to choose unpledged electors, leaving them to select these high functionaries according to their own judgment and will. If such was their intention, it was immediately and properly defeated by the people, who required the candidates for the electoral college to pledge themselves for
whom they would vote, before they bestowed their suffrages upon them. It is now a settled principle, that the electors in choosing a President and Vice President, are bound to obey implicitly the will of the people. The people judge for themselves of the qualifications of the candidates, and only make use of the electors to pronounce their decision. If it be true, that it was the original intention of the framers of the constitution that the electors were to judge of the qualifications of the President, that intention is wholly defeated in practice, and the electors have become a piece of useless machinery encumbering the system, which ought to be abolished. The people decide upon the man who shall be President, and direct the electors to vote for him; the electors implicitly follow those directions, and speak the voice of the people. Why not save the trouble of choosing electors, and let the people speak their own voice directly at the polls? Why should they incur even the remotest danger of being betrayed by the electors, when they can with the utmost ease and convenience, speak their own will without an intermediate agent? Is it wise in a man to trust an agent when he can just as well do the business himself? Is it not folly in him, when it takes more time, trouble and expense to choose the agent, than it would to do the business? Is it easier and better for the Pennsylvanian to vote for twenty-eight electors at the polls, than to say Jackson or Adams? The system of electors ought, therefore, to be abolished, because it produces useless trouble, expense and hazard.

But that part of the system is not so dangerous as the election by the House of Representatives, in case the electors fail to unite a majority of all their votes on one candidate. In this election the vote is given by States, the delegation of each State having one vote. The several delegations first vote among themselves, and a majority decides how the vote of the State shall be given.

It seems to me, that a system more accessible to corruption could scarcely be invented. By the constitution, the President is left at liberty to appoint the members of the very Congress which elects him, to places in his cabinet, to foreign embassies, and to all the honourable and lucrative offices in his gift. In many instances, the vote of a State depends on the voice of one man, and in a close contest, the candidates have the most powerful inducements to hold out the hope of office and reward, or even to promise executive favors directly, in consideration of a vote. Human nature is the same in all ages and countries; self-interest is the source of human action; many who would repel the advances of direct corruption, may be induced to bestow their suffrages contrary to the will of their constituents, by hopes of personal advantages rather insinuated than promised, and thus the ambitious aspirant is enabled to attain his object without in-
eering positive obligations. Considering the variety of characters which compose the Congress of the United States, and the means of influence within the reach of an artful candidate, it is to be expected, that the most unprincipled and the least scrupulous of those on the list of competition, will generally succeed. In every contest of this kind, we are therefore in danger of having a President imposed upon the country against the will of a majority of the people.

Unbiassed reason is sufficient to teach us the danger of these elections by the House of Representatives; but when reason is aided by experience, the argument in favor of amendment must be conclusive. Who does not remember the effort to place Aaron Burr at the head of our government, contrary to the known will of an immense majority of the people? The Union was shaken by the effort; and had it been successful, it is impossible to conjecture what might have been the fatal consequences. In the late election, there are many who believe the will of the people was entirely disregarded. Nor is the argument in its favor much weaker, when addressed to those who believe the election should have been fair and honest. Look at the condition of our country. When was it more agitated with parties and factions? Are not these the natural and inevitable fruits of this mode of election? Admit that the incumbents in office have conducted themselves with the utmost purity and propriety; is not that system a bad one, which exposes good men to so many charges and suspicions, and even endangers their final prostration? It seems to me, therefore, that all true republicans ought to unite in favor of an amendment which will not only cut off the sources of corruption, but of suspicion also.

I should approach the constitution with great reverence, and it would be with a trembling hand that I should disturb any of those original compromises on which the Union was founded. Nothing but extreme necessity could justify an attempt so to amend that instrument as to disturb the balance of power among the States, as originally adjusted. In relation to this amendment, no such dangerous experiment is necessary. In the first instance, a majority of the votes in each state, given by the people themselves, may be made to count as many votes as it now has electors, and in the second instance, the same majority may be made to count one vote. Thus the principles of compromise on which the President is now elected, would not be changed; in the first attempt it would be a vote by the people of the United States; in the second, a vote by the States; but in both instances, the people themselves would be the active agent in giving the vote, and the sources of corruption and faction would be cut off. The arguments drawn, both from principle and practice, in favor of this amendment, are so conclusive, that I earnestly hope it will meet
with your early and efficient attention. As good and sound as our constitution is, it was but an experiment, and it cannot be too good or too sound to be made better, in accordance with the increasing lights of reason and experience.

In considering the subject of amending the constitution in regard to the election of a President, my mind has been brought to reflect on that provision in our state constitution, which disqualifies the Chief Magistrate from being eligible for immediate re-election, after the expiration of the term during which he officiated. It seems to me to be one of the most salutary principles which could have been introduced, to preserve the purity of our government. The Executive is by these means, divested of all motive to abuse the power and patronage confided to him, or to swerve from the honest discharge of any of the duties of his station, for the purpose of securing his re-election. If it were the design of the Chief Magistrate, on entering his office, to become a candidate for the succeeding term, (and it is not improbable that it would be the case in most instances, as few relinquish power but with reluctance,) is it probable, with the temptation continually presented to him, that he would fail to use the means placed at his disposal, to effect the object nearest his heart, the continuance of his power? How far the administration of the government would be diverted from its proper object, the public good, to promote the end of securing the re-election of the individual directing it, would depend much upon the character of that individual; but there is no one acquainted with the frailties of his own nature, who will not admit, that every man, even the most honest, would be swayed, however unconsciously, by motives compounded of passions so strong as pride, interest and ambition. Our constitution has most wisely provided, that those entrusted with the execution of the powers it confers, shall not be subjected to such a trial. But if this precaution was judged proper to guard against abuse of the little power confided to a Governor, in the minor sphere of state politics, by the patriots who framed our constitution, how much more important is such a provision, to protect the nation from the mischief of similar circumstances, not acting upon a solitary individual, but upon a whole confederated Cabinet, always composed of men able to wield their power to advantage, and each possessed, in his separate department, of much more influence and patronage than is committed to the Governor of any state in the Union? We have not as yet, experienced the full effect of such a coalition of strong men, armed with the power of the government and exerting it for the purpose of perpetuating that power. The revolutionary patriots, Washington, Jefferson, Madison and Monroe, called to the Presidential chair by the decided will of the people, were continued in it a second term, without competition, and voluntarily
retired from it; but the line of Presidents drawn from the founders of the Republic, who felt their fame united with the success of their experiment, must soon be limited; and as every election must hereafter be contested, the attempt of every incumbent in office to continue his power, or to transmit it to any of the favorites whom he may call around him in his Cabinet, must uniformly be attended with an abuse of the high functions of his station, for the effectuation of that object. The present generation may yet see the Press, the palladium of public liberty, turned into an engine of government, influenced by the patronage of those in power, to embrace their cause, while a sedition law may hold out its terrors, to silence such of its conductors as may prove too independent to be purchased. It may see new embassies created, extraordinary outfits and salaries paid, and immense sums drained from the public treasury by the general administration, for the purpose of securing states, as Mr. Jefferson calls it, by "the bait of local interest," or for the more unworthy purpose, of carrying the state elections in favor of its partizans; and what is most to be deprecated and deplored, it may see one section of the Union oppressed, to foster the interest of another; great conventions called to unite and array the strength of the several states supposed to be interested in enforcing the imposition upon the rest, and all the differences and prejudices existing from the diversified condition of the various portions of the Union, called into action and aroused; and the safety of the confederacy endangered, by an attempt on the part of the administration to purchase the support of the strongest section, by unjust concessions, when it can not command its favor through the means of its affections. The great functionary who has the principal agency in giving direction to the measures of government, is the most able to produce those mighty collisions among the States, by exciting their hopes and fears. Clothed with the extraordinary power conferred by his station, like Sampson in the temple, he can place his hands on the pillars which support the mighty edifice of the confederacy, and endanger, if not shake down the whole fabric. The temptation should, therefore, be taken away. When all hope is cut off by the express letter of the constitution, the attempt of any individual, however beloved, to perpetuate the supreme power in his hands, in any shape, would alarm the nation, and defeat the purpose. The sole motive which could have induced the patriots who composed the convention, with Washington at their head, to adopt a constitution containing no provision to prevent an individual from holding the office of President for life, was the wish that the States might not unnecessarily be deprived of the services of an individual in whom the country felt disposed to confide, and who might be better able to discharge the duties by the experience he had gained in the employment. But General
Washington, when he came to act, evidenced, by the example he gave, that bounds should be set to the enjoyment of that power, for which the constitution had provided no absolute limitation. He found by the workings of his own Cabinet, that ambition would be busy to build on the power it had obtained; that public discontent was likely to rise into resistance to the doctrines which some, under the shadow of his great name, were endeavoring to inculcate, and that growing opposition could only be suppressed by the use of means which he scorned to employ. The moderation and forbearance which belonged to Washington are rarely found in any man who attains the highest place in government. The public interest and safety would be better secured, if the constitution imposed the proper restrictions, leaving nothing so important to depend on the temper of the Chief Magistrate; but, by divesting him of all expectation of enjoying a second term in the office, save him from the necessity of making his whole administration of the first term, an unceasing electioneering struggle to obtain another. The idea that the same individual should be placed at the head of the government for a succession of terms, that the benefit of his experience might be procured, is, in my opinion, fallacious. The exercise of power is more likely to corrupt, than to improve those by whom it is exerted. And no man is likely to be advanced by the voice of a people so intelligent, independent and patriotic as our countrymen, to preside over the destinies of the Republic, who is not capable at first, from experience in public affairs, to discharge the duties of the station. If his term of service be short, he will be the more zealous and industrious to signalize his brief administration, by conferring permanent benefits on his country, that he may live in its recollection. It was the operation of this principle, it is said by historians, which rendered the Roman Consuls such efficient public servants, and which advanced, with such rapidity, the glory and power of the wonderful Commonwealth. Rotation in office, was a maxim on which the Roman Republic acted. The chances being thus multiplied, every individual who distinguished himself in the service of the state, had hopes of attaining its highest honors. This animated every man to exertion, and the result was, that during the days of her freedom, that nation was made illustrious by counting among her public servants, a greater number of able and patriotic men, than has ever fallen to the share of any other people. If we place the great offices of the government within the expectation of many of our fellow-citizens, we may also count on a multitude who will be able, and will deserve to fill them. At present, our institutions seem to be based on the supposition, that all the States may not, in the course of a generation, be able to furnish more than one or two men capable of presiding as the head of the Republic.
Experience has proved to my satisfaction, that a considerable portion of the time for which a President of the United States is elected, is devoted in securing a re-election to a second term; consequently, the government is not fairly and truly represented or administered. I, therefore, would recommend, that a proposition be made by this State, to the sister States, for the purpose of rendering a President of the United States ineligible to the office for a second term of service.

Gentlemen, this is probably the last time I shall ever address the Legislature of my country upon their annual convention. When I entered upon the duties of Chief Magistrate, it was with the utmost diffidence in my abilities to discharge the arduous duties of that important station. Events which it was impossible to foresee, have rendered my situation peculiarly difficult and embarrassing. A concurrence of untoward circumstances seemed combining to overwhelm me. With rectitude of intention, I breasted the storm, and have endeavoured to meet my public responsibilities as became a man and a patriot. I am not conscious of the slightest deviation from the path of duty; but if I have erred, my errors will be pardoned by the high minded and liberal, under the belief that my intentions were pure, and the good of the people my first consideration. The asperities and party feelings arising from the late controversy, are fast subsiding. Truth, justice and humanity are gaining their proper empire. I can now proudly appeal to the manner in which I have discharged the duties of my station, to test my motives and vindicate my reputation.

JOSEPH DESHA.

December 6, 1827.

It was then moved and seconded, that the public printer be directed to print forthwith, 1500 copies of said message for the use of the members of this house; and the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Combs and Yantis, were as follows, viz:


NAYS—Messrs. Beatty, Bibb, Breck, Breckenridge, Colglazier, Combs, Conner, Cunningham, A. Davis, Davenport, Duval, Evans, Ewing, Ford, Gaines, George, Grid, Hanson, B. Harrison, Henderson, Ingels, Lindsay Marshall, M'Bride, McCon-
Mr. Breckinridge moved the following resolution:

"Resolveth. That this house will proceed to the election of a "Chaplain for the House of Representatives, whose duties shall "continue during the present session," which being twice read—It "was then moved and seconded to amend said resolution by at- "taching thereto, the following proviso: "Provided, however, no "appropriation from the public Treasury, shall be made to pay said "Chaplain."

It was then moved and seconded to lay the said resolution with the proposed amendment on the table until the first day of May next: and the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Munford and Hanson, were as follows, viz:


NAYS—Messrs. Blackburn, Breck, Breckinridge, Buford, Combs, W. M. Davis, Ewing, Gaines, George, Graham, Grider, C. L. Harrison, Helm, Henderson, Marshall, McBride, Skiles, Southgate and Ward.—19

On the motion of Mr. Hanson, Ordered, That leave be given to bring in a Bill to authorize the insertion of certain advertisements in the "Paris Weekly Advertiser," and that Messrs. Hanson, Breck and Grid, be appointed a committee to prepare and bring in the same.

And then the House adjourned.

FRIDAY, DECEMBER 7, 1827.

1. Mr. Yantis presented the petition of William Dunn, praying a divorce from his wife Polly H. late Polly H. Henderson.
2. Mr. Forrest presented the petition of sundry citizens of Washington county, praying for the erection of a new county, out of part of said county, including the town of Lebanon.
3. Mr. Combs presented the petition of sundry citizens of Fayette county, praying that a law may pass, to authorize the erection of gates across such of the public roads of said county, as the county court may deem necessary from time to time.

4. Mr. Wingate presented the petition of James Smithers, praying a divorce from his wife Eliza Smithers.

5. Mr. L. Sanders presented the petition of Fanny Carter, praying a divorce from her husband Tilman Carter.

6. Mr. Barbee presented the petition of Dinah Walden, praying a divorce from her husband John O. Walden.

7. Mr. Hanson presented the petition of Michael Hufacre, praying compensation for the damage sustained by him in consequence of the breaking down of the bridge across Yellow Creek, on the Turnpike and Wilderness road, by which he lost two of his horses, had his wagon broken, and lost part of a load of salt, and that the same may be paid out of the tolls received on said turnpike road.

8. Mr. Guthrie presented the memorial of sundry citizens of Oldham county, representing that the proceedings of the county court of said county, and the judges of the election authorized to be held under and by virtue of the act approved January 25, 1827, entitled "an act to authorize the citizens of Oldham county to select by vote a permanent seat of justice," are wholly illegal and unauthorized by said act, and praying that the proceedings had under said act may be declared void; and that Westport may be declared the seat of justice of said county.

9. Also-The remonstrance of sundry citizens of Oldham county against the foregoing memorial and petition.

10. Mr. Hall presented the petition of sundry citizens of Barren county, praying that Beaver creek, in said county, may be declared navigable from Lewis' mill to its mouth.

11. Mr. Stone presented the petition of Nathaniel Wilson, guardian for the infant heirs of Uriah Wilson, deceased, praying that a law may pass to authorize the sale of a small tract of land belonging to said heirs in the county of Nicholas.

12. Mr. Hardy presented the petition of sundry citizens of Barren county, praying a law may pass to authorize a grant to issue to Thomas Smith, (free of expense,) for a small tract of vacant land in said county.

13. Mr. Marshall presented the petition of sundry citizens of Paris, Bourbon county, praying that the bounds of the constable's district in said town may be enlarged, so as to include the residence of Henry Bridges.

14. Mr. McBride presented the petition of Robert McCormack praying a divorce from his wife Francis McCormack.

15. Mr. Ewing presented the petition of sundry citizens of
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Todd county, praying for the establishment of an election precinct in the south part of said county.

16. Mr. A. Boyd presented the petition of sundry citizens of Caldwell county, praying that a part of said county may be added to the county of Trigg.

17. Mr. Rucker presented the petition of Cynthia George praying a divorce from her husband Green George.

Which petitions were severally received, read and referred; the 1st, 4th, 5th, 6th, 14th and 17th to the committee of religion; the 2d, 3rd, 9th, 15th and 16th to the committee of propositions and grievances; the 3d to a select committee of Messrs. Combs, Yantis, Breck, Marshall and Williams; the 7th to the committee of claims; the 10th to the committee on Internal Improvements; the 11th to the committee for courts of justice; the 12th to a select committee of Messrs. Hardy, Sanders and M. W. Hall, and the 13th to a select committee of Messrs. Marshall, Colglazier and Ingels.

Mr. Spalding moved for leave to bring in a bill to take the sense of the people of this Commonwealth as to the propriety of calling a convention.

And the question being taken on giving leave to bring in said bill, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wingate and Spalding, were as follows, viz:


Ordered, That Messrs. Spalding, Beatty, M. W. Hall, Southgate, Guthrie, B. Harrison and R. Hall be appointed a committee to prepare and bring in said bill.

Leave was given to bring in the following bills:

On the motion of Mr. Yantis—1. A bill to fix the ratio and apportion the representation for the ensuing four years.

On the motion of Mr. Breck—2. A bill to authorize the ap-
pointment of an additional justice of the peace in the county of Madison.

On the motion of Mr. Southgate—3. A bill incorporating a company to construct a bridge across the Ohio river, from the towns of Newport and Covington, to the city of Cincinnati.

On the motion of Mr. B. Harrison—4. A bill for the benefit of St. Joseph's College at Bardstown.

On the motion of Mr. Yantis—5. A bill to alter the mode of taking in the list of taxable property.

On the motion of Mr. C. L. Harrison—6. A bill to incorporate a company to construct a bridge over the falls of Ohio.

On the motion of Mr. A. Davis—7. A bill making a chancery term to the Montgomery circuit court.

On the motion of Mr. Breckinridge—8. A bill to encourage agriculture and the mechanic arts.

On the motion of Mr. Hazlerigg—9. A bill to alter the time of holding the Lawrence, Floyd and Pike county courts.

On the motion of Mr. Simpson—10. A bill for a general revision of the militia laws, and a repeal of all former laws.

On the motion of Mr. Gaines—11. A bill for the benefit of the heirs and executors of John Hudson, deceased.

On the motion of Mr. Guthrie—12. A bill to incorporate the town of Louisville.

On the motion of Mr. Patterson—13. A bill for the benefit of Lucretia Galbreath and William Galbreath of Harrison county.

On the motion of Mr. Baseeman—14. A bill for the appointment of an additional constable in Harrison county.

On the motion of Mr. Rucker—15. A bill to declare Tradewater river navigable from Wilson's mill to its mouth.

On the motion of Mr. Beatty—16. A bill to change the mode of summoning venires and petit juries.

On the motion of Mr. Haggin—17. A bill to amend the law concerning divorces.

On the motion of Mr. B. Harrison—18. A bill to authorize the appointment of an additional constable for the county of Nelson.

On the motion of Mr. Helm—19 A bill to allow an additional constable for the county of Hardin.

On the motion of Mr. Lindsey—20. A bill to incorporate a seminary of learning at North Middletown, in Bourbon county.

On the motion of Mr. Smith—21. A bill for the benefit of the heirs of John Wells and David Callaghan, deceased.

On the motion of Mr. A. Wilson—22. A bill to authorize the surveyor of Lincoln county to transcribe part of a record book belonging to his office.

On the motion of Mr. Smith—23. A bill for the benefit of headright and Tellico settlers, and for other purposes.

On the motion of Mr. Rucker—24. A bill to authorize the
County Court of Caldwell to add an additional justice of the peace for said county.

On the motion of Mr. Combs—25. A bill to amend an act entitled "an act to encourage the establishment of private schools."

On the motion of Mr. Dougherty—26. A bill for the benefit of the heirs of Isaac Bledsoe, deceased.

On the motion of Mr. Hall, (of Barren)—27. A bill to amend the election laws of this Commonwealth. And,

On the motion of Mr. Daniel—28. A bill to extend the limits of the town of Nicholasville.

Messrs. Yantis, Barbee, A. Boyd, Beatty, Smith, Griffin, Buford, Hall, (of Barren,) B. Harrison, Hanson, Ward, Breck, Combs, Guthrie, Southgate, Haggin, Porrest, Marshall, Helm, Bibb, L. Boyd, Spalding, Colglazier, Roberts, Wingate, Skiles, A. Davis, English, Baseman, Evans, Miner, Bruce, Parrish, Graham, McMillan, D. W. Wilson, Dougherty and Patrick, were appointed a committee to prepare and bring in the first; Messrs. Breck, Turner, George and Smith the second; the committee on internal improvements were directed to prepare and bring in the third and sixth; Messrs. B. Harrison, Blackburn, Yantis, Simpson and Hanson the fourth; the committee of ways and means the fifth; Messrs. A. Davis, Hanson and Wilkerson, the seventh; Messrs. Breckenridge, Beatty, Breck, Coffman and Simpson, the eighth; the committee for courts of justice the 9th, 11th and 26th; Messrs. Simpson, Smith, Breck, Hardy, Baseman, Yantis and Wilkerson, the 10th; Messrs. Guthrie, Southgate, Joyes, Hanson, C. L. Harrison, Waters and Skiles, the 12th; Messrs. Patterson, Baseman and Simpson, the 13th; Messrs. Baseman, Parrish, Lindsay, Patterson, B. Harrison and Helm, the 14th, 13th and 19th; Messrs. Rucker, Spalding, Bishop, Hughes, and B. Harrison, the 15th; Messrs. Beatty, Blackburn, Hanson, Guthrie, Hagglin and Southgate, the 16th; the committee of religion, the 17th; Messrs. Lindsay, Blackburn, Watkins, Grider and Bibb, the 20th; Messrs. Smith, Turner, Yantis and Dougherty, the 21st; Messrs. A. Wilson, McConnell, Skiles, Spalding, and Grider, the 22nd; Messrs. Smith, Sallee, Parrish, Litton, Inglis and Thomas, the 23d; Messrs. Rucker, N. P. Sanders, L. Boyd and Litton, the 24th; Messrs. Hall, Beatty, English, Breckenridge, Joyes and McConnell, the 25th; Messrs. Hall, Patrick, Yantis, Blackburn and Barbee, the 27th; and Messrs. Daniel, Haggin and Williams, the 28th.

Mr. Hanson, from the select committee appointed for that purpose, reported a bill to authorize the insertion of advertisements in certain newspapers."

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

And thereupon the rule of the House, constitutional provision
and second and third readings of said bill having been 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. Hanson carry the said bill to the Senate, and request their concurrence.

Mr. Turner moved the following resolution, viz:

Resolved, That the committee of ways and means be instructed to inquire into the propriety of withdrawing the branches of the Commonwealth's bank, as a means of providing for the revenue of the Commonwealth.

Which being twice read, was adopted.

Mr. Breck moved the following resolutions, viz:

Resolved, That so much of the Governor's message as relates to roads and internal improvements, be referred to the committee on internal improvements.

Resolved, That so much of the Governor's message as relates to the amendment of the Constitution of the United States, be referred to the committee of courts of justice.

Which being twice read, were adopted.

Mr. Wingate moved the following resolution.

Resolved, That so much of the Governor's message as relates to a revision of the execution laws, be referred to the committee of courts of justice.

Which being twice read, was adopted.

Mr. Spalding moved the following resolution.

Resolved, That so much of the Governor's message as relates to the poll tax system, by referred to the committee of ways and means.

Which being twice read, was adopted.

Mr. Hall, (of Barren,) moved the following resolution.

Resolved, That so much of the Governor's message as relates to Education, be referred to a select committee.

Which being twice read was adopted; and Messrs. Hall, Beatty, Inglish, Breckenridge, Joyes and McConnell appointed a committee pursuant thereto.

Mr. Gaines moved the following resolution, viz:

Resolved, That the committee of religion be instructed to report unfavorably to any and every petition for divorce provided for by the general law.

Which being twice read, was adopted.

And then the House adjourned.
SATURDAY, DECEMBER 8, 1827.

Mr. John Harald, a member, returned to serve in this house, from the county of Butler, appeared, produced a certificate of his election, and of his having taken the several oaths required by law, and took his seat.

On motion, Ordered, That Mr. Henry Wingate be permitted to act as door keeper of this house, during the inability of the door keeper to attend, who is confined from indisposition.

1. Mr. Smith presented the petition of Matilda Waters praying a divorce from her husband Thomas Waters.

2. Mr. Munford presented the petition of the heirs of Pridy Meeks, deceased, praying for the passage of a law to authorize the sale of the lands and slaves of the decedent, a division in kind being ascertained to be impracticable.

3. Mr. Forrest presented the petition of the heirs of Acquilla Hodskins deceased, by their guardian, praying that a law may pass to authorize them to receive, and make a conveyance of two lots of ground in the town of Lebanon, for the conveyance of which, a parol agreement existed between the said Acquilla Hodskins and Vincent Hodskins.

4. Mr. Secret presented the petition of Joseph Crawford, praying a divorce from his wife Susanna, late Susanna Valandingham.

5. Mr. McMillan presented the petition of the heirs of James Gee deceased, the minors by their guardian, praying that a law may pass to authorize the sale of a small tract of land and some slaves belonging to them, in order to avoid the difficulties which would arise from making a division between said heirs.

6. Mr. A. Wilson presented the petition of Richard Hunt, praying a divorce from his wife Winney Hunt.

7. Mr. N. P. Sanders presented the petition of Henry Stallings, praying that a law may pass to authorize the Register of the Land office, to correct the courses and distances in a survey made in the name of Thomas Whittage, and the patent which issued thereon, and to issue a patent agreeably to said correction to the petitioner.

8. Mr. Bibb presented the petition of Joel McLemore, praying a divorce from his wife Elizabeth McLemore.

9. Mr. Inglish presented the petition of Isaac Ashcraft, praying a divorce from his wife Polly Ashcraft.

10. Mr. Bishop presented the petition of Samuel Woodson, clerk of the Hopkins county court, praying compensation for making out an additional copy of the Commissioner's books, for the year 1826.
11. Mr. McMillan presented the petition of William Whitworth, praying a divorce from his wife Patsey Whitworth.

12. Mr. Rucker presented the petition of Sundry citizens of Livingston and Caldwell counties, praying that the counties of Livingston and Caldwell may compose a part of a new Judicial district, in conjunction with the counties south west of the Tennessee river.

13. Mr. Daniel presented the petition of William S. Falconer praying a divorce from his wife Helena Falconer.

14. Mr. Grider presented the petition of Martha Whitesides, praying a divorce from her husband Davis Whitesides.

15. Mr. Guthrie presented the petition of the heirs and legal representatives of Richard C. Anderson, deceased, praying that a law may pass to authorize the sale of a part of the real estate of the decedent, to enable them to discharge the debts due by the decedent.

16. Mr. Forrest presented the petition of sundry citizens of Washington county, praying that a law may pass to authorize the appointment of an additional justice of the peace for said county.

17. Mr. Inglish presented the petition of sundry citizens of the counties of Ohio, Breckinridge and Grayson, praying the formation of a new county out of parts of each of said counties.

18. Mr. Inglish also presented the remonstrance of sundry citizens of Grayson county, against the petition to take a part of the county of Grayson for the purpose of forming a new county out of parts of the counties of Ohio, Breckinridge and Grayson.

19. Mr. Beatty presented the petition of Frances Vanscoik, praying a divorce from her husband Reuben Vanscoik.

20. Mr. Stone presented the petition of Elizabeth Oakley, praying a divorce from her husband Pleasant Oakley.

21. Mr. Grider presented the petition of Ephraim Blackford, praying that a law may pass to authorize a patent to issue to him upon a copy of a certificate of survey (the original having been lost,) for 200 acres of land, lying in Warren county, and originally granted by the commissioners to Wyatt Anderson.

22. Mr. Beatty presented the petition of Thomas McKee, of Mason county, praying that a law may pass authorizing the payment to him of a sum of money expended in apprehending and bringing to justice, John Stokes, James Simons and Martin, on a charge of felony.

23. Mr. McBride presented the petition of Thomas H. Henderson, praying that a law may pass, to curtail the limits of the town of Henderson, so as to leave his land without the boundary of said town.

24. Mr. N. P. Sanders presented the petition of sundry citi-
zens of Bullitt county, praying that a law may pass to authorize them to erect a fishdam and pot, on Salt river in said county.

26. Mr. McMillan presented the petition of Moses Musgrove, praying that a law may pass to change his name to that of Moses Johnson.

27. Mr. Montague presented the petition of Collins Fanier, praying that a law may pass to authorize the sale of a part of the estate of Celia M. Lanier, his ward, who is of unsound mind, for the purpose of defraying the expenses of her maintenance.

28. Mr. Rucker presented the petition of William Asherst, praying a divorce from his wife Mary Asherst.

29. Mr. Ewing presented the petition of the Synod of the Cumberland Presbyterian church, praying certain amendments to the charter incorporating the college, founded and endowed by them.

30. Mr. Waters presented the petition of sundry citizens of Mason county, praying that an election precinct may be established in said county, and that the elections therein, may be held at Maysville.

31. Mr. Waters presented the petition of the heirs of Basil Mulligan, deceased, representing that they inherited from their deceased father, a small tract of land and some slaves, which cannot be divided between them without great disadvantage, and praying that a law may pass to authorize a sale thereof.

32. Mr. Waters presented the petition of James Beam and Sarah Ann his wife, (the latter under 21 years of age,) and others, praying that a law may pass to authorize the said Sarah Ann to convey a certain tract of land, to which she is entitled by descent, as though she was of full age.

33. Mr. Sallee presented the petition of sundry citizens of Monroe county, praying that a law may pass making an appropriation of money, for clearing out the obstructions to the navigation of Barren river, from Shipley's old mill to the mouth of Indian creek.

34. Mr. Waters presented the petition of sundry citizens of Wayne county, praying an enlargement of the bounds of the constables district, including the town of Monticello.

35. Mr. Beatty presented the petition of Amelia Kearly, praying a divorce from her husband William Kearly.

36. Mr. Beatty presented the petition of the stockholders of the Bank of Limestone, praying that the act passed at the last session, in relation to said Bank may be repealed, and that an act
such as they suggest, may pass, to enable them to close the concerns of said Bank.

37. Mr. Bibb presented the petition of Gabriel Hardeson praying that a law may pass, to relinquish to him a tract of land, mortgaged to the Bank of the Commonwealth by him, purchased by said Bank in satisfaction of a debt due by him to said institution.

Which petitions were severally received, read and referred; the 1st, 4th, 6th, 8th, 9th, 11th, 13th, 14th, 19th, 20th, 27th and 35th to the committee of religion; the 2d, 3d, 5th, 7th, 21st, 26th, 30th, 31st and 37th to the committee for courts of justice; the 10th to the committee of claims; the 12th, 17th, 18th 22d, 24th 25th, 29th and 34th to the committee of propositions and grievances; the 15th to a select committee of Messrs. Guthrie, Yantis, Joyes and C. L. Harrison; the 16th to a select committee of Messrs. Forrest, Waters, Watts, Wingate and Duvall; the 23d to a select committee of Messrs. M'Bride, Watkins, Williams, Harald and Hughes; the 28th to a select committee of Messrs. Ewing, Bibb, A. Boyd, Salle, Parish and M'Bride; the 32d to the committee of internal improvements; the 33d to a select committee of Messrs. Salle, Stone, Evans, Graham, Hail and Litton; and the 36th to a select committee of Messrs. Beaty, Morris, Blackburn, Patterson and Colglazier.

The Speaker laid before the House, a letter from the Auditor of public accounts, enclosing his annual report of the state of that office, for the last year ending on the tenth day of October last; which are in the following words, to wit:

STATE OF KENTUCKY
Auditor's Office, Frankfort, 6th Dec. 1827.

DEAR Sir—Please lay before the house over which you preside, the documents accompanying this, from No. 1 to 9 inclusive; and oblige

Yours respectfully,

JOHN SPEED SMITH, Esq. Speaker H. Rep.

No. 1.

A Statement of monies received and paid at the Treasury, for the year ending on and including the 10th day of October, 1827, to wit:

For Bank Stock Fund, to wit:

On lands granted under the acts of 1815, 20 & 26,
(denominated land warrants) $2,667 46
Do. under the acts 1795, 97, and 1800,
(denominated Headright land) 3,621 14
Do. under the acts for appropriating the
lands acquired by the Treaty of Tellico, 125 74—6,414 84
For tax on Non-Residents' lands, 2,405 04
Dec. 8] HOUSE OF REPRESENTATIVES

Do. on redemptions of Non-Residents' lands, 60 38—2,465 92
For amount received for the benefit of the
purchasers of Non-Residents' lands, 16 08
For Miscellaneous Receipts:
Received of the Revenue collectable by Sheriffs,
For the year 1820, 91 55
Ditto, 1822, 76 39
Ditto, 1823, 134 57
Ditto, 1824, 1,031 91
Ditto, 1825, 38,550 38—89,985 80
For tax received on law process, deeds, seals, &c. by Clerks of the Circuit and
County Courts, 13,103 59
For fees received by the Register of the
Land office, 1,605 73
Do. do. the Secretary of State, 56 05—14,765 37
For amount received of the Bank of Kentucky,
for the distribution of Stock, 59,670 00
For amount received of the Bank of the Commonwealth of Kentucky, as revenue, 36,115 17
For amount received for the sale of lands East of Cumberland river, (lying in the State of Ten-
nessee.) 53 00
Do. do. do. West do. do. do. 479 25
For amount received for the sale of lands West of the Tennessee river, 19,229 25
For amount received from the Agent and Keeper of the Penitentiary, 1,021 50
For amount received from the treasurer of the
town of Mayfield, 120 75
For amount received for the sale of warrants to be laid on forfeited lands, 127 00
For amount received for the sale of warrants to confirm titles to forfeited lands, 10 00

Total amount received, $330,543 06

Paid same time:
Warrants paid by the Treasurer, $155,440 41
Stock subscribed in the Bank of the
Commonwealth of Kentucky, 59,670 00

Total Expenditures, $215,110 41

Amount of a credit given the Treasurer for an error committed in charging the receipts of this
year, 42 00

Total credits, $215,152 41
Balance due from the Commonwealth, on the 10th day of October, 1826, 20,820 58

Making a sum of $235,972 99

From which deduct the amount of receipts, as above stated, 230,543 06

Which leaves the Commonwealth in debt on the 10th day of October, 1827, $5,429 95

No. 2.

A Statement of warrants drawn by the Auditor of public accounts on the Treasurer, from the 10th day of October, 1826, to the 10th day of October, 1827, inclusive, showing the amount of warrants drawn for each source of expenditure, and the amount of warrants paid and unpaid during said time, to wit:

Executive offices, for fuel, stationary, &c:
Auditor's office, 393 26
Treasurer's office, 121 56
Land office, 776 33
Secretary's office, 561 49—1,853 14
Public Printer for advertising Non-Residents' lands, 121 30

Criminal prosecutions:
Witnesses' attendance, 3,301 91
Veniremen's attendance, 11,406 26
Sheriffs for whipping persons, 82 00
Constables for apprehending criminals, 1,158 87
Do. for summoning witnesses, 457 95
Do. for whipping persons, 44 54
Sheriffs for conveying criminals to the Penitentiary, 991 33
Do. for summoning Venire, 348 92
Do. for summoning witnesses, 308 25
Do. for executing process for contempt of court, 369 59
Coroners for summoning witnesses, 4 83
Guards, 1,671 56
Coroners for apprehending criminals, 4 00
Sheriffs for guarding criminals to jail, 223 56
Dr. for executing condemned persons, 20 34
Do. for apprehending criminals, 254 00
Constables for ironing criminals, 5 50
Do. for conveying criminals to jail, 149 26
Sheriffs for serving attachments, 51 51—20,974 00
Jailors:—Attendance on court, furnishing fuel, candles, &c., 2,695 06
Do. Dieting criminals, 3,153 22
Committing & releasing criminals, 118 15
Pay of guards for jails, 90 00
Ironing criminals, 61 93
Guarding criminals to jail, 18 19
Apprehending criminals by act of Assembly, 174 50 — 6,316 05

Public communications for postage on letters to and from the Governor and Secretary of State, 538 68
Pay of guards for jails, 90 00
Ironing criminals, 61 93
Guarding criminals to jail, 18 19
Apprehending criminals by act of Assembly, 174 50 — 6,316 05

Auditor of public accounts, including postage on commissioner's books, 304 51
Quarter Master General, 56 36
Adjutant General, 327 49 — 1,227 54

Contingent Expenses:
Binding extra acts of Assembly, 146 50
Repairs of public buildings and yards, 169 63
Collecting an execution of the Sheriff of Livingston county, 18 31
Salary, stationary, &c. of the Receiver of public monies west of Tennessee river, 316 75
Tipstaff Court of Appeals & Gen. Court, 1,193 50
Articles furnished the Register, Auditor, Secretary and Treasurer, 281 38
Printing for public officers, 2 66 — 2,128 78
Commissioners of tax—for taking in lists of taxable property, 20
Salaries—Executive department, 7,640
Judiciary department, 27,520 26
Attorney general, 300 — 35,570 26
Attorneys—for their salaries, 4,784 90
Military expenditures—Brigade Inspectors, 239 50
Repairs of the repository of Public Arms, 9 50
Witn. attendance, 14 93
Provost Marshals, 28 50
Judge Advocates, 31 — 323 48
Lunatics, 950 97
Ideots, 8,896 15 — 9,907 02
Decisions Court of Appeals—for pay of Reporter, 350
Clerks services—pay of county court clerks for making out lists of taxable property, 2,269 92
Ex-officio services, 3,382 60
Presses furnished offices, 210 53
Record books, 2,310 13
Pay of S. Curd for copying entry books, 156 12 — 8,320 30
Sheriffs for revenue of 1825—for revenue overpaid, 99 93
Do. revenue of 1824—revenue overpaid, 10 97
Kentucky Institution for the tuition of the Deaf and Dumb—for the support of indigent pupils, 2,392.74
Loans to the Penitentiary—money drawn by former keeper, 3 15

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Money refunded—taxes twice paid,</td>
<td>4 39</td>
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<tr>
<td>For redemption of lands sold by sheriffs,</td>
<td>6 50</td>
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<tr>
<td>To Sergeant for amount collected by him,</td>
<td>83 97</td>
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<tr>
<td>Sheriffs for delinquents,</td>
<td>69 92</td>
</tr>
<tr>
<td>Amount of fees overpaid by James W. Denny and P. S. Loughborough,</td>
<td>215</td>
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<tr>
<td>Amount of costs paid by S. P. Sharp as attorney general,</td>
<td>40</td>
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<tr>
<td>Fees of the clerk of the General Court</td>
<td>204 20—626 93</td>
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<tr>
<td>Appropriations December Session 1826. Reward for apprehending the murderer of Sharp,</td>
<td>3,000</td>
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<tr>
<td>To Elijah Combs</td>
<td>80</td>
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<tr>
<td>To the Public Printer</td>
<td>1,310 42</td>
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<tr>
<td>To Jacob Swigert</td>
<td>1,523 45</td>
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<td>To P. S. Loughborough</td>
<td>15</td>
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<tr>
<td>To C. Cammack</td>
<td>15 97</td>
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<td>To the Sergeant at arms</td>
<td>555</td>
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<td>To the keeper of the public square</td>
<td>60 50</td>
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<td>To William I. Philips</td>
<td>3 50</td>
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<td>To A. C. Keenon</td>
<td>362 50</td>
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<td>To Joseph Taylor</td>
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<td>To Richard Rudd</td>
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<td>To Ben Barner</td>
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<td>To James Wight</td>
<td>172 25</td>
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<td>To John L. Moore</td>
<td>3 10</td>
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<td>To R. Graham &amp; Co.</td>
<td>9 61</td>
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<tr>
<td>To P. Clay, Auditor of public accounts</td>
<td>500</td>
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<tr>
<td>To J. J. Vest</td>
<td>36 37</td>
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<tr>
<td>To Ben Hensley</td>
<td>250 —7,478 39</td>
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<tr>
<td>To R. S. Todd, Clerk of the House of Representatives</td>
<td>721 42</td>
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<tr>
<td>To Braxton and William, servants</td>
<td>30</td>
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<tr>
<td>To William Wood</td>
<td>597 25</td>
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<tr>
<td>To L. Batchelor, door keeper of the Senate</td>
<td>204 12</td>
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<tr>
<td>To B. R. Pollard assistant clerk of the Senate</td>
<td>227 14</td>
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<tr>
<td>To James Stonestreet, clerk of the Senate</td>
<td>494 23</td>
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<tr>
<td>To R. Divine, door keeper of the House of Representatives</td>
<td>206 92</td>
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<tr>
<td>To Morrison &amp; Parker</td>
<td>36 03</td>
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<tr>
<td>To Davy Jones</td>
<td>10</td>
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</tbody>
</table>
To A. W. Dudley 21 50
To Dana & Hodges 35
To Charles Miles 9 50
To Thomas J. Matthews 2,101 37
To E. Evans 14 50
To John M. Foster, Register of the Land Office 300
To William Harrison 15
To Joseph Smith 17
To R. Blakely 21
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Legislature December session 1826—for pay of members 16,411 49
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Do. from Prestonsburg to the Virginia line 57
Do. from Frankfort to Augusta 20 00—145 25
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Sheriffs for comparing polls—for electors 15 57
For Congressmen 116 37
For Senators 33 69—165 63
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Purchasers of Non-Resident’s lands—amount of warrants issued to purchasers for money paid on redemptions 37 33
Slaves executed 2,653 33
Sheriffs for revenue of 1823—for amount overpaid 77 73
Town of Columbus—to the representatives of A. Sneed, for recording a plat of said town 12
For appropriation made to Ben. Barney 15—27
Appropriations-Dec. session 1826 for specie—To the Governor of the state of Ohio 209 40
Legislature Nov. session 1825 21

Total amount of warrants issued $155,588 90
Amount of warrants unpaid on the 10th day of October 1826 2,323 54

Making a sum of $158,417 44
From which deduct the amount of warrants paid during the year ending on and including the 10th day of October 1827 $155,619 31

Warrants unpaid on the 10th day of Oct. 1827 $2,767 63
A statement of balances due to Government on the 10th day of October 1827, to-wit:

| Of the revenue collectable by Sheriffs due for the year | 1793 | 1794 | 1795 | 1796 | 1797 | 1798 | 1799 | 1800 | 1801 | 1802 | 1803 | 1804 | 1805 | 1806 | 1807 | 1808 | 1809 | 1810 | 1811 | 1812 | 1813 | 1814 | 1815 | 1816 | 1817 | 1818 | 1819 | 1820 | 1821 | 1822 | 1823 | 1824 | 1825 |
|--------------------------------------------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Debts receivable                                       | $104.06 | 138.61 | 1805.36 | 101.36 | 217.25 | 172.26 | 31.99 | 1662.21 | 613.26 | 279.43 | 48.56 | 52.44 | 10.26 | 754.54 | 942.66 | 487.63 | 2044.02 | 169.78 | 1403.39 | 806.45 | 1552.33 | 13398.07 |
| Commissioners of navigation                            | 8,787.04 |
| Tax on Bank stock (Independent Banks)                 | 1,105.06 |
| Clerks for taxes                                       | 5,465.69 |
| Loans to the Penitentiary                              | 65,868.67 |
| Total amount of debts due government on the 10th day of October 1827 | $94,636.30 |
| The amount of stock owned by the state in the Bank of Kentucky, on the 10th day of Oct. 1827 | 293,350 |
| Do. in the Bank of the Commonwealth of Kentucky same date | 432,563.63 |
| Total amount of stock                                  | $781,238.63 |

A statement of balances due from Government on the 10th day of October 1827, and for which the Treasury is bound on the same day for the payment under the existing laws, to-wit:

| Sheriffs for revenue of 1813                           | 832 |
| Attorneys for 1819                                     | 8696 |
| Purchasers of Non-Resident's lands                     | 164,74 |
| Warrants unpaid                                       | 2767.63 |
Dec. 8.]  HOUSE OF REPRESENTATIVES.  47

| Attorneys   | 1,546 32 |
| Salaries    | 2,174 60 |
| Town of Columbus | 1,506 10 |
| Treasurer of town of Waidsboro | 0 5 |

Total amount of debts due from Government on the 10th day of October, 1827 $3,255 22

No. 5.

A statement shewing the debits and credits of the revenue of 1826, due from Sheriffs during the year ending on and including the 10th day of October, 1827, to wit:

<table>
<thead>
<tr>
<th>DEBITS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Balance on the books on the 10th day of Oct. 1825</td>
</tr>
<tr>
<td>Additional lists</td>
</tr>
<tr>
<td>Warrants issued for accounts overpaid</td>
</tr>
<tr>
<td>Interests and costs</td>
</tr>
<tr>
<td><strong>Total Debts</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CREDITS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amount paid Treasurer</td>
</tr>
<tr>
<td>Delinquents exoneration, forfeited lands, and errors corrected</td>
</tr>
<tr>
<td>Commission for collecting</td>
</tr>
<tr>
<td>Wolves killed</td>
</tr>
<tr>
<td><strong>Total credits</strong></td>
</tr>
</tbody>
</table>

Balance due Government on the 10th day of October, 1827, as per statement No. 3 $1,552 33

No. 6.

A statement shewing the debits and credits of Clerks accounts for collection of law process, deeds, seals, &c. for the year ending on and including the 10th day of October, 1827, to wit:

<table>
<thead>
<tr>
<th>DEBITS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Balance due on the 10th day of October 1826</td>
</tr>
<tr>
<td>Accounts rendered</td>
</tr>
<tr>
<td>Costs</td>
</tr>
<tr>
<td><strong>Total debits</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CREDITS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amount paid Treasurer</td>
</tr>
<tr>
<td>Commission for collecting</td>
</tr>
<tr>
<td>By acts of Assembly and for a seal furnished the Allen Circuit Court</td>
</tr>
<tr>
<td><strong>Total credits</strong></td>
</tr>
</tbody>
</table>

Balance due Government on the 10th day of October, 1827, as per statement No. 3 $5,465 69
A Statement showing the probable amount of Expenditures of the Government, for the year ending on and including the 10th day of October, 1828—to wit:

For the amount of the salaries of the officers of the Executive and Judiciary Departments, Attorney General, and Attorneys for the Commonwealth, $40,000 00

Ex-officio services of Clerks' copy lists of taxable property, &c. 9,000 00

Legislature, December session, 1827, and all expenses incident thereto (supposing the Legislature to set seven weeks,) 30,000 00

Military expenditures, 3,500 00

Public communications, 1,500 00

Sheriffs comparing polls, 300 00

Criminal prosecutions, 20,000 00

The execution of slaves, 1,800 00

Printing and binding acts and journals of December session, 1827, 3,000 00

Jailors attending Circuit Court, &c. 3,500 00

Contingent expenses, 2,000 00

Executive offices for fuel, stationary, &c. 2,000 00

Money refunded; taxes twice paid, &c. 500 00

Purchasers of non-residents' lands, 300 00

Lunatic Asylum, 7,000 00

Surveyors for copying entries, &c. 250 00

Distributing acts and journals December session, 1827, 400 00

Kentucky Institution for the tuition of the Deaf and Dumbs, for the support of indigent pupils, 2,500 00

Decisions of the Court of Appeals, 3,000 00

Public printers for advertising non-residents' lands, 80 00

Drawback on vacant lands, 125 00

Sheriffs for revenue overpaid, 200 00

Public roads, 75 00

Lunatics and Idiots, 3,000 00

Total amount expected to be expended, $140,380 00

No. 3.

A Statement of the amount of moneys which is expected to be paid into the Treasury during the year ending on and including the 10th day of October, 1828, subject to the expenses of government—to wit:

The gross amount of revenue collectable by Sheriffs for the year 1826, and made payable on the first Monday in December next, $69,312 51

The loss on collection of revenue by Sheriffs this year, including com-
missions for collecting insolvents, compensation for killing wolves, and sundry other credits which are allowed the Sheriffs, is presumed will be about 18 per cent, amounting to $12,476.25.

The delinquents on the part of the Sheriffs this year, will be about 56,836.26

Which leaves a sum which may be expected with some certainty to be collected and paid into the treasury during the ensuing year, of 53,836.26

From Clerks for taxes on law process, deeds, seals, &c., including the amount expected to be received from the Secretary of State, and the Register of the land office, will be about 15,000.00

From miscellaneous receipts, 30.00
From taxes on non-residents' lands, 2,600.00
From the Bank of the Commonwealth of Kentucky, 28,000.00
From the bank stock fund, to wit: vacant lands and headrights, 6,000.00

From the sale of lands east and west of Cumberland river, in the State of Tennessee, 250.00
From the sale of lands west of the Tennessee river, 12,000.00

Of the balances stated to be due government as in statement No. 3, will be collected of the revenue due from Sheriffs, about 2,500.00
Do. as due from Clerks, will be collected about 2,000.00
Do. as due from debts receivable, about 200.00
Do. as due from the Penitentiary, about 2,000.00

Of the other balances, nothing can be expected with any degree of certainty to be paid.

From the sale of Warrants to confirm titles to forfeited lands, 50.00
From the sale of warrants to be laid on forfeited land, 100.00

Total amount expected to be received, $124,466.25
Balance due from government, as per statement No. 1, (in Commonwealth's paper,) 5,429.93
Do. do. do. No. 4, (do.) 3,255.22
Amount of statement No. 7, 140.880.00

Making, $154,565.15

From which deduct the amount expected to be received, as stated as above, 124,466.26

Leaving a balance due from government on the 10th day of October, 1828, of $30,098.89
A Statement, showing the number of voters in each county in the State, as taken from the Commissioners' books, returned to this office for the year 1826.

<table>
<thead>
<tr>
<th>Counties</th>
<th>Voters</th>
<th>Counties</th>
<th>Voters</th>
<th>Counties</th>
<th>Voters</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adair</td>
<td>1019</td>
<td>Greenup</td>
<td>649</td>
<td>Meade</td>
<td>431</td>
</tr>
<tr>
<td>Anderson</td>
<td>664</td>
<td>Gallatin</td>
<td>896</td>
<td>Montgomery</td>
<td>1073</td>
</tr>
<tr>
<td>Allen</td>
<td>818</td>
<td>Graves</td>
<td>189</td>
<td>Muhlenburg</td>
<td>717</td>
</tr>
<tr>
<td>Bracken</td>
<td>386</td>
<td>Grant</td>
<td>346</td>
<td>Nelson</td>
<td>1800</td>
</tr>
<tr>
<td>Bullitt</td>
<td>706</td>
<td>Grayson</td>
<td>600</td>
<td>Nicholas</td>
<td>1200</td>
</tr>
<tr>
<td>Bourbon</td>
<td>1939</td>
<td>Harrison</td>
<td>1554</td>
<td>Oldham</td>
<td>1126</td>
</tr>
<tr>
<td>Bath</td>
<td>1135</td>
<td>Hardin</td>
<td>1576</td>
<td>Ohio</td>
<td>709</td>
</tr>
<tr>
<td>Barren</td>
<td>1501</td>
<td>Hart</td>
<td>566</td>
<td>Owen</td>
<td>711</td>
</tr>
<tr>
<td>Breckinridge</td>
<td>982</td>
<td>Henderson</td>
<td>531</td>
<td>Perry</td>
<td>384</td>
</tr>
<tr>
<td>Boone</td>
<td>1097</td>
<td>Hopkins</td>
<td>755</td>
<td>Pike</td>
<td>347</td>
</tr>
<tr>
<td>Bath</td>
<td>454</td>
<td>Henry</td>
<td>1334</td>
<td>Pendleton</td>
<td>523</td>
</tr>
<tr>
<td>Campbell</td>
<td>110</td>
<td>Hickman</td>
<td>192</td>
<td>Pulaski</td>
<td>1324</td>
</tr>
<tr>
<td>Caldwell</td>
<td>861</td>
<td>Harlan</td>
<td>341</td>
<td>Rockcastle</td>
<td>419</td>
</tr>
<tr>
<td>Cumberland</td>
<td>1132</td>
<td>Jessamine</td>
<td>1062</td>
<td>Russell</td>
<td>530</td>
</tr>
<tr>
<td>Christian</td>
<td>1200</td>
<td>Jefferson</td>
<td>2002</td>
<td>Shelby</td>
<td>2325</td>
</tr>
<tr>
<td>Clarke</td>
<td>1420</td>
<td>Knox</td>
<td>512</td>
<td>Scott</td>
<td>1616</td>
</tr>
<tr>
<td>Clay</td>
<td>399</td>
<td>Linn</td>
<td>1263</td>
<td>Simpson</td>
<td>675</td>
</tr>
<tr>
<td>Calloway</td>
<td>498</td>
<td>Laurel</td>
<td>193</td>
<td>Spencer</td>
<td>923</td>
</tr>
<tr>
<td>Casey</td>
<td>583</td>
<td>Lawrence</td>
<td>488</td>
<td>Trigg</td>
<td>635</td>
</tr>
<tr>
<td>Davies</td>
<td>505</td>
<td>Lewis</td>
<td>759</td>
<td>Todd</td>
<td>828</td>
</tr>
<tr>
<td>Edmonson</td>
<td>414</td>
<td>Livingston</td>
<td>704</td>
<td>Union</td>
<td>512</td>
</tr>
<tr>
<td>Estill</td>
<td>678</td>
<td>Logan</td>
<td>1295</td>
<td>Warren</td>
<td>1453</td>
</tr>
<tr>
<td>Fleming</td>
<td>1876</td>
<td>Mason</td>
<td>2050</td>
<td>Woodford</td>
<td>1193</td>
</tr>
<tr>
<td>Franklin</td>
<td>1364</td>
<td>Morgan</td>
<td>390</td>
<td>Whitley</td>
<td>509</td>
</tr>
<tr>
<td>Fayette</td>
<td>1922</td>
<td>Monroe</td>
<td>646</td>
<td>Wayne</td>
<td>1098</td>
</tr>
<tr>
<td>Floyd</td>
<td>612</td>
<td>Mercer</td>
<td>1960</td>
<td>Washington</td>
<td>2268</td>
</tr>
<tr>
<td>Garrard</td>
<td>1313</td>
<td>Madison</td>
<td>1933</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Greene</td>
<td>1471</td>
<td>McCracken</td>
<td>138</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total number of voters in the state, 78,833

The Commissioners' books for the year 1827 are not returned, consequently the above statement was necessarily drawn from the books of the year 1826.

All which is respectfully submitted,


The Speaker laid before the House a letter from Oliver G. Waggener, Esq. President of the Bank of the Commonwealth, enclosing his annual report of the situation of that institution and
its branches, on the 10th day of October last, accompanied by a statement, shewing the situation of the bank and each of the branches, which are in the following words and figures:

**Bank of the Commonwealth of Kentucky,**

*Frankfort, 8th Dec. 1827.*

SIR:—I have the honor to communicate, herewith enclosed, a report of the situation of this Bank, which please lay before the House of Representatives over which you preside.

Very respectfully your ob't svrt.

O. G. WAGGENER, President.

Hon. John Speed Smith, Speaker of the H. Rep.

To the members of the Senate, and
Of the House of Representatives:

Agreeably to the 13th section of the law establishing the Bank of the Commonwealth of Kentucky, I have the honor herewith to communicate to the legislature, a report of the situation of the bank and its branches, on the 10th day of October, 1827; also to the House of Representatives, separate reports and tests of debts, with the names of individuals, debtors and securities, except as to the Branch Bank at Greensburg, which has not yet come to hand, but when received, will be communicated.

From an inspection of these latter reports and comparing them with the reports made at the last session, it will be seen that since that time the cases of bad or doubtful debts have not greatly increased. Delinquencies, however, have become more frequent, and consequently the amount in suit is greater than was then reported.

The table herewith communicated will shew the aggregate amount, as well as the annual diminution of the profits of the bank, since its commencement up to the 10th Oct. 1827. These items exhibit, as a natural consequence of the present curtailing process of the debts under discount, a rapid declension of this source of revenue; and will call the attention of the legislature to the fact, that the time is not distant when the expenses which do not necessarily diminish with the profits, will amount to and exceed the interest arising upon the whole debt. Two years more, according to the present rate of curtailment, will bring about this result.

To provide against such a state of things, and to enable the institution to support its own operations, will doubtless be a subject of deliberation at the present session. Should it turn out that it is not the disposition of the legislature to deprive the institution of its banking features, by transferring the business into the hands of commissioners or agents, as has heretofore been proposed, it is respectfully suggested as the opinion of a majority of the board,
that the most obvious and less objectionable mode of lessen-
ing the expenses would be in reducing the number of branches. It is believed that instead of twelve, (the present number of branches) seven, with the addition of the office of Clerk to each, would be entirely adequate to the collection of the debts. This would save annually an expense of something like three thousand dollars.

On the 15th day of February last, the President and Directors, in pursuance of a resolution passed at the last session of the Legislature, cancelled and burnt, in presence of the Governor, Auditor and Treasurer, six hundred thousand dollars of the notes of this bank.

It was reported to the legislature at the last session, that suits had been commenced in two instances, in the Federal Court, against this Bank, upon its notes. Since that time judgments have been rendered in both those cases for specie, to the nominal amount of the notes, which, with the interest, amount altogether to a little upwards of $16,000.

Pleas were put in, in these cases, to the jurisdiction of the Court, upon the ground that a corporation being a party, it did not come within the provision of the act of Congress organizing the judiciary of the United States, and regulating their jurisdiction. The correctness of the decision overruling these pleas, is thought to be very questionable by the counsel employed, and appeals have been taken to the Supreme Court.

It is perhaps in accordance with strict legal principles, that the holders of the notes of this bank should be enabled to exact payment to the amount promised on their face in gold and silver. But situated as the bank is in relation to her notes in circulation, the Directors cannot but look beyond the mere letter of their undertaking, into the situation of the party who makes the demand, and, to feel disposed to limit him to the same measure of justice, which alone they can extend to others standing precisely upon the same grounds. It is a matter of as much notoriety as the existence of the bank itself, that in the exigencies of the country which brought it into being, it was not furnished with the means to redeem the pledges it was compelled to make in putting its notes into circulation. But the adoption of these notes as a medium of exchange, was an acquiescence on the part of society which ratified the measure, and every individual who received them either positively or tacitly, acknowledged their value to be only what they were then passing in the community. It would seem, then, that justice ought to be satisfied in limiting the holder to the value fixed by himself, as thereby he could not be the loser, or to restrict him to a standard which would enable the institution to discharge alike all the notes in the hands of the community, to do which she has the ample ability to the full extent of her commitments, through the medium of
the collection of her debts, and in the same proportion that she requires and receives payment of the one, does she satisfy and discharge the other. A more rigid rule than this, by an undue sacrifice of the means of the bank, might operate to the entire denial of satisfaction to one portion of the holders of these notes, whilst another would obtain more than a just and equitable reimbursement of what they considered their value at the time of acquiring them. Under this view of the case, the directors conceived themselves justifiable in resisting judgments in the suits in question. They took the appeals, with the hope that whatever may be the result of the decision of the Supreme Court, that the Bank would, by the time of their termination, be better prepared to meet the demands than at the present period.

During the last summer and fall, at the request of the Board of Directors, I made a tour around to all the branches, with one exception. This one I did not visit for want of time.

The board was influenced in proposing this measure, from a wish to be able, from personal examination and enquiry of one of their own body, the better to understand the condition of the branches, and the manner in which the business was conducted.

I had the satisfaction to find whilst engaged in this duty, so far as related to the immediate officers of the bank, no cause of distrust or complaint. The books, papers and accounts, under their control, were generally in good order. I would here remark, however, that from the cursory examination to which I was necessarily limited, it was not practicable for me to enter into that detailed and minute investigation of the accounts which would enable me to detect such errors and forced balances as sometimes occur, and which can at any time be made, were it necessary, to cover any deficiency which might exist in the contents of the vault. To have gone into such an examination, would have required such a collation of the accounts and books, as to employ an individual, when extended to all the branches, the greater portion of the year. My other duties, therefore, would not have justified me in such an undertaking. It would seem to me, however, that in all modified institutions situated as this is, investigations with a view to the object above alluded to, are indispensable, and should frequently take place. Books, accounts and money, all in the hands of one and the same individual, it will indeed be a rare coincidence in the adherence to virtue, should the institution not find in winding up among all its branches, no instance of an improper use made of this confidence. Great remissness and indifference is found to prevail on the part of the Directors in the branches, especially those who do not reside in the immediate vicinity of the respective branches; and it rarely happens that a sufficient number can be convened to
form boards for the transaction of business. To this source may be attributed much of the delinquency which prevails in the payment of calls and discounts, and consequently the increase of the number of suits necessarily brought against the debtors to the Bank; accustomed to consider the Director of their own county as having the control of the bank debts therein, they consult and rely upon him to attend to and transact their business, and conceive themselves not accountable should he fail to do so. The Directors, as must be expected, will attend only when it may suit their own convenience, and it does not often happen that men are so entirely at leisure, as to be able to afford the time or willing to undergo the fatigue of travelling to a neighboring county town at their own expense to transact business in which they have no sort of personal interest. To this general account in relation to the duties of the Directors, there are some few exceptions. New Directors, particularly, are stimulated to more punctuality whilst the prospect of obtaining accommodations is in view, and it is difficult to persuade them that this privilege is not an appendage to the office of which it can never be divested.

By confining the appointment of Directors to the neighborhood of the bank, much of the evil adverted to would be removed. Debtors in other counties, it is true, would then be deprived of this means of communicating with the bank, but there are other means that they could conveniently resort to, which it seems to me would ensure more punctuality and regularity than in relying upon the uncertain movements of a distant Director.

In less than three years, according to the present rate of collection, the whole amount of notes in circulation will have been withdrawn. Supposing the Bank of Kentucky, in the mean time, to pay in the whole amount of stock due from it, which of course will be in the notes of this bank, there will still remain due from individuals, and in the real estate, $941,494 11 in specie, or its equivalent. The estimate for losses in bad debts, the deficiency of stock in the Bank of Kentucky, and the expenses of collection of debts, which in the winding up will necessarily somewhat exceed the interest, I think may reasonably be set down at 15 per cent. This will leave a sum in favor of the government of upwards of eight hundred thousand dollars, to be appropriated to such public purposes as the legislature in their wisdom may direct.

O. G. WAGGNER, President.

Frankfort, December 8, 1827.
[See table shewing the situation of the Bank and its Branches.]

The Speaker laid before the House, the annual report of the Keeper of the Penitentiary, which is in the following words.
To face page 54.

<table>
<thead>
<tr>
<th>Location</th>
<th>Stock</th>
<th>Notes Payable</th>
<th>Discounts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal Bank</td>
<td>482,683 63</td>
<td>1,470,414 05</td>
<td>1,956 40</td>
</tr>
<tr>
<td>branch in Bowling Green</td>
<td></td>
<td></td>
<td>1,355 43</td>
</tr>
<tr>
<td>Flemingsburg</td>
<td></td>
<td></td>
<td>714 80</td>
</tr>
<tr>
<td>Pelmouth</td>
<td></td>
<td></td>
<td>731 05</td>
</tr>
<tr>
<td>Greenwich</td>
<td></td>
<td></td>
<td>1,065 65</td>
</tr>
<tr>
<td>Hartford</td>
<td></td>
<td></td>
<td>2,642 19</td>
</tr>
<tr>
<td>Harrodburg</td>
<td></td>
<td></td>
<td>2,116 93</td>
</tr>
<tr>
<td>Lexington</td>
<td></td>
<td></td>
<td>1,385 75</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>9,168 76</td>
</tr>
</tbody>
</table>
A STATEMENT

Of the Situation of the Bank of the Commonwealth of Kentucky on the 10th day of October, 1827.

<table>
<thead>
<tr>
<th>Branch</th>
<th>Stock</th>
<th>Notes payable</th>
<th>Discounts</th>
<th>Individual Depositors</th>
<th>Due to other Banks</th>
<th>Library Fund</th>
<th>Notes due in Suit</th>
<th>Notes under Discount</th>
<th>Due from other Banks</th>
<th>Real Estate</th>
<th>General Expenses</th>
<th>Due from Treasury</th>
<th>Field and Loan</th>
<th>Cash on Hand</th>
<th>Notes of the United States</th>
<th>Notes of Bank of Kentucky</th>
<th>Notes of the Bank of All States</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>472,603</td>
<td>1,470,018.00</td>
<td>8,354.00</td>
<td>45,014.00</td>
<td>170,732.20</td>
<td>11,105.00</td>
<td>703,840.00</td>
<td>1,147,601.60</td>
<td>37,760.60</td>
<td>241,600.00</td>
<td>13,400.00</td>
<td>57,400.00</td>
<td>70,400.00</td>
<td>4,400.00</td>
<td>4,400.00</td>
<td>4,400.00</td>
<td>4,400.00</td>
</tr>
<tr>
<td>Lexington</td>
<td>4,576</td>
<td>11,200.00</td>
<td>750.00</td>
<td>1,200.00</td>
<td>2,400.00</td>
<td>1,200.00</td>
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<td>2,400.00</td>
<td>2,400.00</td>
<td>2,400.00</td>
<td>2,400.00</td>
<td>2,400.00</td>
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<td>2,400.00</td>
<td>2,400.00</td>
<td>2,400.00</td>
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</tr>
<tr>
<td>Frankfort</td>
<td>3,948</td>
<td>9,864.00</td>
<td>648.00</td>
<td>1,296.00</td>
<td>2,592.00</td>
<td>1,296.00</td>
<td>2,592.00</td>
<td>2,592.00</td>
<td>2,592.00</td>
<td>2,592.00</td>
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<td>2,592.00</td>
<td>2,592.00</td>
<td>2,592.00</td>
<td>2,592.00</td>
<td>2,592.00</td>
<td>2,592.00</td>
</tr>
</tbody>
</table>

RECAPITULATION.

| By Notes in Suit | $477,820.60 |
| Notes Discounted | $16,000.00 |
| Amount due from other Banks | $16,000.00 |
| Real Estate | $16,000.00 |
| General expenses, (since 1st July last) | $16,000.00 |
| Amount due from representatives of A. Morehead, dec'd. & sequities | $16,000.00 |
| Amount due from Treasurer | $16,000.00 |
| Profit and Loss | $16,000.00 |
| Cash on hand | $16,000.00 |
| Notes of the United States | $16,000.00 |
| Notes of the Bank of Kentucky | $16,000.00 |
| Notes of the Bank of All States | $16,000.00 |

Amount of means to redeem the Notes in circulation brought forward: $1,955,811.60

Deficit amount of Notes in circulation 16th October, 1827, $1,044,189.00

Deficit amount of Notes in circulation 16th October, 1827, $1,044,189.00

Leaving an excess of means of $161,622.60

Amount of Notes in circulation on the 1st day of October, 1826, $4,881,540.00

Amount of Notes in circulation on the 1st day of October, 1827, $4,881,540.00

Amount withdrawn from circulation during the last year, $161,622.60

Of the above amount of Notes withdrawn from circulation—

There was paid in on account of loans $250,000.00

by Bank of Kentucky, on acc't. of stock, $250,000.00

Amount received on account of Loans during the present year, $250,000.00

Amount of payments of Loans, greater this year than the proceeding, $250,000.00

Amount of payments of Loans, greater this year than the proceeding, $250,000.00

Amount of payments of Loans, greater this year than the proceeding, $250,000.00

Amount of payments of Loans, greater this year than the proceeding, $250,000.00

Amount of payments of Loans, greater this year than the proceeding, $250,000.00

EDMUND H. TAYLOR, cashier.
Frankfort, December 8, 1837.
[See table shewing the situation of the Bank and its Branches.]

The Speaker laid before the House, the annual report of the Keeper of the Penitentiary, which is in the following words.
To the Honorable, the Members of the Legislature of Kentucky.

The act of Assembly of 1824, which confided the management of the Kentucky Penitentiary to my care, requires an annual report to be made out by me to your honorable body. I submit, in obedience thereto, the following remarks:

Since my report of last year, the operations of the institution have gone on prosperously and improvingly. The demand for manufactured articles has increased and is increasing, and I have no cause to apprehend any difficulty hereafter in vending them, and in keeping the convicts constantly and profitably employed; and my convictions originally entertained, that the establishment with judicious management might be made to yield a handsome annual profit, have rather been strengthened than impaired. The act of last session, making an appropriation for rebuilding the Capitol, authorized the building commissioners to draw on the Keeper of the Penitentiary for manufactured articles to the amount of $5000; of this sum, about $1495 have been furnished upon the orders of the commissioners, which has been principally used for the purpose of paying workmen, and for purchasing building materials elsewhere. $959.97 has been paid to persons that are employed in building and furnishing materials for the building, and to be paid by the commissioners' order; and has been by that means as valuable to the state as the same amount of cash would have been.

The commissioners, desirous that the wall should be principally of stone, applied to me last winter, to be informed, for what sum I would undertake to prepare the quantity of that article which would be required. From as correct a calculation as it was in my power to make, I proposed preparing the stone which would be wanting for the wall 37 feet high, exclusive of the door and window facings, and other work, which required much pains in the execution, to saw and dress it ready to be laid, for a sum not to exceed $5,500. All other works, except the blocks for the walls, was to be an exclusive and separate charge. Upon the information given to the Commissioners, they entered into a contract with me, (stipulating, however, that I should rely upon the state for reimbursement, as they had no authority to contract with me for anything not comprehended in the $5,000 appropriated by law.)

Believing that the convicts would not be more profitably employed for the state, and having entire confidence in the justice of the Legislature, I proceeded to do the work for them.

The work which I undertook to perform for a sum not exceeding $5,500, by the aid of labor-saving machinery, and by keeping a great number of convicts employed, (generally from forty to fifty,) has been nearly completed, and a great quantity of stone work not included in that contract, has been executed. I cannot
state at present, with any accuracy, the amount furnished of
5,500 dollars, but will say there is not 1000 dollars worth of
work to do, nor that furnished not included in the contract; nor
do I suppose it to be necessary so to do, as I presume your hon­
or able body will adopt measures for the purpose of obtaining spe­
cific information from me upon all points connected with the
management of the institution confided to my superintendance;
and it would be particularly gratifying to me if a committee
should be appointed to examine the accounts between the State
and myself. I am almost ashamed to say to you, that our unset­
tled accounts amount to $12,901 41, (as per books and notes,)
against which accounts, (including the debt due to the State,) there is a considerable amount of rebutting claims; and as I
have been so much engaged this present year for the State, I
hope you will excuse my not being able to pay into the treasury
the thousand dollars this year, and suspend the operation of the
law to that effect.

It gives me pleasure to have it in my power to state that during
the present year, the convicts have been generally in excellent
health. There have been but three deaths since my last report,
and there is at present not a single case of sickness on hand. One
of the convicts who died was received whilst laboring under a
severe chronic complaint, from which he never recovered. The
other was killed by the guard, while attempting to make his es­
cape. It was with reluctance that I had recourse to such deci­
sive measures, but the nature of the case presented no other al­
ternative. The convict had declared his intention to escape, or
perish in the attempt. He was a powerful man, and as desperate
as he was powerful, and being armed with clubs and stones.

With regard to self preservation, as well as strict observance
of duty, compelled the guard to fire on him. Another convict,
attempting to escape at the same time, was wounded, but has
since recovered. With the exception of this unhappy occurrence,
it gives me pleasure to state, that the deportment of the convicts
has been generally very correct. They appear to be satisfied
with the treatment they receive, are obedient and decorous, and
execute all orders given them with promptitude and alacrity.—
There are now in the Penitentiary 33 convicts.

Since my last report, 37 convicts have been received, and 33
have been discharged, their terms of confinement having expired,
and 5 have been pardoned from the executive.

Pursuant to a resolution of the last legislature, a monument
has been finished and erected over the grave of Governor Shelby,
which I have charged to the account of the state.

I owe it to the Assistant Keeper and Clerk, and to the guard,
to say, that I am much indebted to them for their steady and zeal­
os endeavors to promote the interest of the institution; and if
it has prospered, it is to be imputed in no small degree to their faithfulness and perseverance.

Flattering myself, gentlemen, with the hope that I shall be visited in the course of the session, both by committees and individuals of your honorable body,

I have the honor to be,

Your obedient servant,

JOEL SCOTT, Keeper.

The Speaker laid before the House a letter from Edmond Curd, Receiver of public money for the sale of land west of the Tennessee river, which is in the following words:

To the honorable the Speaker of the House of Representatives, and through you to the honorable body over which you preside:

It is made my duty by a resolution of the last General Assembly, as Receiver of Public Money South West of the Tennessee river, to make report fully within the first week of the present session, of all monies received by me each year, and paid into the Princeton Branch Bank, to which I most respectfully herewith submit the following report, to-wit:

For the year 1825, received $29,576 75—per centage, $500
Do. 1826, do. 18,139 00—do. 500
Do. 1827, do. 37,100 50—do. 300

Take from above per centage, 1,300 00

$84,816 25

The above sum of eighty-three thousand five hundred and sixteen dollars and 25 cents, I have deposited in the Princeton Branch Bank, and have on hand.

Respectfully yours,

EDMOND CURD.

17th November, 1827.

The Speaker laid before the House the report of a committee of the Board of Managers of the Louisville Hospital, shewing the amount of receipts and expenditures on account of that institution, for the last year: Also the petition of the President and Managers of said institution, praying that the act imposing a duty on sales at auction in the town of Louisville, for the support of said Hospital, may be amended in various particulars.

Which was received and laid on the table.

Mr. Hall, (of Barren,) read and laid on the table the following resolution:

WHEREAS it is necessary that joint committees to examine the
public offices, the Bank of Kentucky, the Commonwealth's Bank, and the Penitentiary, be raised;

Resolved, therefore, by the Senate and House of Representatives, That a committee of three from the Senate and six from the House of Representatives be raised, to examine and report the condition of the Auditor's office; that a committee of three from the Senate and six from the House of Representatives be raised, to examine and report the condition of the Treasury; that a committee of three from the Senate and six from the House of Representatives, to examine and report the condition of the Register's office; that a committee of three from the Senate and six from the House of Representatives, to examine and report the condition of the Bank of Kentucky; that a committee of three from the Senate and six from the House of Representatives, to examine and report the condition of the Commonwealth's Bank; and that a committee of three from the Senate and six from the House of Representatives, to examine and report the condition of the Penitentiary.

And thereupon the rule of the House being dispensed with, the said resolution was taken up, twice read, and adopted.

Ordered, That Mr. Hall carry the said resolution to the Senate, and request their concurrence.

On motion—Ordered, That Mr. Smith be excused from, and Mr. Hughes be added to the committee of enrollments on the part of this House.

Mr. Secret moved to obtain leave to bring in a bill, to take the sense of the people of Fleming county, at their August election in 1828, with respect to the propriety of removing the county seat of Fleming to the Poplar plains.

And the question being taken on granting leave to bring in said bill, it was decided in the negative, and so the said motion was disagreed to.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Grider—1. A bill for the benefit of "the Southern College of Kentucky," at Bowlinggreen.

On the motion of Mr. Helm—2. A bill to alter the time of comparing the polls in the 11th Congressional district.

On the motion of Mr. Daniel—3. A bill for the benefit of the heirs of David Dickerson, deceased.

On the motion of Mr. L. Sanders—4. A bill to authorize the Governor of this Commonwealth, or some named commissioner on behalf of the Commonwealth, to contract for and purchase any or all of the stock in the Louisville and Frankfort Road Company, and to finish said road.

On the motion of Mr. Forrest—5. A bill to change the place of voting in the south precinct in Washington county.
On the motion of Mr. A. Davis—6. A bill to amend the law concerning chancery proceedings.

On the motion of Mr. McMillan—7. A bill to amend and explain an act, entitled, "an act to reduce the price of the vacant land between Walker's line and latitude 36 degrees 30 minutes north, and east of Tennessee river," approved January 22d, 1827.

On the motion of Mr. Stone—3. A bill to change the place of taking the votes in the Sharpsburg precinct, in Bath county.

On the motion of Mr. Helm—9. A bill to amend an act incorporating the Hartford Manufacturing Company.

On the motion of Mr. Yantis—10. A bill to amend the several laws regulating the Turnpike and Wilderness road.

On the motion of Mr. Miner—11. A bill to change the term of the County Court of Henry County, from the 1st Monday in August to the 2d Monday.

On the motion of Mr. Southgate—12. A bill amending the acts establishing the town of Covington, at the mouth of Licking.

On the motion of Mr. Parrish—13. A bill for the benefit of the infant heirs of John Williams, deceased.

On the motion of Mr. Guthrie—14. A bill to amend the law relating to usury.

On the motion of Mr. Patrick—15. A bill to improve the navigation of the north and middle forks of the Kentucky river.


On the motion of Mr. Bibb—17. A bill to alter the time of the meeting of August term of the Logan Circuit Court.

On the motion of Mr. L. Boyd—18. A bill further to regulate the sale of the land south west of the Tennessee river.

On the motion of Mr. N. P. Sanders—19. A bill to regulate the powers of the trustees of the town of Mount Vernon, and for other purposes.

On the motion of Mr. A. Boyd—20. A bill authorizing the trustees of the Trigg County Seminary, to sell and convey her donation lands. And,

On the motion of Mr. Parrish—21. A bill further to regulate the inspection of tobacco, and for other purposes.

Messrs. Grider, Skiles, Yantis and Bibb, were appointed a committee to prepare and bring in the first. Messrs. Helm, Ray, Watkins and Davis, the second; Messrs. Daniel, Haggin, Parrish and Swope, the third, the committee of internal improvements, the fourth; Messrs. Forrest, Waters, Watts and Inglish, the fifth; Messrs. A. Davis, Haggin, Blackburn, Marshall and Breck, the sixth; Messrs. McMillan, Thomas and Swope, the seventh; Messrs. Stone, Hazlerigg and Graham, the eighth; Messrs. Helm, Davis, Coffman and Inglish, the ninth; Messrs. Yantis, George,
Smith, Conner and Litton, the tenth; Messrs. Miner, Moore and Davis, the eleventh; Messrs. Southgate, Gaines and Guthrie, the twelfth; Messrs. Parrish, Smith and Cree, the thirteenth; Messrs. Guthrie, Hanson, Beatty, Barbee, Blackburn and A. Boyd, the fourteenth; Messrs. Patrick, Woodland and Turner, the fifteenth; Messrs. McMillan, Miner and Thomas, the sixteenth; Messrs. Bibb, Grider and Ewing, the seventeenth; Messrs. L. Boyd, Davenport, Forrest, Spalding and A. Boyd, the eighteenth; Messrs. N. P. Sanders, L. Sanders and Smith, the nineteenth; Messrs. A. Boyd, Davenport, Rucker and Ewing, the twentieth; and Messrs. Parrish, Spalding, Moore, Lindsay and Waters, the twenty-first.

Mr. Spalding, from the committee appointed for that purpose, reported "A bill to take the sense of the people of this Commonwealth, as to the propriety of calling a Convention."

Which was read the first time:

And the question being taken on reading the said bill a second time, it was decided in the affirmative.

The yeas and nays being called for, thereon, by Messrs. Spalding and A. Wilson, were as follows, to wit:


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

By Mr. Breck—1. A bill to authorize the appointment of an additional justice of the peace in the county of Madison.

By Mr. Hall—2. A bill to authorize the several county courts of this Commonwealth to permit gates to be erected across public roads and passways.

By Mr. B. Harrison—3. A bill for the benefit of St. Joseph's College at Bardstown.

By Mr. Marshall—4. A bill to enlarge the constable's district composed at present of the town of Paris, in the county of Bourbon.
Dec. 10.] HOUSE OF REPRESENTATIVES.

By Mr. Combs—5. A bill to amend an act entitled an act to encourage the establishment of private schools.

By Mr. A. Davis—6. A bill making a chancery term to the Montgomery Circuit Court.

By Mr. Hardy—7. A bill for the benefit of Thomas Smith.

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, constitutional provision, and second reading of the first, third, fourth, sixth and seventh bills having been dispensed with, the first was committed to a select committee of Messrs. Breck, Litton, Hazlerigg, Hall, (of Barren,) L. Sanders, Rucker, Haggin and Ray; the third and fourth were severally ordered to be engrossed and read a third time; the sixth was committed to a select committee of Messrs. A. Davis, Hanson, Wilkerson and Haggin; and the seventh committed to a select committee of Messrs. Smith, M. Hall and Hardy.

And thereupon the rule of the House, constitutional provision and third reading of the third and fourth bills having been dispensed with;

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

Ordered, That Mr. B. Harrison carry the third and Mr. Marshall the fourth bill to the Senate, and request their concurrence.

And then the House adjourned.

MONDAY, DECEMBER 10, 1827.

The Speaker laid before the House a letter from the Treasurer of this Commonwealth, enclosing his annual report of the state of that office, and of the money received and paid at the Treasury for the last year, ending on the 10th day of October, 1827, which are in the following words:

STATE OF KENTUCKY,

Treasurer's Office, December 9, 1827.

Sir—You will please lay before the honorable body over which you preside, the enclosed statement, which gives a concise view of the situation of the Treasury from the 11th October 1826, to the 10th October 1827, inclusive.

Respectfully, Yours,

JAMES DAVIDSON, Treasurer.

Hon. John S. Smith,
Speaker of the House of Representatives.
No. 1.

A statement shewing the amount of monies received by the Treasurer, (under each different head,) from the 11th day of October 1826, to the 10th day of October 1827, inclusive, to wit:

<table>
<thead>
<tr>
<th>Source of Income</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bank Stock fund:</td>
<td>$3,621.14</td>
</tr>
<tr>
<td>From headright lands</td>
<td>2,667.46</td>
</tr>
<tr>
<td>From vacant lands</td>
<td>125.74</td>
</tr>
<tr>
<td>From Tellico lands</td>
<td>6,414.34</td>
</tr>
<tr>
<td>From the sale of lands east of Cumberland river</td>
<td>53.00</td>
</tr>
<tr>
<td>Do. do. west do. do.</td>
<td>479.25</td>
</tr>
<tr>
<td>From Sheriffs for revenue</td>
<td>30,985.80</td>
</tr>
<tr>
<td>From clerks of circuit and county courts</td>
<td>12,813.97</td>
</tr>
<tr>
<td>From the Register of the land office</td>
<td>1,895.35</td>
</tr>
<tr>
<td>From the Secretary of State</td>
<td>14,765.37</td>
</tr>
<tr>
<td>From loans to the Penitentiary</td>
<td>1,921.50</td>
</tr>
<tr>
<td>From non-residents</td>
<td>2,482.00</td>
</tr>
<tr>
<td>From miscellaneous receipts</td>
<td>70.63</td>
</tr>
<tr>
<td>From the treasurer of the town of Mayfield</td>
<td>120.75</td>
</tr>
<tr>
<td>From the sale of lands west of Tennessee river</td>
<td>19,228.25</td>
</tr>
<tr>
<td>From the sale of warrants to be laid on forfeited lands</td>
<td>127.00</td>
</tr>
<tr>
<td>From the sale of warrants to confirm titles to forfeited do.</td>
<td>10.00</td>
</tr>
<tr>
<td>From the Bank of the Commonwealth of Kentucky</td>
<td>36,115.17</td>
</tr>
<tr>
<td>From the distribution of stock in the Bank of Kent'y</td>
<td>59,870.00</td>
</tr>
</tbody>
</table>

Total amount received $230,543.06

No. 2.

A statement shewing the amount of warrants paid by the Treasurer, (under each different head,) from the 11th day of October, 1826, to the 10th day of October, 1827, inclusive, to wit:

<table>
<thead>
<tr>
<th>Source of Payment</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drawbacks on vacant lands</td>
<td>326.03</td>
</tr>
<tr>
<td>Loans to the Penitentiary</td>
<td>8.15</td>
</tr>
<tr>
<td>Salaries</td>
<td>35,570.26</td>
</tr>
<tr>
<td>Appropriations, December Session, 1826</td>
<td>16,411.49</td>
</tr>
<tr>
<td>Public Printer</td>
<td>23,240.61</td>
</tr>
<tr>
<td>Lunatics</td>
<td>121.80</td>
</tr>
<tr>
<td>Criminal prosecutions</td>
<td>9,907.02</td>
</tr>
<tr>
<td>Commissioners of tax</td>
<td>21,286.28</td>
</tr>
<tr>
<td>Jailors</td>
<td>20.00</td>
</tr>
<tr>
<td>Clerks' services</td>
<td>6,236.68</td>
</tr>
<tr>
<td>Sheriffs for comparing polls</td>
<td>8,378.38</td>
</tr>
<tr>
<td>Executive offices</td>
<td>165.63</td>
</tr>
<tr>
<td>Contingent expenses</td>
<td>1,646.15</td>
</tr>
<tr>
<td>Public roads</td>
<td>2,135.72</td>
</tr>
<tr>
<td>Decisions Court of Appeals</td>
<td>145.25</td>
</tr>
<tr>
<td></td>
<td>350.00</td>
</tr>
</tbody>
</table>
Military Expenditures, 323 48
Distributing acts and journals, December Session, 1826, 388 62
Slaves executed, 2,658 33
Lunatic Asylum, 11,948 09
Ky. Institution for the tuition of the Deaf and Dumb, 2,238 64
Money Refunded, 626 98
Purchasers of non-residents lands, 37 33
Public communications, 1,227 54
Attorneys, 4,554 90
Town of Columbus, 27 00
Sheriff, 188 63
Legislature, November Session, 1825, 21 00

Total amount of warrants paid, $155,440 41
Balance due from the Commonwealth on the 10th day of October, 1826, 20,820 58
Amount of stock subscribed in the Bank of the Commonwealth of Kentucky, 59,070 00
Amount of error committed in charging the receipts of this year to the Treasurer, 42 00

Total expenditures, $233,972 99
From which deduct the amount of monies received, as per statement No. 1, $230,543 08

Balance due from the Commonwealth on the 10th October, 1827, $5,429 93
Specie remaining in the treasury on the 10th day of October, 1826, $1,000 00
Amount of a warrant paid during the year ending on the 10th day of October, 1827, 209 40

Specie remaining in the treasury on the 10th day of October, 1827, $790 60

There still remains in the treasury, in Illinois money, $20 00

JAMES DAVIDSON, Treasurer.

1. Mr. Forrest presented the petition of Samuel Gowdy, praying a divorce from his wife Nancy Gowdy.
2. Mr. Swope presented the petition of Michael Faris and Polly Faris, praying a divorce from the marriage contract.
3. Mr. Inglish presented the petition of Morris Downs, praying a divorce from his wife Elizabeth Downs.
4. Mr. M. Hall presented the petition of the heirs of David Edwards, deceased, praying that a law may pass to authorize a
sale of a portion of the real estate of said decedent, for the purposes of paying the remaining debts due by the decedent.

5. Mr. Thomas presented the petition of sundry citizens of Barren county, praying that a part of said county may be added to the county of Allen.

6. Mr. Guthrie presented the petition of sundry citizens of Oldham county, praying for the establishment of an election precinct in said county.

7. Mr. Hardy presented the remonstrance of sundry citizens of Barren county against the petition presented on this day to add a part of Barren county to the county of Allen.

8. Mr. Guthrie presented the petition of John Cochran, praying a divorce from his wife Catharine Cochran.

9. Mr. Thomas presented the petition of sundry citizens of Allen county, praying that a law may pass to authorize Richardson P. Hughes, to erect a dam across Big Barren river, for the purpose of working a water grist mill.

10. Mr. Bishop presented the petition of C. Hopkins, sheriff of Hopkins county, praying that a law may pass, to allow him further time to make the collection of the revenue tax due from the citizens of said county for the present year.

Which petitions were severally received, read and referred: the 1st, 2nd, 3rd and 9th, to the committee of Religion; the 4th, to the committee for Courts of Justice; the 5th, 6th, 7th and 8th, to the committee of Propositions and Grievances; the 10th, to the committee on Internal Improvements; and the 11th, to a select committee of Messrs. Bishop, McBride, West and Harald.

Mr. Breck, from the select committee, to whom was referred a bill to authorize the appointment of a Justice of the peace in the county of Madison, reported the same with sundry amendments, which being twice read, were concurred in.

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

And thereupon, the rule of the House, constitutional provision and third reading of said bill having been 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 authorize the appointment of additional Justices of the peace in certain counties, and for other purposes."

Ordered, That Mr. Breck carry the said bill to the Senate, and request their concurrence.

Mr. A. Davis, from the select committee, to whom was refer-
red "A bill making a Chancery term to the Montgomery circuit court," reported the same with an amendment,
    Which being twice read, was concurred in.
    And the said bill as amended ordered to be engrossed and read a third time.
    And thereupon, the rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,
    Resolved, That the said bill do pass, and that the title thereof be amended by adding thereto, the words "and a special term to the Franklin circuit court."
    Ordered, That Mr. Davis carry the said bill to the Senate, and request their concurrence.
    Mr. Hardy, from the select committee, to whom was referred a bill for the benefit of Thomas Smith, reported the same with amendments,
    Which being twice read, was concurred in.
    And the said bill as amended, ordered to be engrossed and read a third time:
    And thereupon, the rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,
    Resolved, That the said bill do pass, and that the title thereof be amended by adding thereto, the words "and others."
    Ordered, That Mr. Hardy carry the said bill to the Senate, and request their concurrence.

Leave was given to bring in the following bills:
On the motion of Mr. Joyes—1. A bill to establish a town in the county of Oldham.
On the motion of Mr. B. Harrison—2. A bill to repeal the fourth section of an act entitled an act to change the time of holding certain courts in the seventh judicial district, approved January 25, 1827.
On the motion of Mr. Coffman—3. A bill to provide for the safe keeping of Jesse Hide and Ottaway Hide.
On the motion of Mr. Combs—4. A bill to re-establish certain ferries at the mouth of the Kentucky river, and the Ohio river.
On the motion of Mr. Smith—5. A bill further to regulate the Court of Appeals. And,
On the motion of Mr. Graham—6. A bill prescribing the manner in which changes may be made in the road leading from Mountsterling to the Virginia line, by the way of Prestonsburg.
Messrs. Joyes, Guthrie, C. L. Harrison, Turner and West, were appointed a committee to prepare and bring in the first; Messrs. B. Harrison, Simpson, Waters and Helm, the second; Messrs. Coffman, Davis and Inglish, the third; Messrs. Combs, Miner, Moore, Dougherty and Breckinridge, the fourth; Messrs.
Smith, Hanson, Davenport, B. Harrison, Gridier, Graham and Haggin, the fifth; and Messrs. Graham, Stone, Hazlerigg and A. Davis, the sixth.

Mr. Yantis moved the following resolution:

Resolved by the House of Representatives of the Commonwealth of Kentucky, That the Auditor of public accounts furnish this House with the number of qualified voters in the several counties in this state, in the years 1824, 1825, 1826 and 1827.

Which being twice read was adopted.

Mr. Bruce read and laid on the table the following resolution;

Resolved by the Senate and House of Representatives, That a committee of eight members be raised, to prepare a memorial, to be presented to the Congress of the United States, praying for redress of serious and afflicting grievances, which the good people of this Commonwealth have sustained, by reason of the General Government having received, by cession from the State of Virginia, the immense territory north west of the Ohio river; and thereby having prevented the numerous land warrants sold by the state of Virginia to the citizens of this and others from being satisfied.

On motion—Ordered, That Messrs. Guthrie, B. Harrison, Ward and Hanson, be added to the committee to whom was referred so much of the Governor’s message as relates to education.

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

By Mr. Smith—1. A bill for the benefit of the heirs of John Wells, and David Callaghan, deceased.

By Mr. Helm—2. A bill to alter the time of comparing polls in the eleventh congressional district.

By Mr. N. P. Sanders—3. A bill further to regulate the powers of the Trustees of Mount Vernon in Bullitt county, and for other purposes.

By Mr. Helm—4. A bill to amend an act incorporating the “Hartford Manufacturing Company.”

By Mr. Guthrie—5. A bill for the benefit of the Administrators and heirs of Richard C. Anderson deceased.

By Mr. McMillan—6. A bill to amend and explain an act entitled an act to reduce the price of the vacant land between Walker’s line and the latitude 36° 30’ north, and east of the Tennessee river, approved January 22, 1827.

By Mr. Bibb—7. A bill to alter the time of the commencement of the August term of the Logan circuit court.

By Mr. Stone—8. A bill to change the place of voting in the Sharpsburg precinct, in Bath county.

By Mr. A. Wilson—9. A bill to authorize the surveyor of Lincoln county, to transcribe a part of his Record book, and to make out a new alphabet.
By Mr. B. Harrison—10. A bill to repeal the fourth section of an act to change the time of holding certain courts in the seventh Judicial district, approved January 29, 1827.

And by Mr. Baseman—11. A bill to appoint an additional constable in Harrison 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, constitutional provision and second reading of the 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th and 11th, bills, having been dispensed with, the 1st was committed to a select committee of Messrs. Smith, Turner and Breck; the 2nd, 3rd and 11th, (the 11th having been amended at the Clerk's table,) were severally ordered to be engrossed and read a third time; the 3rd was committed to a select committee of Messrs. Smith, L. Sanders and N. P. Sanders; the 4th was committed to a select committee of Messrs. Helm, Davis, Coffman and Inglish; the 5th to the committee for courts of Justice; the 7th to a select committee of Messrs. Hazlerigg, Grider, Bibb, and Conner; the 8th to a select committee of Messrs. Stone, Hazlerigg, Graham, and Colglazier; and the 9th to a select committee of Messrs. A. Wilson, Smith, Spalding, Graham, and Bishop.

And thereupon the rule of the House, constitutional provision and third reading of the second bill having been 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. Helm carry the said bill to the Senate, and request their concurrence.

Mr. Sanders moved the following resolution, viz:

Resolved, That the committee of Internal Improvements be instructed to inquire whether or not the existing laws in relation to public roads are ample and sufficient to keep said roads in a proper state of repair, and whether any legislative interposition is necessary for the improvement of the same.

And that said committee be also instructed to inquire into the practicability and policy of turnpiking the following roads, or any other that may seem to them essential to the best interests of the state, to wit:

The road leading from Louisville, by way of Frankfort and Lexington to Maysville; the road leading from Lexington, by way of Harrodsburgh, &c. to Nashville; the road leading from Louisville to Nashville: the road from Lexington, by Richmond and Barboursville, to the Cumberland Gap: the road from Lexington to the mouth of Big Sandy: the road from Mount sterling, by Prestonsburg to the Virginia line: the road from Lexington, by way of the Crab Orchard to Barboursville: the road from Lexington, by
Georgetown to Cincinnati: the road from Louisville to Smithland; the road from Danville, by Stanford to the Crab Orchard; from Stanford to Monticello, by Somerset; the road from Lexington to Ghent, on the Ohio river; the road from Bowling green, by Russell ville and Elkton to Smithland; the road from Frankfort to Harrodsburg; the road from Louisville to Lawrenceburg; and the road from Danville to Murfreesborough.

Whether either, or any one of said roads, or any parts thereof, could probably be turnpiked by the state, or whether Turnpike Companies should be incorporated for said purposes.

Resolved further, That said committee enquire into the expediency of laying off this state into agricultural districts, inviting and encouraging the citizens thereof, to the formation of agricultural societies; and with this view appropriate a sufficient fund for the payment of proper rewards, and furnishing suitable premiums for the growing of the best crops of the ordinary products of the soil, and the most approved inventions of the implements of husbandry.

Be it further resolved, That said committee be, and they are hereby instructed to inquire into and report the practicability of raising a sufficient fund for the foregoing purposes, and that they report by bill or otherwise.

Which being twice read, it was then moved and seconded to lay the said resolutions on the table for the present.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. L. Sanders and Williams, were as follows:

YEAS—Mr. Speaker, Messrs. Barker, A. Boyd, L. Boyd, Brock, Creel, Gaines, George, Griffin, M. W. Hall, B. Harrison, Hazle riggs, Henderson, Simpson and Southgate—15.


The first resolution having been adopted: It was then moved and seconded to amend the second resolution, by expunging therefrom the words printed in Italic.

And the question being taken on adopting the said amendment, it was decided in the affirmative.
The yeas and nays being required thereon, by Messrs. Breck and L. Sanders, were as follows:


**NAYS**—Messrs. Breck, Breckenridge, Bruce, Conner, Cunningham, A. Davis, Evans, Ewing, Gaines, George, Graham, Griffin, Guthrie, Hanson, Hazlerigg, Henderson, Litton, Parish, Patrick, Powers, Riffe, Sallee, Smith, Stone, Swope, Turner, A. Wilson, Woodland, and Yantis—29.

The third resolution was then laid on the table, and the fourth was adopted.

Mr. Davis (of Ohio.) read and laid on the table, the following joint resolution, viz:

*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 the situation of Transylvania University, and the Lunatic Asylum at Lexington.*

A message was received from the Senate, announcing their concurrence in the resolution from this house “for appointing joint committees to examine the public offices, the Penitentiary, the Bank of Kentucky and the Bank of the Commonwealth,” with an amendment thereto. The passage of a bill entitled, an act authorizing the county court of Spencer county to have an additional term on the third Monday of January, 1828. And the passage of bills which originated in this house of the following titles to-wit:

An act to authorize the insertion of advertisements in certain newspapers.

An act to alter the time of comparing the polls in the eleventh Congressional district, with amendments to the latter bill.

The amendments proposed by the Senate to the last named bill, and the resolution above mentioned, were then taken up, twice read, and concurred in.

*Ordered,* That Mr. Helm inform the Senate thereof.

Mr. Turner moved the following resolution:

*Whereas, It is doubtful whether justices of the peace, under existing laws can lawfully issue a ca. sa. against persons guilty of breaches of the peace,*
And whereas, a considerable number of said offences are
committed by insolvent persons, who do not obey the summons of the
justice, and who are thus permitted to go at large and violate
the laws with impunity: Therefore,

Resolved, That the committee on courts of justice, be instruc-
ted to ascertain and report to this house, whether it is lawful for
justices of the peace to issue a ca. sa. in such cases, and if in
their opinion the law is not sufficiently clear and explicit, that
they be instructed to report a bill to this house giving them the
power.

Which being twice read was adopted.

Mr. Munford moved the following resolution, viz:

Resolved by the House of Representatives, That during the pre-
sent session, the members thereof will not receive nor read newspa-
pers at public expense.

Which being twice read, was adopted.

Mr. Grider moved the following resolution:

Resolved, That the committee of courts of justice, enquire in-
to the expediency of authorizing the sheriffs or deputy sheriffs
of this commonwealth, where process is resisted by force, evasion,
absconding or otherwise, specially to empower any discreet and
disinterested person, under his hand and seal, to execute said
process, as the sheriff might by law.

Which being twice read, was adopted.

Mr. Hall (of Barren) moved the following resolution:

Resolved by the House of Representatives, That the constitu-
tional provision as to the second and third reading of bills, shall in
no case be dispensed with, unless the emergency or simplicity of
the case shall clearly indicate the necessity or propriety of such
dispensation.

Which being twice read, was adopted.

A bill from the Senate entitled an act to amend an act entitled
"an act for the benefit of the headright and Tellico settlers, and
for other purposes, passed December 28, 1826," was read the
first time and ordered to be read a second time.

And thereupon, the rule of the house, constitutional provision
and second and third readings of said bill having been dispensed
with,

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

Ordered, That Mr. Smith inform the Senate thereof.

The Speaker laid before the House the annual report of the
commissioners of the Lunatic Asylum at Lexington, covering an
account of their expenditures for the last year, &c. which are in
the following words:
To the General Assembly of the Commonwealth of Kentucky.

The Commissioners of the Lunatic Asylum at Lexington, in compliance with your act, beg leave to refer you to the enclosed paper marked A, for the information relative to the patients that have been and are in the house; and it may not be improper to remark, that the number of patients received from the county of Fayette is larger than from any other, owing to several having been brought without their papers being regular, and have had a jury of that county to decide upon them; and must refer you to the paper marked B, for the information of the expenditure of your appropriation, which will shew a balance in the hands of the Commissioners of four hundred and seventy dollars sixty-five cents. It would be gratifying to your Commissioners to have it in their power to exhibit to a committee of your honorable body, the vouchers for the money expended, and the comfort afforded the patients; and trust it would be highly gratifying to them, to find all this effected at about one third of the amount expended for their support, previous to the establishment of this asylum, to say nothing of the pleasant reflection resulting from the large number that have been restored to society and their friends, having regained the possession of their mental faculties; and must again beg leave to urge the propriety of adding to the grounds already occupied, as well as to authorize the present to be enclosed with a secure and substantial fence, to prevent escapes, which will enable your Commissioners more completely to execute the beneficent plan of your honorable body.

With great respect,
Your obedient servant,
JOHN W. HUNT, Chairman.

[A.]

Patients remaining in Lexington Lunatic Asylum, 30th November, 1827.

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Patients remaining in the Asylum 13th Dec. 1826, 65
Do. received into do. to 30th Nov. 1827, 34
Of whom, discharged—cured, relieved, or by request of friends, 17
Died, 11

Remaining in Asylum, 30th November, 1827, 71
Males, 44 | Stationary, 56
Females, 27—71 | Improved, 15—71
Total number of patients received into the Asylum since its opening, January, 1824, 160
Of whom, Discharged—Cured or relieved, 54
Died, 25
Eloped, 10—39
Remain as above, 71
Of whom were from the counties of
Allan, 1 | Casey, 3 | Fayette, 26
Bath, 2 | Clark, 3 | Franklin, 3
Breckinridge, 5 | Caldwell, 1 | Fleming, 1
Butler, 1 | Christian, 2 | Grayson, 1
Bourbon, 1 | Daviess, 1 | Garrard, 5
Green, 2
Greenup, 1
Henry, 1
Hopkins, 1
Henderson, 1
Hardin, 1
Harrison, 5
Harlan, 1
Jefferson, 14
Knox, 2
Lincoln, 7
Logan, 7

Madison, 7
Mercer, 8
Mason, 7
Montgomery, 1
Middleton, 1
Nicholas, 3
Nelson, 4
Pike, 1
Pulaski, 1
Perry, 1
Pendleton, 2
Scott, 6

Shelby, 6
Woodford, 6
Warren, 2
Washington, 2
Wayne, 3
Fr. Kentucky, 138
Mississippi, 1
Indiana, 1

Dec. 10.

Abstract of the Receipts and Expenditures of the Lunatic Asylum, Dr. for the year 1827.

To balance of last year's accounts, $254 40
To State appropriation, 6,000 00
To cash for board from sundry patients, 826 65

$7,081 05

Cr. By amount paid for provisions, $1,755 05
" " " Clothing, 613 55
" " " Bedding & Furniture, 251 47
" " " Repairs, 173 75
" " " Salaries, 1,530 07
" " " Medicines, medical aid, 187 18
" " " and Stationary,
" " " Extras, 124 98
" " " Firewood, 472 50
" " " Transporting patients, 218 25
" " " Erecting house in yard, 1,229 68
" " " and Furniture,
" " " of cash repaid boarders, 53 93

By cash in Commonwealth's Bank, being balance, 470 64

$7,081 05

Mr. M'Millan moved the following resolution:
Resolved by the House of Representatives, That it is deemed expedient to have a standing committee in this house, to be designated the Military Committee, and that said committee have the same power in relation to the militia and military concern of this Commonwealth, as other standing committees of this house possess in relation to matters referred to them.
Which being twice read was adopted.
Dec. 11.] HOUSE OF REPRESENTATIVES.

Mr. Sallee, from the committee appointed for that purpose reported a bill designating the boundary of the constable's district including the town of Monticello, in Wayne county. And then the House adjourned.

TUESDAY, DECEMBER 11, 1827.

Mr. N. P. Sanders, from the joint committee of enrollments, reported that the committee had examined an enrolled resolution and bills of the following titles, and had found the same truly enrolled, viz:

A resolution for appointing joint committees to examine the public offices, the Penitentiary, the Bank of Kentucky, and the Bank of the Commonwealth.

An act to authorize the insertion of advertisements in certain newspapers.

An act to alter the time of comparing the polls in the 11th Congressional district. And,

An act to amend an act entitled "an act for the benefit of the headright and Tellico settlers, and for other purposes," passed December 28, 1826.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. N. P. Sanders inform the Senate thereof.

Ordered, That Messrs. M. W. Hall, Hanson, Marshall, C. L. Harrison, D. Wilson and Graham, be appointed a committee on the part of this House, to examine the Auditor's office, in pursuance of the joint resolution; Messrs. Barbee, Southgate, Combs, Bibb, Barker and Turner, to examine the Treasurer's office; Messrs. Ward, Hardy, Grider, A. Davis, Downing and Stone, to examine the Register's office; Messrs. Guthrie, Breck, McMullan, West, Moore and Davenport, to examine the Bank of Kentucky; Messrs. Hanson, Breckmridge, Buford, Daniel, Patrick, and Williams, to examine the Bank of the Commonwealth; and Messrs. A. Boyd, Simpson, True, Ingles, Secrest and Hail, to examine the Penitentiary.

Ordered, That Mr. Hall inform the Senate thereof.

1. Mr. Bibb presented the petition of James and Elias Ogden, praying that a law may pass authorizing them to sell and convey a certain tract of land in Logan county, belonging to Milly, Joseph, John, Elisha, Polly and James Ogden, persons of unsound mind.

2. Mr. L. Sanders presented the petition of the County Court of Anderson, praying the passage of a law appropriating all fines and forfeitures arising in said county, towards lessening of the county levy of said county: that a seminary of learning may be established in said county, and that a donation of land may be made, for the use of the said seminary.
3. Mr. A. Boyd presented the petition of Sarah Blevins, praying for a divorce from her husband, Richard Blevins.

4. Mr. A. Boyd also presented the petition of Thomas Johnson, praying a divorce from his wife Polly Johnson.

5. Mr. A. Boyd also presented the petition of Hartin Starnes, praying for a divorce from his wife Sarah Starnes.

6. Mr. Ward presented the petition of Elizabeth Breckinridge, praying that a law may pass, authorizing the sale and conveyance of the interest of Gabriella J. Breckinridge, her infant daughter, in a tract of land lying in Fayette county, on North Elkhorn.

7. Mr. Ward also presented the petition of Joseph Barnet, praying that a law may pass, authorizing the sale of a tract of land on Eagle creek, belonging to the heirs of Richard Barnet, deceased.

8. Mr. Ward also presented the petition of Andrew Spence, guardian for Samuel Spence and Margaret Jane Spence, praying that a law may pass, authorizing the sale of a tract of land belonging to said infants.

9. Mr. Rife presented the petition of sundry citizens of Adair county, praying that a part of said county may be added to the county of Casey.

10. Mr. Ward presented the petition of the "La Fayette Rangers," a militia company of the 12th regiment, praying that a law may pass giving to said company entire control of all its fines, to be appropriated to the especial use of the said company.

11. Mr. Ward also presented the petition of Robert Raiby, praying compensation for apprehending a felon.

12. Mr. L. Boyd presented the petition of Gooden Marshall and others, praying that a section of land in Calloway county, may be granted to the said Gooden Marshall, without the payment of the State price.

13. Mr. L. Boyd also presented the petition of sundry citizens of Calloway county, praying that a section of land in said county be granted to Christopher Hinton, without the payment of the State price.

14. Mr. L. Boyd also presented the petition of Peter Curtner of Graves county, praying that a quarter section of land in said county, be granted him without the payment of the State price.

15. Mr. L. Boyd also presented the petition of sundry citizens of Calloway county, praying that a tract of land in said county be granted to John Faughn, Sen. without the payment of the State price.

16. Mr. Parish presented the remonstrance of sundry citizens of Adair county against adding a part of said county to the county of Casey.

17. Mr. Southgate presented the petition of Elizabeth Powell, praying a divorce from her husband Elick Powell.
Which petitions were severally received, read and referred: the 1st, 6th, 7th and 8th to the committee of courts of justice; the 2d to a select committee of Messrs. L. Sanders, Downing, Blackburn and Haggins; the 3d, 4th, 5th and 17th, to the committee of religion; the 9th and 16th to a select committee of Messrs. Ruff, Ward, Evans, Creel and Parrish; the 10th to the committee on military affairs; the 11th to the committee of claims; the 12th, 13th, 14th and 15th to the committee of propositions and grievances.

Mr. Beatty, from the committee for courts of justice, made the following report:

1. The committee, for courts of justice have had under consideration, a petition of the heirs of Rudy Meeks, deceased, in which they represent that their ancestor departed this life intestate, leaving a considerable quantity of land and slaves which descended to the petitioners and others. That they cannot be divided in kind among those entitled to them, and that it would be advantageous to the heirs, to have the said land and negroes sold. And they pray that a law may pass authorizing the administrators of said Prudy Meeks, to sell at public sale the said land and negroes.

The committee are of opinion, that the laws of the state are amply sufficient to enable a proper disposition to be made of the property, which is represented to have descended to the petitioners and others; and that it would be inexpedient to pass any special act for the purposes prayed for. They therefore recommend the adoption of the following resolution:

Resolved, That the prayer of the petitioners is unreasonable.

2. The committee have also had under consideration, the petition of Nathaniel Wilson, as guardian for the infant heirs of Uriah Wilson, who represents that the infant heirs and their mother have removed to the state of Indiana, leaving twenty acres of land in the county of Nicholas, and suggesting that it would greatly redound to the interest of the heirs that the land should be sold. The committee, for the reasons suggested, in relation to the heirs of Rudy Meeks, are of opinion that it would be inexpedient to pass any special act authorizing the sale of the land mentioned in the petition. The committee would suggest, that as applications of this kind are generally made ex parte, justice cannot be so well done as when an investigation of the facts takes place in open court, where all parties can be heard. Besides, a system of legislation for individual cases of this kind, if it should be indulged in, would soon grow to such an extent, as would render it impossible for the Legislature to attend to it, without neglecting the important public concerns of the Commonwealth.
The committee, therefore, recommend the adoption of the following resolution:

Resolved, That the petition of Nathaniel Wilson, guardian of the infant heirs of Uriah Wilson, deceased, is unreasonable.

3. The committee have also had under consideration the petition of Thomas Edwards and others, which represents that David Edwards, of Barren county, departed this life in the year 1823, intestate, leaving a small tract of land, in said county, with some personal estate, which has been administered upon and applied to the payment of debts, and that there are some debts yet unpaid. They pray that a law may pass authorizing a sale of said land, on a reasonable credit, and that the proceeds may be applied first to pay the residue of the debts, and the balance be divided equally among those entitled to it. The committee are of opinion it would be inexpedient to grant the prayer of the petitioners, and therefore recommend the adoption of the following resolution.

Resolved, That the prayer of the petitioners is unreasonable.

The committee have also had under consideration the petition of John Lancaster, James Beam, Sarah Ann Beam, John Smock and Celia Smock, which represents, that the said Sarah Ann, last spring, at the age of 14 years, intermarried with James Beam, that she was the only heir of William Bucks, deceased, that since her marriage her husband has exchanged with the petitioner, John Lancaster, a slip of land, adjoining said Lancaster's plantation, 400 poles long, and containing 93 acres, being a part of the land he had derived title to, in right of his wife. The object of the petition is to have the exchange of land with Lancaster confirmed, and the title of the infant femme covert vested in said Lancaster.

The committee are of opinion, that it would be inexpedient by a legislative act, to pass the title of an infant femme covert, in confirmation of the sale or exchange of her husband, when she is incapable of giving consent in consequence of her tender age. They therefore, recommend the adoption of the following resolution:

Resolved, That the petition of the said John Lancaster and others, is unreasonable.

5. The committee have also had under consideration, the petition of Vincent Hodskins, and others, heirs and representatives, of Aquilla Hodskins, deceased, which represents, that Vincent and Aquilla Hodskins were brothers, and had the utmost confidence in each other, and that during the lifetime of Aquilla, they exchanged lots of ground in the town of Lebanon, and county of Washington, that in this exchange, Aquilla gave Vincent, lot No. 65, unimproved, for lot No. 69, partly improved. That the parties went on to improve the lots according to their
respect of fancies and convenience. That Aquilla took possession of the lot he thus acquired, and died in possession. That from the confidence existing between the brothers, no instrument of writing evidencing the said exchange, was ever executed. That Vincent is willing to convey, and the heirs desire a law to pass passing their title to Vincent, &c.

The committee are of opinion, that if the heirs were of the proper age to consent that their title should pass, there would be no necessity for any special legislation on the subject; but if they are incapable of giving consent, then their petition to the legislature is merely nominal. When they arrive of age, they can confirm the exchange; or if they should then decline doing so, Vincent can have his lot restored to him by a court of chancery, which will take care to cause compensation to be made to him for the difference in the value of the improvements, if that difference should be in his favor.

The committee is, therefore, of opinion, that no legislation on this subject is necessary, and recommend the adoption of the following resolution.

Resolved, That the petition of Aquilla Hodskins and others is unreasonable.

6. The committee have also had under consideration “leave to bring in a bill for the benefit of the heirs of Isaac Bledsoe, deceased,” and also “leave to bring in a bill for the benefit of the heirs and executors of John Hudson, deceased,” and not being apprised of any grounds on which to frame said bills, they ask to be discharged from the further consideration thereof.

7. The committee have also had under consideration the petition of Henry Stallings, who represents that a patent for 200 acres of land, lying in Bullit county, was issued to Thomas Whitley, under whom he claims title. The petitioner alleges that there is a mistake in the course of the patent, from the beginning corner, “which calls for north 15° west 28 poles to Jacob Harmon’s corner, when in fact it should have been north 15° east 28 poles, which course and distance will strike Harmon’s corner. The effect of this mistake, if the course called for should be regarded, and the call for Harmon’s corner be rejected, would be to leave a slip of land, adjoining Harmon’s survey, uncovered by the patent, though it is covered by the survey on which the patent is founded. The committee are, however, of opinion, that the mistake in the first line of the patent, cannot have the effect supposed by the petitioner, for as the patent calls to begin at the north east corner of Brashear’s 400 acre survey, and to run thence to three ash trees, sugar tree and hickory, corner to Jacob Harmon’s 1000 acre survey, the first line of the patent must be extended to said corner, without regard to course. The committee are, therefore, of opinion, that the title to the slip of land adjoining
Harman's survey of 1000 acres, is already vested in the petitioner, and consequently there is no necessity for any special legislation on the subject. The committee, therefore, recommend the adoption of the following resolution:

Resolved, That the circumstances set forth in the petition of Henry Stallings, are not such as to require the interposition of the legislature, to vest the title in him; and that the petitioner have leave to withdraw his petition, and the papers accompanying the same.

Which being twice read, was concurred in.

Ordered, That Messrs. L. Sanders, Gaines, Southgate and Hanson, be appointed a committee to prepare and bring in the bill mentioned in the fifth resolution.

The Speaker laid before the House a report from the Commissioners appointed to superintend the re-building of the Capitol in the town of Frankfort; which was received, read and referred to a select committee of Messrs. L. Sanders, Blackburn, Ward, Burford, Reid, D. W. Wilson, Moore. Downing and Wingate.

Mr. Breck, from the committee of ways and means, made the following report:

The committee of ways and means have, according to order, had under consideration so much of the Governor's message as relates to the poll tax system, and report the following resolution:

Resolved, That it is inexpedient at this time, to attempt any change in said system.

Which being twice read, was laid on the table.

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

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 a part of the citizens of Todd county, praying that an election precinct may be established in said county, is reasonable.

Resolved, That the petition of the citizens of Caldwell county, praying for the erection of a new judicial district in the lower end of this State, is reasonable.

Which being twice read, was concurred in.

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

Mr. Hall, (of Barren,) from the committee of claims, made the following report:

The committee of claims have, according to order, had under consideration sundry petitions to them referred, and have come to resolutions thereon:
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1st. Resolved, That the petition of Michael Huffaker, praying remuneration for a loss sustained by his wagon and team falling through the bridge at Yellow creek, on the Turnpike and Wilderness Road, be rejected.

2d. Resolved, That the petition of Samuel Woodson, Clerk of the Hopkins County Court, praying a compensation for furnishing the Sheriff of Hopkins county with an additional copy of the commissioners' book of said county, is reasonable.

Which being twice read, the first resolution was re-committed to the committee of claims, and the second was disagreed to.

Mr. B. Harrison, from the committee on internal improvements, made the following report:

The committee on internal improvements, having under consideration, a petition from sundry citizens of this Commonwealth, praying that a law may pass to open Barren river from Shipley's old mill to the mouth of Indian creek, and to make the necessary contributions therefor, and have come to the following resolutions thereon:

Resolved, That the said petition is unreasonable.

Also, the petition of sundry citizens of this Commonwealth, praying that a law may pass, granting leave to Col. Richardson P. Hughes to build a mill on Big Barren river, at the mouth of Hungry creek, in Allen county, and have come to the following resolution thereon:

Resolved, That the said petition is reasonable.

Which being twice read, (and the second resolution amended by striking out the words "is reasonable," and inserting in lieu thereof the words "be rejected"), was concurred in.

The Speaker laid before the House the report of the trustees of the Hospital at Smithland, exhibiting the state of that institution, the progress made in the erection of the buildings, and of the money received and expended in the progress of the work, and praying a further appropriation to complete the work.

Which was received, read and referred to a select committee of Messrs. Hughes, Blackburn, Ward, Spalding, Davenport and Rucker.

Mr. Barbee, from the committee of religion, made the following report:

The committee of religion have had under consideration sundry petitions to them referred, and have come to resolutions thereon, to-wit:

Resolved, That the petition of Elizabeth Oakly be rejected.
Resolved, That the petition of William Dunn be rejected.
Resolved, That the petition of Joseph Crawford be rejected.
Resolved, That the petition of John Cochran is reasonable.
Resolved, That the petition of William Whitworth is reasonable.

Which being twice read, was concurred in.
Ordered, That the said committee prepare and bring in bills pursuant to the 4th and 5th resolutions.

Ordered, That the annual report of Joel Scott, Keeper of the Penitentiary, be referred to a select committee of Messrs. L. Sanders, Hanson and Breck.

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

By Mr. Breck, from the committee of ways and means—1. A bill to alter the mode of taking in lists of taxable property.

By Mr. B. Harrison, from the committee on internal improvements—2. A bill to incorporate the Ohio Bridge Company.

By Mr. Hanson—3. A bill to incorporate the city of Louisville.

By Mr. A. Davis—4. A bill to amend the law concerning chancery proceedings.

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, constitutional provision and second reading of the first bill having been dispensed with, the same was recommitted to the committee of ways and means.

Mr. Combs moved the following resolution:

Resolved, That the Sergeant-at-Arms of this House be directed to procure, for the use of this House, two maps of the State of Kentucky, of the last edition.

Which being twice read, was adopted.

Mr. Conner moved the following resolution:

Resolved, That it shall be a standing rule of this House, that when it adjourns in the evening, it shall convene on the following day at 9 o'clock, A. M.

Which being twice read,

The House then adjourned.

WEDNESDAY, DECEMBER 12, 1827.

Ordered, That a committee on military affairs be appointed, and a committee was appointed, consisting of Messrs. Smith, Simpson, McMillan, Hardy, Breck, Combs, Southgate, Wingate, Conner, Stone and Helm; who are to meet and adjourn from day to day, and take under consideration all matters and things relating to the militia of this Commonwealth, and military affairs, and such other matters as may from time to time be referred to them, or come legally before 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. Bibb presented the petition of Laurence McCombs and Mary McCombs, praying that a law may pass, to relinquish to
them the right of the State, acquired by forfeiture, to a part of a tract of land lying in Daviess county, formerly the property of Dr. John Tennant, of Virginia, through whom they derive title to said land, upon their paying up the taxes due thereon. And,

Mr. Daniel presented the petition of the heirs of David Dickerson, deceased, praying that a law may pass to authorize a sale of a tract of land belonging to said heirs, lying in Jessamine county.

Which petitions were severally received, read and referred; the first to the committee for courts of justice, and the second to a select committee of Messrs. Daniel, Swope, Williams, Hall and Haggin.

Mr. Beatty, from the committee for courts of justice, made the following report:

1. The committee for courts of justice have had under consideration a petition of the heirs and representatives of James Gee deceased, the object of which is to obtain the passage of an act authorising the sale of 66 2-3 acres of land, and three slaves, alleging that an equal division thereof, cannot be made. The petition is signed by William Maxey and John B. McGee, and by William Andrews, as guardian for two others. Two of the heirs are therefore under age, and Maxey probably claims in right of his wife, and consequently the legislature are asked to authorize the sale of the interest of the infants and feme covert. The committee are of opinion this ought not not to be done, and therefore recommend the adoption of the following resolution.

Resolved, That the prayer of the petitioners ought not to be granted.

2. The committee have also had under consideration the petition of John H. Mulican and others, heirs of Basil Mulican deceased, four of whom are adults, and four are infants, who petition by guardian. They represent that their ancestor died, leaving nine negroes, (besides those assigned to the widow for her dower) and one hundred and fourteen acres of land. They pray for the passage of a law authorising a sale of the said land and negroes. The committee recommend the adoption of the following resolution.

Resolved, That the prayer of the petitioners ought not to be granted.

3. The committee have also had under consideration the petition of Collins Lanier, who represents that he is guardian for Celia M. Lanier, who is the owner of a small piece of land and three slaves. That the profits of the estate are insufficient for her maintenance, in consequence of which she has become indebted to the petitioner, as her guardian, in the sum of $457.25, as per settlement with the county court of Simpson. He further states that his ward is of unsound mind, and has been so from her infancy.
and wholly incapable of transacting her own business. He prays that a law may pass, authorizing the sale of so much of the estate of his ward as will pay the debt due the petitioner.

The committee beg leave to state, that the act concerning lunatics, provides that a committee shall be appointed to persons of unsound mind, and that wherever the estate of such unsound person shall be sufficient for his or her support, the unsound person shall be supported out of such estate. If therefore the said ward of the petitioner, has been of unsound mind from her infancy, her guardian ought to have had a committee appointed for her, who would have had control over her, and would have been authorized to support her out of her estate. And if he has expended his own funds in supporting his ward, when she was really of unsound mind, the committee are of opinion he can obtain redress by applying to the court of the proper county, acting in its chancery capacity. If, on the other hand, she was of sound mind, then the guardian had no authority to expend more in her support, than the proceeds of the estate. The committee therefore recommend the adoption of the following resolution.

Resolved, That the prayer of the petitioner ought not to be granted.

4. The committee have also had under consideration the petition of Gabriel Hardison, who states, that he borrowed from the bank of Bowling-green, $150, and that his agent, who drew the money made use of it. That he has been sued for the money, and his farm (which had been mortgaged to secure the debt) has been sold for the payment of the debt, and purchased by the bank. He states that he is still residing on the land, by permission of the bank, but knows not at what moment he may be turned off, and therefore petitions for a law relinquishing the tract of land, in consideration of the premises, and of his revolutionary services, &c. The committee recommend the adoption of the following resolution.

Resolved, That the prayer of the petitioner ought not to be granted.

The committee have also had under consideration, leave given to bring in a bill to alter the time of holding the Lawrence, Floyd, and Pike county courts. They report that the object of the proposed bill has been obtained by an amendment to another bill, and therefore ask leave to be discharged from the further consideration thereof.

Which being twice read, was concurred in.

Mr. Beatty, from the same committee, to whom was referred a bill for the benefit of the heirs of Richard C. Anderson, deceased, reported the same without amendment.

Ordered, That the said bill be engrossed, and read a third time to-morrow.
Mr. Blackburn, from the committee of propositions and grievances, made the following report:

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 part of the citizens of Mason county, praying for the establishment of an election precinct in said county, is reasonable.

Resolved, That the petition of a part of the citizens of Hardin county, praying for the erection of an election precinct in Hardin county, and the election to be held in Hodgenville, is reasonable.

Resolved, That the petition of a part of the citizens of Oldham county, praying for the erection of an election precinct in said county, is reasonable.

Resolved, That the petition of a part of the citizens of Washington county, praying for a division of said county, and that a new county may be erected out of part thereof, is reasonable.

Which being twice read, the first, second and third resolutions were concurred.

It was then moved and seconded to amend the 4th resolution by striking out the words "is reasonable," and inserting in lieu thereof the words "be rejected."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hanson and Forrest, were as follows, viz:


The said resolution was then concurred in.

Ordered, That the said committee prepare and bring in bills pursuant to said resolutions.
Mr. Breck, from the committee of ways and means, to which was referred, a bill to alter the mode of taking in lists of taxable property, reported the same without amendment.

The said bill having been amended at the Clerk's table, was, with the amendment, ordered to be engrossed and read a third time to-morrow.

Mr. Barbee, from the committee of religion, made the following report:

The committee of religion have had under consideration sundry petitions to them referred, and come to resolutions thereon, to wit:

1. Resolved, That the petition of Dinah Walden be rejected.

2. Resolved, That the petition of Michael Pharis and wife be rejected.

3. Resolved, That the petition of William Ashert be rejected.

4. Resolved, That the petition of Simha George be rejected.

5. Resolved, That the petition in behalf of Martha Whiteside be rejected.

6. Resolved, That the petition of Richard Hunt and wife be rejected.

7. Resolved, That the petition of Matilda Waters is reasonable. Which being twice read, was concurred in.

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

Mr. L. Sanders, from the select committee to whom was referred a bill further to regulate the powers of the trustees of the town of Mount Vernon, in Bullitt county, and for other purposes, reported the same without amendment.

The said bill was then ordered to be engrossed and read a third time.

And thereupon the rule of the House, constitutional provision and third reading of said bill having been 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. Sanders carry the said bill to the Senate, and request their concurrence.

Mr. Bibb, from the select committee to whom was referred, a bill to alter the time of the commencement of the August term of the Logan Circuit Court, reported the same with an amendment, in lieu of the original bill;

Which being twice read, was concurred in.

And the said bill, as amended, ordered to be engrossed and read a third time.

And thereupon the rule of the House, constitutional provision and third reading of said bill having been 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 alter the time of holding certain courts."

Ordered, That Mr. Bibb carry the said bill to the Senate, and request their concurrence.

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

By Mr. Blackburn, from the committee of propositions and grievances—1. A bill to establish an election precinct in the county of Todd.

2. A bill forming a new judicial district.

By Mr. Barbee, from the committee of religion—3. A bill for the divorce of John Cochran.

By Mr. Grider—4. A bill for the benefit of the Southern College and Lancaster Academy.

By Mr. Beatty—5. A bill to alter the mode of summoning venires and petit juries. And,

By Mr. Hall, (of Barren)—6. A bill to amend the election laws of this Commonwealth.

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

Ordered, That the Public Printer forthwith print 200 copies of the 5th and 6th bills, for the use of the members of this House.

And thereupon the rule of the House, constitutional provision and second reading of the 1st, 2d, 3d and 4th bills having been dispensed with, the 1st was re-committed to a select committee of Messrs. C. L. Harrison, Helm, Ewing and Beatty; the 2d to the committee for courts of justice, and the 3d and 4th were ordered to be engrossed and read a third time.

And thereupon the rule of the House, constitutional provision and third reading of the 3d and 4th bills having been dispensed with, and the same being engrossed:

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

Ordered, That Mr. Grider carry the said bills to the Senate, and request their concurrence.

It was then moved and seconded to dispense with the further business of the day, with a view to take up for consideration, "a bill to take the sense of the people as to the propriety of calling a convention."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Combs and Dougherty, were as follows:

YEAS——Messrs. Barbee, Barker, Baseman, Bishop, A. Boyd, L. Boyd, Coffinan, Daniel, W. M. Davis, Dougherty, Ewing, Forrest, Gaines, Graham, Griffin, Guthrie, M. W. Hall, Hardy,


Mr. Beatty read and laid on the table the following resolutions:

The people of Kentucky, from their local situation, from the fertility of their soil, and the abundance of their agricultural productions, have at all times felt a deep interest in that system of policy, which gives a liberal protection to the agricultural productions of the country, to domestic manufactures, and to an extended system of internal improvements, by means of permanent and well constructed roads and canals. The impracticability of transmitting their agricultural productions, by water, except to a single port, and that situated in a very deleterious climate, and more than two thousand miles from the principal manufacturing districts of the United States, renders it peculiarly important to their interests, that permanent and well constructed roads and canals should be formed, to afford the means of a direct intercourse with the ports of the Atlantic, and thence to the principal manufacturing districts, or to foreign countries, as circumstances may require.

Nor is it less important to their interests, that a liberal and extended system of protection should be afforded to the manufacture of such articles as are adapted to the circumstances and wants of the country; and especially of those branches, the raw materials of which are furnished in abundance by the country. The system of policy adopted by the European governments, of protecting their agricultural and manufacturing industry, by restrictive means, amounting in general to a prohibition of foreign articles, agricultural or manufactured, which might compete with them, is perhaps necessary to their well being, their prosperity, and in some instances to their very existence. As independent nations, they are exclusively the judges of what will best promote their own interests, and we have no right to complain. But if we were to neglect to adopt countervailing measures, for the protection of our own citizens, whether engaged in agriculture or manufactures, against the injurious effects of foreign legislation,
and the restrictive measures of foreign governments, we should be inexcessably inattentive to the best interests of the country.

When, by the restrictive and protective measures of those governments, the exports of the three great staples of the Eastern, Middle and Western States, to wit. flour, beef and pork, from the year 1803 to 1826, (during which period our population had about doubled,) has been reduced from $13,445,000 to $7,220,326, it is time that the national government should adopt energetic measures, to raise up a home market for our surplus agricultural productions. The extension of every branch of domestic manufactures, would contribute towards this desirable object; and none more so than the manufacture of iron, cotton, hemp, flax, and wool. These are raw materials, which the country can furnish in inexhaustible quantities. Every pound of iron, extracted from our mines, is the creation of so much value. And every hand directly or indirectly employed in producing this new value, together with their families, are furnished with subsistence and clothing by the farmer and manufacturer. The farmer and planter furnish the raw material for the cotton, hemp, flax and woollen branches of manufacture; and subsistence for the numerous individuals and their families, engaged directly or indirectly in those branches of domestic industry; and also subsistence for all animals appertaining to such manufactures, whether for purposes of pleasure and convenience, for draught or for food.

The woollen branch is peculiarly important, as it will at once furnish the means of an immense consumption of agricultural productions, by the great number of individuals employed in that branch of manufacture, and other mechanical operations to which it will necessarily give rise; and also afford a market for the new staple in the article of wool, of great value, and one peculiarly adapted to the climate and soil of our country.

The growth of this article, equal to the demands of our manufacturing establishments, will produce a most favorable effect upon agricultural productions. By abstracting a part of our agricultural industry from the production of bread stuffs, and its application to the growing of wool, the double effect will be produced of preventing too great a glut of the market for bread stuffs, and the improvement of our lands, by sowing down in grass those portions of them which are better adapted to grazing than the production of grain. The manufacture of hemp and flax will, in these respects, have also a most beneficial effect upon the interests of agriculture.

But however desirable the protection of the agricultural and manufacturing industry of the country may be to the State of Kentucky, if such protection could only be secured by subjecting any of her sister States to serious inconveniences, or oppressive burthens, the patriotism and justice of her citizens would induce
them to forego many advantages, and to bear with serious evils rather than purchase a benefit to themselves at the expense of their fellow citizens of other States. It is, however, confidently believed that advantages will result to every part of the Union, by the adoption of a general system of protection to the agricultural and manufacturing industry of the United States. Although the beneficial effects of this system may appear to operate more immediately in favor of some particular sections of the country than others, yet its practical effect will be found to operate indirectly to the benefit of every part of the Union. It may be hoped, therefore, that the patriotism of our fellow citizens in those States, which are, comparatively, in a flourishing condition, in consequence of their still having (with a population only equal to half that of the Eastern, Middle and Western States,) a foreign market for cotton alone—to say nothing of their tobacco, rice, indigo, sugar and molasses—amounting to the annual value of twenty-five millions of dollars, will induce them to consent to a fair experiment being made as to the effect of giving an adequate protection to the growing and manufacturing of hemp, flax and wool. They ought the more readily to yield to the wishes of the Eastern, Middle and Western States, in a matter that so vitally concerns their interests, in consequence of the favorable result, contrary to their anticipations, of the experiment which has been thoroughly made as to our capacity to manufacture coarse cotton goods and a variety of other articles, upon much better terms than they can be imported from abroad; an experiment which has resulted in furnishing a home consumption for nearly one fourth of all the cotton raised in the Southern States, and which has in a few years caused our exports of domestic manufactures to rise, contrary to the most sanguine expectations, to the great amount of six millions of dollars annually.

Objections having been raised, in relation to internal improvements, and the encouragement and protection of domestic manufactures, by the State of Virginia, on constitutional grounds, the Legislature of Kentucky has felt itself bound by a respect for the opinions of her parent State, and by a regard for the constitution, whose provisions ought ever to be held sacred, to weigh well the suggestion of a want of constitutional authority in the national government, to exercise powers, even of the most beneficial kind; and though the exercise thereof can never be attended with any but beneficial consequences, because an habitual disregard of the constitution, even in matters from which immediate good might result, would, in time, probably lead to violations of more serious import. But upon a full consideration of these objections, coming as they do from a source entitled to so much respect, the Legislature of Kentucky are of opinion, that a construction of the constitution, which has been acted upon ever
since the commencement of the great national road, by which a
communication has been formed between the Atlantic States and
those of the interior—a construction which has met the entire
approbation of a great majority of the people of the United States
—cannot be wrong. All human language is imperfect, and it is
therefore to be expected that different men will sometimes unde-
stand the same instrument differently. But when a definite
meaning has been affixed, by common consent, to a particular
constitutional provision, for a long series of years; when that
meaning concurs with the deliberate judgments of a large major-
ity of the community; and when, moreover, the construction
thus given confers powers upon the general government, which
can never be abused, but exercised alone for beneficent purpo-
ses, and to promote the general good of the whole community, it
would be unwise to unsettle the construction thus given to the
constitution of the Union. Entertaining these views, the Legis-
lature of Kentucky would feel that they had not fulfill-
ed the duties of faithful public servants, were they to remain silent spec-
tators of attempts, which are making in some parts of the Union,
to prevent the national government, either on the pretext of a
want of power, or upon the ground of expediency, from progress-
ing with those plans of internal improvement already initiated,
and such others as the circumstances and resources of the coun-
try may justify; or from giving proper and adequate protection
to domestic manufactures: Therefore,

1. Resolved by the General Assembly of the Commonwealth of
Kentucky, That the national government is vested with power,
by the constitution of the United States, to make roads and can-
nals of a national character, and for national purposes, through
the several States.

2. Resolved, That in the opinion of this Legislature, sound po-
lcy requires, that the comprehensive system of internal improve-
ments, commenced by the general government, ought to be pro-
secuted with all the energy the resources of the country will ad-
mit of, without arresting the progress of other useful works, or
infringing upon the the annual appropriation of ten millions of
dollars, towards extinguishing the principal and interest of the
public debt.

3. Resolved, That the national government is vested with
power to give encouragement and protection to the agriculture
and manufactures of the United States, by a tariff of duties upon
foreign goods and agricultural productions.

4. Resolved, That in the opinion of this Legislature, a more
effectual protection ought to be extended to the agriculture of
the country, by increasing the duty on foreign hemp, flax, wool
and spirituous liquors.
5. *Resolved,* That a more effectual protection ought to be extended to the manufacture of iron.

6. *Resolved,* That manufactures of wool, and the finer kinds of cotton fabrics, including calicoes, ought to receive an adequate protection against the influx of foreign goods.

7. *Resolved,* That manufactures of hemp and flax ought to receive a more effectual protection.

8. *Resolved,* That such other branches of domestic manufactories, as are adapted to the circumstances and wants of the country, and which experience shall prove to be capable of being successfully prosecuted, with a reasonable degree of protection, ought from time to time to receive such encouragement and protection as will enable them to encounter the difficulties and disadvantages, incident to all first attempts in any new branch of manufacture.

9. *Resolved,* That in the opinion of this Legislature, it would be sound policy in the national government, and an act of justice to the South Western States, to extend a branch of the national road from Zanesville, in Ohio, to Maysville, in Kentucky, and thence through the States of Kentucky, Tennessee, Alabama and Mississippi, to New-Orleans; and that it would comport with the wishes of Kentucky, and the interests of the Union, that the section of said road between Maysville and Lexington, should be commenced as early as practicable, and prosecuted with the utmost vigor.

10. *Resolved,* That our Senators in Congress be instructed, and our Representatives requested, to use their best efforts to carry into effect the foregoing resolutions.

11. *Resolved,* That His Excellency the Governor be requested to transmit a copy of the foregoing resolutions to each of our Senators and members of the House of Representatives.

Ordered, That the Public Printer forthwith print 150 copies thereof, for the use of the members of the Legislature.

On the motion of Mr. Ray—Ordered, That leave be given to bring in a bill to reduce the salaries of the public officers of this Commonwealth; and that Messrs. Ray, L. Sanders, Inglish, Coffman and Spalding be appointed a committee to prepare and bring in the same.

The Speaker laid before the House a report of the trustees of Transylvania University, exhibiting the state of that institution.

Which was received, and laid on the table.

Mr. Patterson presented the petition of James G. Hardin, praying that Minor Winn, a justice of the peace for Harrison county, may be removed from office by address, upon charges which he has preferred against him:

Which petition, together with the charges preferred, and de-
positions taken in support thereof, deposited on this day by the Secretary of State with the Clerk of this House, were laid on the table.

And then the House adjourned.

THURSDAY, DECEMBER 13, 1827.

Ordered, That the petition of James G. Hardin, praying the removal by address of Minor Winn, a justice of the peace for the county of Harrison, together with the depositions, &c., be committed to a select committee of Messrs. Yantis, Hanson, L. Sanders, Spalding, Buford, Smith, Marshall, L. Boyd and Breckinridge—giving said committee power to send for persons, papers and records for their information.

1. Mr. Combs presented the petition of the Wardens of the Episcopal Church at Lexington, praying that a law may pass to authorize them to receive the conveyance of a lot of ground, for the purpose of a burying ground; and that provision may be made by law, for the protection of the property of said Church from trespasses, &c.

2. Mr. Blackburn presented the petition of Mary Drysdale, praying a divorce from her husband Reuben Drysdale.

3. Also the petition of James Cole, praying a divorce from his wife Sally Cole.

4. Mr. Davenport presented the petition of sundry citizens of this Commonwealth, praying the appropriation of a sum of money, for the purpose of clearing out the obstructions to the navigation of Pond river.

5. Mr. L. Boyd presented the petition of John G. Clayton, praying compensation for a horse lost by him while in the service of this State, during the late war.

6. Also the petition of sundry citizens of Calloway county, praying that a law may pass, to repeal the law to prevent the migration of free people of color into this State, so far as the same is applicable to Beverly Brown and his family, free people of color, who have settled in said county.

Which petitions were severally received, read and referred: the 1st, 2d and 3d to the committee of religion; the 4th to the committee on internal improvements; the 5th to the committee of claims; and the sixth to the committee of propositions and grievances.

Mr. Smith, from the select committee to whom was referred a bill for the benefit of the heirs of John Wells and David Callaghan, deceased, reported the same with amendments:

Which being severally twice read, were concurred in.

Ordered, That the said bill, as amended, be engrossed and read a third time tomorrow.
Mr. Stone, from the select committee to whom was referred a bill to change the place of voting in the Sharpsburg precinct, in Bath county, reported the same with an amendment;

Which being twice read, was concurred in: and the said bill, as amended, ordered to be engrossed and read a third time.

And thereupon the rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed;

Resolved, That the said bill do pass, and the title thereof be amended by adding thereto the words "and for other purposes."

Ordered, That Mr. Stone carry the said bill to the Senate, and request their concurrence.

Mr. Beatty, from the select committee to whom was referred a bill to establish an election precinct in the county of Todd, reported the same with sundry amendments.

On the motion of Mr. Daniel—Ordered, That leave be given to bring in a bill to subject the salaries and fees of officers of this Commonwealth to the payment of debts, by attachment or otherwise; and that Messrs. Daniel, Breck, Ward and Sanders 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, viz:

By Mr. Brackburn, from the committee of propositions and grievances—1. A bill to establish a new county, out of part of the county of Washington.

By Mr. Barbee, from the committee of religion—2. A bill for the benefit of William Whitworth.

By Mr. Coffman—3. A bill to provide for the safe keeping of Jesse Hide and Ottaway Hide.

By Mr. L. Sanders—4. A bill appropriating fines and forfeitures for the lessening of the county levy of Anderson county.

By Mr. Rife—5. A bill to add a part of Adair to Casey county.

By Mr. Joyes—6. A bill to establish a town in the county of Oldham.

By Mr. Bishop—7. A bill for the benefit of the Sheriff of Hopkins county.

By Mr. Lindsay—8. A bill to incorporate the Clay seminary, and for other purposes. And,

By Mr. L. Boyd—9. A bill further to regulate the sale of the land west of the Tennessee 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, constitutional provision and second reading of the 3d, 4th, 5th, 6th, 7th and 8th bills having been dispensed with, the 5d, 5th and 6th bills were severally ordered to be engrossed and read a third time. The 4th was
committed to a select committee of Messrs. L. Sanders, Gaines, Powers and Combs; the 7th to the committee of claims; and the 8th to a select committee of Messrs. M. Hall, Lindsay, Marshall, Ingles and Hardy.

And thereupon the rule of the House, constitutional provision and third reading of the 3rd, 5th, and 6th bills having been dispensed with, and the same being engrossed;

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

Ordered, That Mr. Joyes carry the said bills to the Senate, and request their concurrence.

A bill designating the boundaries of the Constable's district, including the town of Monticello, in Wayne county—was read the first time, and ordered to be read a second time;

The following engrossed bills were severally read a third time:

1. An act to amend and explain an act entitled, an act to reduce the price of the Land between Walker's line and latitude 36° 30' north, and east of the Tennessee river, approved January 22, 1827.

2. An act to appoint an additional Constable, for the county of Harrison.

3. An act for the benefit of the administrators and heirs of Richard C. Anderson, deceased. And,

4. An act to alter the mode of taking in the lists of taxable property.

Resolved, That the said bills do pass; that the titles of the first, third and fourth be as aforesaid, that of the second be amended to read, "An act to appoint additional Constables for certain counties."

Ordered, That Mr. McMillan carry the said bills to the Senate, and request their concurrence.

A bill from the Senate entitled, an act authorizing the County Court of Spencer county to have an additional term on the third Monday in January, 1828, was read the first time, and ordered to be read a second time.

And thereupon the rule of the House, constitutional provision and second and third readings of said bill having been dispensed with;

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

Ordered, That Mr. N. P. Sanders inform the Senate thereof.

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

1. A bill to take the sense of the people of this Commonwealth as to the propriety of calling a Convention.

2. A bill to authorize the several county courts to permit gates to be erected across public roads and passways.
3. A bill to amend an act entitled an act to encourage the establishment of private schools. And,
4. A bill to repeal the fourth section of an act, to change the time of holding certain Courts in the seventh Judicial District, approved January 25, 1827.
The first was committed to the committee for courts of justice; the 3rd and 4th were ordered to be engrossed, and read a third time.

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

And thereupon the rule of the House, constitutional provision and third reading of the fourth bill having been dispensed with, and the same being engrossed;

Resolved, That the said bill do pass, and that the title thereof be amended by adding thereto, the words, "and for other purposes."

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

The Speaker laid before the House the report of the commissioners, appointed under the act of the last session of the legislature, entitled "an act concerning the Lunatic Asylum," to adjust and settle the claims of individuals, for money advanced or for labour, or materials furnished in the erection of said building—which was received and laid on the table.

And then the House adjourned.

FRIDAY, DECEMBER 14, 1827.

Mr. Wingate presented the petition of the heirs and representatives of Daniel Stephens, deceased, praying that a law may pass to authorize the sale of a small tract of land lying and being in the county of Owen.

Mr. Combs presented the petition of Andrew McCalla, praying for himself and others, the payment of the balance claimed by them for money advanced, and for materials furnished, and labor performed, in the erection of the Lunatic Asylum, at Lexington.

Which petitions, together with the report of the commissioners appointed by act of the last session, were severally received, read and referred; the first to the committee for courts of justice, and the second, together with said report, to the committee of claims.

Mr. Beatty, from the committee for courts of justice, made the following report, viz:

1. The committee for courts of justice have had under consideration the petition of Elizabeth Breckenridge, the object of which is to obtain the passage of a law authorizing the sale of
175 acres of land inherited by Gabriella Breckenridge, her daughter and ward, in conjunction with five other children. Your committee recommend the adoption of the following resolution:

Resolved, That the prayer of the petitioner ought not to be granted.

2. Your committee have also had under consideration the petition of Joseph Barnet, as administrator of Richard Barnet, deceased, praying for a law authorizing the sale of a tract of land, belonging to the heirs of said Richard. Your committee recommend the adoption of the following resolution:

Resolved, That the prayer of the petitioner ought not to be granted.

3. Also, the petition of Andrew Spence, guardian for the two infant children of his brother, John Spence, deceased, praying the passage of an act authorizing the sale of a tract of 80 acres of land in Scott county. Your committee recommend the adoption of the following resolution:

Resolved, That the prayer of the petitioner ought not to be granted.

4. Also, the petition of James and Elias Ogden, praying that a law may pass, in consideration of the circumstances set forth in the petition, authorizing the sale of a tract of land of 204 acres, belonging to infant children, part of whom are idiots. Your committee recommend the adoption of the following resolution:

Resolved, That the prayer of the petitioners ought not to be granted.

5. Your committee have also had under consideration the petition of Lawrence McCombs and Mary McCombs, setting forth that a tract of land belonging to Mary McCombs, the wife of the other petitioner, and her two sisters, has been forfeited to the State for the non-payment of taxes, while they, or the greater part of them, were minors or femes covert, and praying leave to redeem the same by paying up all arrearages, costs, damages, &c. Your committee recommend the adoption of the following resolution:

Resolved, That a bill ought to pass for the relief of the petitioners, but providing that the relinquishment of the forfeiture should in no manner affect the right of intervening purchasers.

Which being twice read, and the second resolution amended by striking out the word not, was concurred in.

Ordered, That the said committee prepare and bring in bills pursuant to the second and fifth resolutions.

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

The committee of propositions and grievances have, according to order, had under their consideration the petition of Britain
White and others, praying for leave to erect a fish dam across Salt river, and have come to the following resolution thereupon, viz:

Resolved, That said petition be rejected.

Which being twice read, was concurred in.

Mr. Hall, (of Barren,) from the committee of claims, made the following report, viz:

The committee of claims have, according to order, had under consideration sundry petitions to them referred, and have come to resolutions thereon, to-wit:

Resolved, That the petition of Michael Huffaker, representing that his wagon, team and driver fell through the bridge at Yellow creek, on the Turnpike and Wilderness road, that two horses were killed, the wagon injured, and about half the load of salt melted, and praying a law to pass requiring the keeper of the gate on said Wilderness road to pay to the said Michael Huffaker the sum of two hundred and fifty dollars, out of the tolls of the gate, as a remuneration for the loss sustained as aforesaid, is reasonable.

Resolved, That the petition of Robert Raiby, praying compensation for apprehending and remandning to the jail of Bourbon county, a negro slave under charge of felony, is reasonable, and that the said Robert Raiby be allowed the sum of fifty dollars.

Which being read, was concurred in.

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

Mr. B. Harrison, from the committee on internal improvements, made the following report:

The committee on internal improvements have, according to order, had under consideration the petition of sundry citizens of Barren county, praying that a law may pass declaring Beaver creek, in Barren county, from John Lewis’ mill to the mouth at Big Barren river, a navigable stream, and have come to the following resolution:

Resolved, That the said petition is reasonable, and that a bill be reported for that purpose.

Which being twice read, was concurred in.

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

Mr. Breckinridge, presented the petition of Hervey Lamme, and Mary H. Lamme, his wife, John Curd, William P. Curd and John Allen, praying that a law may pass to confirm the sale and authorize the conveyance of 47 acres of land sold by Henry Lamme, and Mary H. his wife, (the latter under 21 years of age,) to said Allen, and to authorize an exchange of lands between John Allen and William Curd, an infant under 21 years of age.

Which petition was received, read and referred to a select
committee of Messrs. Breckinridge, Combs, True, Ewing and Davis, (of Ohio.)

Mr. Barbee, from the committee of religion, made the following report, viz:

The committee of religion have had under consideration sundry petitions to them referred, and come to resolutions thereon, to-wit:

Resolved, That the petition of James Smither be rejected.

Resolved, That the petition of Fanny Carter be rejected.

Which being twice read, was concurred in.

Mr. Helm, from the select committee to whom was referred a bill to amend an act incorporating the Hartford Manufacturing Company, reported the same without amendment.

The said bill was then ordered to be engrossed, and read a third time tomorrow.

Mr. Hall, (of Barren,) from the select committee to whom was referred a bill to incorporate Clay Seminary, and for other purposes, reported the same with an amendment;

Which being twice read, was concurred in; and the said bill, as amended, ordered to be engrossed and read a third time tomorrow.

Mr. Yantis presented the memorial of James G. Hardin, preferring additional charges against Minor Winn, a justice of the peace for Harrison county, and praying his removal from office by address.

Which was received and referred to the committee raised on that subject on yesterday.

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

By Mr. B. Harrison, from the committee on internal improvements—1. A bill to declare Beaver creek, in Barren county, a navigable stream.

By Mr. Combs—2. A bill for the benefit of John Allen and others.

By Mr. A. Boyd—3. A bill to authorize the trustees of the Trigg county seminary to sell and convey her donation lands.

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, constitutional provision and second reading of the 1st and 2d bills having been dispensed with, the 1st (having been amended at the Clerk's table,) was ordered to be engrossed and read a third time; and the 2d was referred to the committee for courts of justice.

And thereupon the rule of the House, constitutional provision and third reading of the first bill having been 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 declare Beaver creek and Eagle-creek navigable streams.

Ordered, That Mr. L. Sanders carry the said bill to the Senate, and request their concurrence.

On the motion of Mr. Ward—Ordered, That a message be sent to the Senate, requesting leave to withdraw from the Senate the last mentioned bill, with the report of its passage; and that Mr. Ward carry the said message.

After a short time, Mr. Ward returned with said bill.

Mr. Montague moved the following resolution:

Resolved, That the committee for courts of justice be instructed to inquire what amendment to the laws in relation to the trial of the right of property is necessary, and that they have leave to report by bill or otherwise.

Which being twice read, was adopted.

Mr. Guthrie moved the following resolutions, viz:

1. Resolved, That the committee of ways and means, be instructed to prepare and bring in a bill, increasing the revenue tax of this commonwealth, so as to meet the ordinary expenses of the government.

2. Resolved, That said committee be instructed to prepare and bring in a bill, laying an additional tax of one cent, on each hundred dollars of the property assessed for taxation, as a fund for completing the capitol.

3. Resolved, That said committee be instructed to prepare and bring in a bill, laying a further tax of two per cent, on each hundred dollars of the property assessed for taxation, as a fund to pay the interest on a loan of five hundred thousand dollars, for internal improvements, and that a loan to that amount be authorised.

4. Resolved, That the stock of the state in the bank of the Commonwealth of Kentucky, and in the bank of Kentucky, be a fund for Internal Improvements, and that the profits and three hundred thousand dollars of the capital stock, be so applied in the year 1823.

5. Resolved, That the committee for Internal Improvements, act on the predication of the aforesaid funds, in the report of a system for turnpiking the principal roads in this commonwealth. Which being twice read, was laid on the table.

Ordered, That the Public Printer forthwith print one hundred and fifty copies of said resolutions for the use of the Legislature.

Mr. Hanson moved the following resolution, viz:

Resolved, That the committee for courts of justice be instructed to inquire into the progress made in the publication of the decisions of the Court of Appeals, and whether any further legislation be necessary on that subject.

Which being twice read, was adopted.
Mr. L. Sanders, from the select committee to whom was referred, the annual report of Joel Scott, Keeper of the Penitentiary, reported the following joint resolution, which was read and laid on the table, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the joint committee heretofore raised by the Senate and House of Representatives, to examine and report the condition of the Kentucky Penitentiary, be, and they are hereby instructed to examine and report specially the state of accounts between the Keeper of said institution and the State.

Leave was given to bring in the following bills:

On the motion of Mr. Breck—1. A bill for the benefit of Hugh McWilliams.

On the motion of Mr. Ewing—2. A bill compelling litigants in certain cases to give security for costs.

On the motion of Mr. Conner—3. A bill to provide for the building bridges across certain water courses in Greenup county.

On the motion of Mr. Guthrie—4. A bill for the improvement of the navigation of Rough creek.

On the motion of Mr. Henderson—5. A bill to legalize the proceedings of the Grant County Court at a called term.

On the motion of Mr. Haggie—6. A bill to encourage a publication of a digest of the decisions of the Court of Appeals.

On the motion of Mr. Montague—7. A bill for the benefit of the heirs of Micajah Shelton, deceased.

8. A bill for the benefit of John Gibson.

On the motion of Mr. Hazlerigg—9. A bill for the benefit of the trustees of Morgan Seminary, and for other purposes.

On the motion of Mr. Harald—10. A bill to amend an act for the relief of settlers of this Commonwealth, approved Dec. 21st, 1802.

On the motion of Mr. Creel—11. A bill to regulate County Courts, and for other purposes.

On the motion of Mr. Gridner—12. A bill further to regulate the duties and powers of the trustees of the several towns in this Commonwealth.

On the motion of Mr. Ray—13. A bill to restrain the County Court of Hardin in laying their county levy.

On the motion of Mr. Inglish—14. A bill to establish a State road from Brandenburg to Bowling-green, by way of Litchfield.

On the motion of Mr. Riff—15. A bill to authorize the County Court of county to appoint commissioners to view a way for a road from Madison county to the Green river Salt works.

On the motion of Mr. Secrest—16. A bill to prohibit the County Court of Fleming from laying the county levy above one dollar.
On the motion of Mr. Blackburn—17. A bill to enable the executor of Thomas Ely to carry into effect his will.
On the motion of Mr. Stone—18. A bill to provide for erecting a bridge across Hinkston creek, at the mouth of Paton’s lick branch.
On the motion of Mr. Henderson—19. A bill to regulate the fees of justices of the peace.
On the motion of Mr. Forrest—20. A bill for the benefit of Peter Smith. And,
On the motion of Mr. Breck—21. A bill to provide for an additional chancery term in the Madison Circuit Court.

Messrs. Breck, Turner and Smith were appointed a committee to prepare and bring in the first; Messrs. Ewing, Blackburn, Yantis, Breckinridge and B. Harrison the second; Messrs. Corner, Beatty, Powers and Bruce the third; the committee of internal improvements the fourth; Messrs. Henderson, Gaines and Southgate the fifth; Messrs. Haggin, Marshall, Hanson, L. Sanders and Breck the sixth; Messrs. Montague, Grider, L. Sanders and Spalding the seventh and eighth; Messrs. Hazlerigg, Graham, Stone and A. Davis the ninth; Messrs. Harald, Yantis, Ward and Coleman the tenth; Messrs. Creel, Smith, Spalding and Parish the eleventh; Messrs. Grider, Combs, Skiles and Yantis the twelfth; Messrs. Ray, Helm, Sanders, M. Hall and English the thirteenth; Messrs. Inglish, Harald, A. Boyd and Litton the fourteenth; Messrs. Riffe, Breck, Turner, Smith, A. Wilson and Yantis the fifteenth; Messrs. Secrest, Powers, Sallee and Ward the sixteenth; Messrs. Blackburn, Marshall and Hanson the seventeenth; Messrs. Stone, Wilkerson, Secrest and Ray the eighteenth; Messrs. Henderson, Smith, B. Harrison, Breckinridge and Ingles the nineteenth; the committee for courts of justice the twentieth, and Messrs. Breck, Turner, Combs and Davenport the twenty-first.

The Speaker laid before the House, the annual report of the trustees of the Kentucky Institution for the tuition of the Deaf and Dumb; which was received and laid on the table.

The following engrossed bills were severally read a third time, to-wit:
1. An act to amend an act entitled an act to encourage the establishment of private schools.
2. An act for the benefit of the heirs of John Wells and David Callaghan, deceased.

The first was recommitted to the committee of courts of justice; and the question being taken on the passage of the second bill, it was decided in the negative, and so the said bill was rejected.

The following bills were severally read a second time.
1. A bill to incorporate the Ohio Bridge Company.
2. A bill to incorporate the City of Louisville.
3. A bill to amend the law concerning Chancery proceedings.
4. A bill designating the boundary of the constable's district, including the town of Monticello, in Wayne county.
5. A bill to establish a new county out of part of the county of Washington.
6. A bill for the benefit of Wm. Whithworth.
7. A bill further to regulate the sale of the land west of the Tennessee river.

The first, second and seventh, were committed to a committee of the whole house, the first for the 19th, the second for the 21st, and the seventh for the 15th December.

The 3d was committed to the committee of courts of justice:

The 4th and 6th were ordered to be engrossed and read a third time to-morrow:

The 5th was recommitted to a select committee of Messrs. Forrest, B. Harrison, Watts, Wingate, Waters, Southgate, Ward and Spalding.

The House took up for consideration the joint resolution laid on the table on the 10th instant, by Mr. Davis, (of Ohio,) relative to the Transylvania University and Lunatic Asylum, which being read and amended by making it a resolution of this House alone, was adopted.

Ordered, That Messrs. Davis, Grider, Breck, Helm, Guthrie, and Blackburn, be appointed a committee pursuant to said resolution as amended:

And that the reports of the Trustees of the Transylvania University and of the commissioners of the Lunatic Asylum, be referred to said committee.

A message from the Governor by Mr. Pickett, his Secretary.

Mr. Speaker—On the 11th instant, the Governor approved and signed enrolled bills and resolutions which originated in the House of Representatives, of the following titles, to-wit:

An act to authorize the insertion of advertisements in certain newspapers.

An act to alter the time of comparing the polls in the eleventh Congressional District.

A resolution for appointing joint committees to examine the public offices, the Penitentiary, the Bank of Kentucky, and the Bank of the Commonwealth.

And then he withdrew.

Ordered, That Mr. Sanders inform the Senate thereof.

And then the House adjourned.
Mr. Breck presented the petition of Rene Williamson, representing that he is confined in the jail of Garrard county, on a charge of larceny, and that he cannot receive a fair and impartial trial in said county, and praying a change of venue.

Mr. Blackburn presented the petition of the heirs of Edmond Wooldridge, deceased, praying that a law may pass authorizing them to survey and carry into grant their claim to a tract of 13,000 acres of land west of the Tennessee river.

Mr. L. Boyd presented the petition of William B. Duncan, praying that a law may pass reviving an act entitled "an act for the benefit of William B. Duncan, late sheriff of Hickman county," approved January 10th, 1825, and requiring the said County Court to allow his account for guarding John Vandiver, confined on a charge of murder.

Mr. Litton presented the petition of sundry persons, praying that a tract of 100 acres of land be granted to Polly Burnett, of Whitley county.

Mr. Litton also presented the petitions of sundry citizens of Whitley county, praying that a sum be granted out of the public treasury, to the Commissioners for opening a road from London by Williamsburgh to the State line, towards Jacksonboro, in Tennessee, and that the said Commissioners may be authorized to locate certain land warrants anywhere in Whitley county, and sell and transfer the same for the purpose of completing said road.

Mr. Marshall presented the petition of sundry citizens of this State, praying that a further time of redemption be allowed to those persons whose property has been sold for debts due to, and purchased by, the Commonwealth's Bank.

Mr. L. Boyd presented the petition of the justices of the County Court of Graves county, praying that a law may pass appropriating the residue of the money arising from the sale of lots in the town of Mayfield towards defraying the expenses of building the jail of said county.

Mr. Ward presented the remonstrance of Sally Cole against the petition of James Cole, for a divorce, and praying that she may be divorced from said James Cole.

Which petitions were severally received and referred: the 1st and 6th to the committee for courts of justice; the 2d to the committee of propositions and grievances; the 3d, 4th and 7th to the committee of claims; the 5th to the committee on internal improvements; and the 8th to the committee of religion.

Mr. Beatty, from the committee for courts of justice, to whom was referred, "a bill forming a new Judicial District," reported
the same with an amendment; which being twice read, was disagreed to.

Ordered, That the said bill be recommitted to a select committee of Messrs. Rucker, L. Boyd, Harald, Hughes and Ward.

Mr. Beatty, from the same committee, to whom was referred a bill to take the sense of the people of this Commonwealth as to the propriety of calling a convention, reported the same with an amendment; which being twice read, was concurred in.

It was then moved and seconded to commit the said bill to a committee of the whole House:

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Griffin and Breck, were as follows, viz:


NAYS—Messrs. Barbee, Baseman, Beatty, Bishop, A. Boyd, L. Boyd, Bruce, Coffman, W. M. Davis, Forrest, Gaines, Graham, Griffin, Guthrie, Haggin, M. W. Hall, Hanson, Hardy, B. Harrison, C. L. Harrison, Hazlerigg, Henderson, Harald, Hughes, Inglis, Joyes, Lindsay, Litton, M'Millan, Montague, Munford, Patterson, Powers, Ray, Riff, Roberts, Rucker, N. P. Sanders, Secrest, Smith, Spalding, Stone, Thomas, Watts, West, White and Wilkerson—47.

The question was then taken on engrossing the said bill, as amended, and reading the same a third time, which was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Yantis and Spalding, were as follows:


NAYS—Mr. Speaker, Messrs. Barker, Blackburn, Breck, Breckinridge, Buford, Colglazier, Combs, Conner, Creel, Cunningham, A. Davis, Downing, Duvall, Evans, Forrest, George, Hanson, Helm, Ingels, Lindsay, Marshall, M'Bride, McConnell, Moore, Parish, Patrick, Reid, Sallee, L. Sanders, Simpson, Skiles,
Mr. Blackburn, from the committee of propositions and grievances, made the following report:

The committee of propositions and grievances have, according to order, had under their consideration the petition of Gooden Marsh, praying that a donation of a quarter section of land may be made to him, and have come to the following resolution thereupon, to-wit:

Resolved. That said petition be rejected.

Which being twice read, was concurred in.

Mr. Hall, (of Barren,) from the committee of claims, made the following report, viz:

The committee of claims have, according to order, had under consideration the claim of John G. Clayton, asking pay for a horse alleged to have been lost while in the service of his country during the late war. Your committee entertain no doubt of the loss, but give it as their opinion, that the State of Kentucky is not liable for such claims, and that the claimant in this case should make his application to the Congress of the United States, and not to the Legislature of Kentucky.

Resolved, therefore, That the claim of the said John G. Clayton be rejected.

Which being twice read, was concurred in.

Mr. Hall, from the same committee, to whom was referred a bill for the benefit of the Sheriff of Hopkins county, reported the same with an amendment;

Which being twice read, was concurred in.

And the said bill, as amended, ordered to be engrossed and read a third time.

And thereupon the rule of the House, constitutional provision, and third reading of said bill having been 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. Bishop carry the said bill to the Senate, and request their concurrence.

Mr. Breck, from the committee of ways and means, made the following report, viz:

The committee of ways and means having, according to order, had under consideration a resolution of the House to them referred directing an enquiry into the propriety of withdrawing the branches of the bank of the Commonwealth, report—

That the whole expenses of the bank, including its branches, for the year ending on the 10th October, 1827, amounted to $22,503 46
The expenses of the mother bank during that
time to

4,508 71

Leaving the expenses of the branches $17,994 75

Your committee are advised by the President of the institution, that in the event of a withdrawal of the branches, four additional clerks, and not less than eight collecting agents will be requisite.

Your committee are of opinion that responsible and well qualified agents may be had for $800, a year each, whose salaries at that rate, supposing them to be eight, would amount to $6,400. That qualified clerks may be had for $500 a year, four of whom in addition to the number now employed, would cost 2,000

Expenses of agents and clerks $8,400

This would reduce the expenses of the branches from nearly $18,000, to about 8,000 per year, leaving a balance in favor of their withdrawal of about $10,000

The system adopted for winding up the business of the bank of Kentucky, tested thus far by experiment, has proved eminently successful.

The expenses of that institution have been reduced from more than $27,000 to about $8,000 a year, and its interest preserved by the timely withdrawal of its branches.

Your committee are of opinion that the adoption of a similar system for winding up the concerns of the bank of the Commonwealth, would reduce the expenses of the institution nearly one half—and instead of jeopardizing in the least its interest, would tend to advance and promote it, while at the same time, it would afford additional facilities to those indebted to the institution for the discharge of their debts.

With this view of the subject, your committee have prepared and herewith report a bill.

Mr. Graham, from the select committee to whom was referred a bill to authorize the surveyor of Lincoln county to transcribe a part of a record book, and make a new alphabet, reported the same with an amendment:

Which being twice read, was concurred in.

Ordered, That the said bill, as amended, be recommitted to a select committee of Messrs. Smith, Graham, Beatty and A. Wilson.

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

By Mr. Beatty, from the committee for courts of justice—1. A bill for the benefit of Jesse Bailey, Ephraim Blackford, and others.
By Mr. Hall, from the committee of claims—2. A bill for the benefit of Michael Huffaker.

3. A bill for the benefit of Robert Rainy.

By Mr. Breck—4. A bill further to regulate the Bank of the Commonwealth.

By Mr. Henderson—5. A bill to legalize the proceedings of the Grant County Court at extra terms of said court.

By Mr. Montagne—6. A bill for the benefit of the heirs of Micajah Shelton, deceased. And,

By Mr. Ray—7. A bill to restrict the County Court of Hardin from laying the county levy over a certain amount.

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

Ordered, That the Public Printer forthwith print 150 copies of the 4th bill, together with the report of the committee, for the use of the members of the Legislature,

And thereupon the rule of the House, constitutional provision and second and third reading of the 3rd and 5th bills having been dispensed with, and the same being engrossed;

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

Ordered, That Mr. Ward carry the said bills to the Senate, and request their concurrence.

And then the House adjourned.

MONDAY, DECEMBER 17, 1827.

Mr. Rucker, from the joint committee of enrollments, reported that the committee had examined an enrolled bill entitled an act to authorize the county court of Spencer county, to have an additional term on the third Monday in January, 1828, and had found the same truly enrolled.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Rucker inform the Senate thereof.

Mr. Ewing, presented the petition of the administrators of William C. Davis, deceased, praying that a law may pass to authorize them to sell a part of the real estate and slaves of the decedent, for the purpose of discharging his debts—and also to authorize them to carry into effect some parcels contracts of said Davis, for the conveyance of certain land.

Mr. Munford, presented the petition of the trustees of the Hart county Seminary, praying that a law may pass to authorize them to sell and convey the whole of their donation lands.

Mr. Colglazier, presented the petition of Elizabeth Vice, praying a divorce from her husband Robert Vice.

Which petitions were severally received, read and referred; the first to the committee for courts of justice; the second to a
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select committee of Messrs. Munford, Hall (of Barren) Hardy and Bishop; and the third to the committee of religion.

Mr. L. Sanders, from the select committee to whom was referred a bill appropriating fines and forfeitures for the lessening of the county levy of Anderson county—reported the same with amendments.

Ordered, That the said bill be recommitted with the amendments to the committee for courts of justice.

Mr. Forrest, from the select committee to whom was referred a bill to establish a new county, out of part of the county of Washington—reported the same with an amendment, which being twice read, was concurred in.

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

Mr. Turner moved the following resolutions:

Resolved, That the committee for courts of justice, be instructed to enquire into the propriety of repealing the existing law, requiring an order of court to be first obtained, and requiring a de­dimns to issue, when a litigant desires to take the depositions of witnesses out of this Commonwealth.

Also, into the propriety of so amending the law of costs, as to make executors or administrators liable, so far as they have assets for the costs of suits investigated by them, and where they may fail to recover on causes of action occurring in the life-time of their testator or intestate; and that said committee have leave to report by bill or otherwise.

Which being twice read, was adopted.

Leave was given to bring in the following bills:

On the motion of Mr. Bibb—1. A bill to prevent future contention in claims to land.

On the motion of Mr. Breck—2. A bill to amend the law regulating the duties of Inspectors of public warehouses.

Messrs. Bibb, Hardy, Grider, Davenport and Breck, were appointed a committee to prepare and bring in the first; and Messrs. Breck, Watkins, Turner, Forrest, Bibb and Ford the second.

Mr. Helm moved the following resolution:

Whereas, There is now pending, a suit in the Supreme Court of the United States, involving the constitutionality and validity of the law limiting actions of judgment to seven years, on barring the right of entry after the lapse of seven years, peaceable possession, and as it is of vital importance to the best interests of the State of Kentucky, that said law shall be determined constitutional and valid; Therefore,

Be it resolved, That the committee for courts of justice be instructed to prepare and bring in a bill providing for the appointment and compensation of one or more distinguished lawyers,
whose duty it shall be to proceed forthwith to the City of Washington, for the purpose of defending the validity of said laws.

Which being twice read, the question was then taken on the adoption of said resolution, which was decided in the affirmative.

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


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

Resolved, That the committee of ways and means be instructed to inquire into the expediency of repealing all laws which authorize clerks of courts to draw money from the public Treasury for record books, papers, or ex-officio services.

Which being twice read, was adopted.

A message from the Senate by Mr. Dudley.

Mr. Speaker: The Senate have passed a bill entitled, an act for the benefit of the commissioners appointed to fix the county seat of Anderson county, in which they request the concurrence of this House.

And then he withdrew.

Mr. Beatty presented the petition of William J. Barker for himself, and the infant heirs of William Barker, deceased, representing that they are entitled to 3000 acres of land, south west of the Tennessee river, on which the taxes have been twice paid, and praying that the amount overpaid may be refunded to them.

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

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

By Mr. Southgate; from the committee of internal improvements—1. A bill to incorporate the Kentucky and Ohio Bridge Company.
By Mr. Breck—2. A bill to provide for an additional term to the Madison circuit court.

By Mr. Southgate—3. A bill to amend the several laws establishing the town of Covington.

By Mr. Breck—4. A bill for the benefit of Hugh M'Williams.

By Mr. Gaines—5. A bill for the benefit of the executors of John Hudson, deceased.

By Mr. Breckinridge—6. A bill to encourage manufactures and the mechanic arts.

By Mr. Hazlerigg—7. A bill for the benefit of the Trustees of the Morgan Seminary, and for other purposes.

And by Mr. Harald—8. A bill to authorize the Register of the Land Office to issue Land Warrants in certain cases:

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, constitutional provision, and second reading of the 2d, 3rd, 5th, 6th and 8th bills having been dispensed with, the second, third and fifth, were severally ordered to be engrossed, and read a third time: and the sixth and eighth were committed to the committee for courts of justice.

And thereupon, the rule of the House, constitutional provision, and the third reading of the 2d, 3rd and 5th bills, having been dispensed with, and the same being engrossed;

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

Ordered, That Mr. Southgate carry the said bills to the Senate, and request their concurrence.

And then the House adjourned.

TUESDAY, DECEMBER 18, 1827.

Mr. Southgate presented the petition of sundry citizens of the counties of Campbell, Boone and Grant, praying that a ferry across the Ohio river, from Covington to Cincinnati, be established by the trustees of the town of Covington.

Mr. Spalding presented the petition of sundry citizens of Henderson county, praying the Legislature to repeal certain parts of an act entitled "an act concerning the town of Henderson," approved 21st November, 1825: and an act entitled "an act to amend the laws concerning the town of Henderson," approved January 18th, 1827.

Mr. Barker presented the petition of sundry citizens of Pendleton county, praying the establishment of an election precinct in said county.

Mr. Munford presented the petition of sundry citizens of the town of Munfordsville, praying that a law may pass, authorizing
the trustees of said town, to sell and convey such streets and parts of streets as may be deemed useless, and that the proceeds thereof be applied to the improvement of said town.

Mr. Gaines presented the petition of Richard Collins, guardian for the heirs of James Riddle, deceased, praying that a law may pass, authorizing the sale of certain negroes belonging to said heirs.

Mr. Smith presented the petition of the county court of Rockcastle, praying that a law may pass, authorizing them to make sale of a part of the public square in the town of Mount Vernon.

Mr. Daniel presented the petition of Catharine Endor, praying a divorce from her husband, Emanuel Endor.

Which petitions were severally received, read, and referred; the 1st, 3rd and 6th, to the committee of propositions and grievances; the second to a select committee of Messrs. Spalding, Yantis, M'Bride and Bishop; the 4th and 5th to the committee for courts of justice; and the seventh to the committee of religion.

A message from the Senate by Mr. Hughes:

Mr. Speaker: The Senate have passed a bill entitled, an act for the benefit of the clerk of the Nicholas circuit court—in which, they request the concurrence of this House.

And then he withdrew.

The Speaker laid before the House, a letter from the president of the Bank of the Commonwealth, enclosing the returns from the Hartford and Greensburg branches—which were received, and referred to the committee appointed to examine said Bank.

The Speaker laid before the House the petition of John Adams, praying a divorce from his wife, Polly Adams;

Which was received, read, and referred to the committee of religion.

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. Barbee in the Chair; and after some time spent therein, the Speaker resumed the Chair; and Mr. Barber reported that the committee had, according to order, had under consideration, a bill to regulate the sale of the land west of the Tennessee river—and had gone through the same with sundry amendments, which, being severally twice read, were concurred in.

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

And thereupon the rule of the House, constitutional provision, and third reading of said bill having been 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. Boyd carry the said bill to the Senate, and request their concurrence.

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

By Mr. Beatty—1. A bill to authorize the stockholders of the Bank of Limestone, to elect an agent to close the concerns of said Bank.

By Mr. Bibb—2. A bill to prevent future confusion in claims to land.

By Mr. Hazlerigg—3. A bill prescribing the manner in which changes may be made in the road leading from Mount Sterling to the Virginia line, by the way of Prestonburg, Floyd county.

By Mr. M'Millan—4. A bill for the benefit of James Barlow.

By Mr. Parish—5. A bill for the better regulation of the inspection of Tobacco, and for other purposes. And,

By Mr. Parish—6. A bill for the benefit of the heirs of John Williams, deceased, and for other purposes.

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

Whereupon, the rule of the house, constitutional provision, and second reading of the first, second and fourth bills having been dispensed with; the first was committed to the committee of courts of justice—the second to a committee of the whole house, for the 21st of December; and the fourth, to a select committee of Messrs. M'Millan, Grider, Hall (of Barren) Barbee and Skiles.

Mr. Ray, from the select committee appointed for that purpose, reported a bill to reduce the salaries of the public officers of this Commonwealth.

Which was received and read the first time.

It was then moved and seconded to lay the said bill on the table until the 1st of June next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Stone and Ray, were as follows, viz:


NAYS—Messrs. Barbee, Baseman, Bishop, A. Boyd, Breckinridge, Bruce, Coffman, Colglazier, Creel, Daniel, A. Davis, Duvall, Evans, Ford, Forrest, Graham, Griffin, Guthrie, Haggie, Hall, M. W. Hall, Hardy, B. Harrison, Hazlerigg, Helm, Harold, Hughes, Inglis, Lindsay, Litton, McMillan, Miner, Moore, Montague, Munford, Parish, Patterson, Powers, Ray, Reid, Riffe,
The said bill was then ordered to be read a second time.

Leave was given to bring in the following bills:

On the motion of Mr. Wilkerson—1. A bill for the benefit of the securities of Alfred Stone, late Deputy Sheriff of Bath county.

On the motion of Mr. McMillan—2. A bill for the benefit of the heirs of Tobias Moredock, deceased.

On the motion of Mr. A. Boyd—3. A bill to legalize the proceedings of the Trigg County Court. And,

On the motion of Mr. George—4. A bill to alter the time of holding the Laurel Circuit Court.

Messrs. Wilkerson, Graham, Hughes, Secrest and McMillan, were appointed a committee to prepare and bring in the first; Messrs. McMillan, Combs and Southgate, the second; Messrs. A. Boyd, Rucker, Davenport and Ewing, the third; and Messrs. George, Smith, Litton and Patrick, the fourth.

The following engrossed bills were severally read a third time:

1. An act for the benefit of William Whitworth.

2. An act designating the bounds of the constable’s district, including the town of Monticello, in Wayne county.

3. An act to incorporate Clay Seminary, and for other purposes.

4. An act to amend an act incorporating the Hartford Manufacturing Company.

The first was recommitted to a select committee of Messrs. McMillan, Combs and Southgate.

Resolved. That the second, third and fourth bills do pass, and that the titles of the second and fourth be as aforesaid, and that of the third be amended to read, “An act to incorporate the Clay and Jefferson Seminaries.”

Ordered. That Mr. Sallee carry the said bills to the Senate, and request their concurrence.

An engrossed bill entitled, an act to take the sense of the people as to the propriety of calling a convention, was read a third time.

It was then moved and seconded to lay said bill on the table until the first day of August next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Spalding and Combs, were as follows:

YEAS—Mr. Speaker, Messrs. Barker, Blackburn, Breck,
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Breckinridge, Colglazier, Combs, Conner, Creel, Cunningham, A. Davis, Downing, Duval, Evans, Ford, Forrest, George, Hanson, Helm, Ingels, Lindsay, Marshall, McConnell, Miner, Moore, Parish, Patrick, Reid, Sallee, L. Sanders, Simpson, Skiles, Smith, Swope, True, Turcer, Ward, Waters, A. Wilson, D. W. Wilson, Wingate, Woodland and Yantis—43.


The question was then taken on the passage of said bill, which was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Yantis and Spalding, were as follows, viz:


NAYS—Mr. Speaker, Messrs. Barker, Blackburn, Breck, Breckinridge, Buford, Colglazier, Combs, Conner, Creel, Cunningham, A. Davis, Downing, Duval, Evans, Ford, Forrest, George, Hanson, Helm, Ingels, Lindsay, Marshall, McConnell, Miner, Moore, Parish, Reid, Sallee, L. Sanders, Simpson, Skiles, Smith, Swope, True, Turner, Ward, Waters, A. Wilson, D. W. Wilson, Wingate, Woodland and Yantis—43.

 Ordered, That Mr. Spalding carry the said bill to the Senate, and request their concurrence.

An engrossed bill entitled, "An act to establish a new county out of part of the county of Washington," was read a third time, as follows, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the third Monday in February, 1828, all that part of Washington county contained in the following bounds, to-wit: Beginning at a half way point between Springfield and Lebanon; thence running due east to the Mercer county line; thence with the Mercer county line to Casey county line; thence with the Casey county line to the Green county line; thence with the Green county line to the Hardin county line; thence with the Hardin county line to the
Nelson county line; thence with the Nelson county line to where the road leading to Springfield from Elizabethtown strikes the Nelson county line; thence with the Elizabethtown road to Hardin's creek; thence up Hardin's creek to a point from whence a due east course will strike the half way point between Springfield and Lebanon—shall be one distinct county, to be called and known by the name of McKee, in honor of Col. Samuel McKee, deceased.

Sec. 2. Be it further enacted, That the said county of McKee shall be entitled to nine justices of the peace, who shall meet at the house of Basil Hayden, in the town of Lebanon, on the first Monday in March next; and after taking the necessary oaths of office as prescribed by the constitution of the United States and the constitution and laws of Kentucky, they shall proceed to appoint a clerk, a majority of all the Justices in commission being present.

Sec. 3. Be it further enacted, That the County Court of McKee shall be held on the first Monday in each month; and the county of McKee shall compose a part of the 13th judicial district; and the Circuit Court shall be held at the house of Basil Hayden, in the town of Lebanon, on the second Mondays in April, July and October, and sit six juridical days at each term, if the business shall require it.

Sec. 4. Be it further enacted, That the Circuit and County Courts of Washington county, and justices of the peace therein, shall have jurisdiction in all matters in law and equity, prior to the time this law takes effect, and that the sheriff of Washington county shall collect all fines and other monies, execute all process, precepts, writs and executions, which are put in his hands, prior to the time this act takes effect.

Sec. 5. Be it further enacted, That the County Court of McKee shall, as soon as practicable, after it is organized, cause the necessary public buildings to be erected.

Sec. 6. Be it further enacted, That the County and Circuit Courts of McKee shall continue to be held at the house of Basil Hayden, in the town of Lebanon, until suitable public buildings shall be erected, or at such other places as the County Court may direct.

Sec. 7. Be it further enacted, That all the qualified voters of said county of McKee shall meet at the different places of voting in the said county of McKee, to-wit: in Lebanon precinct, Raywick precinct, and Bradford’s mill precinct, on the first Monday in March next; and a majority of the votes taken in said county of McKee, concurring in a place where the seat of justice shall be located, shall be the permanent seat of justice in the said county of McKee.

Sec. 8. Be it further enacted, That the County Court of McKee
Dee.

Sec. 9. Be it further enacted, That William M. Beal, of Washington county, and David Graham, of the county of McKee, are hereby appointed Commissioners, and vested with full power and authority to run and mark the dividing line between the county of Washington and county of McKee, agreeable to the provisions of the first section of this act; and the said Commissioners shall make out a return to each of the County Courts for the counties aforesaid, a plat of the line, as run by them, which shall be entered of record by the Clerks, as a guide for the officers of their respective counties: and the said Commissioners shall receive, as a compensation for their services, the sum of three dollars each per day, to be paid by the county of McKee.

And the question being taken on the passage of the said bill, it was decided in the negative; and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Breck and Forrest, were as follows:


NAYS—Mr. Speaker, Messrs. Barker, Beatty, Bibb, Blackburn, Breck, Breckinridge, Buford, Colglazier, Combs, Conger, Cunningham, A. Davis, Davenport, Evans, Ford, Gaines, George, Grider, Guthrie, Haggin, Hall, Hanson, C. L. Harrison, Hazelrigg, Helm, Henderson, Ingels, Lindsay, Marshall, McConnell, Miner, Moore, Morris, Parish, Powers, Ray, Reid, Sallee, Skiles, True, Turner, Waters, Williams, A. Wilson, D. W. Wilson, Woodland and Yantis—48.

A message was received from the Senate, announcing their disagreement to a bill which originated in this House, entitled, "an act to enlarge the constable's district composed at present of the town of Paris, in the county of Bourbon;" the passage of bills which originated in this House, of the following titles:—"an act to amend and explain an act entitled an act to reduce the price of the land between Walker's line and latitude 36° 30' north, and east of the Tennessee river, approved January 22, 1827?" "an act to alter the time of holding certain courts;" "an act to add a part of Adair to Casey county;" "an act for the benefit of the Sheriff of Hopkins county;" "an act making a chancery term to the Montgomery Circuit Court; and a special
term to the Franklin Circuit Court;” and “an act for the benefit of Thomas Smith and others”—with amendments to the three last bills.

The following bills were severally read a second time.
1. A bill to alter the mode of summoning venires and petit juries. And,
2. A bill to amend the election laws of this Commonwealth.

The said bills were committed to a committee of the whole House, the former for the 27th, the latter for the 24th inst.
And then the House adjourned.

WEDNESDAY, DECEMBER 19, 1827.

Mr. Yantis moved the following resolution, viz:
Resolved, That the committee raised for the purpose of fixing the ratio and apportioning the representation for the ensuing four years, be instructed to reduce the Senate to the number of twenty-five, and the House of Representatives to the number of seventy-five members.

Which was twice read.

And the question being taken on the adoption thereof, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Inglish and Yantis, were as follows, viz:

YEAS—Messrs. Blackburn, Bruce, Davenport, Ford, Gaines, Lindsay, Reid, Sallee, Simpson, Thomas, A. Wilson and Yantis—12.


Mr. Ward presented the petition of Silas W. Robbins, praying for indemnity for his costs and expenses in defending himself against certain charges of mal-feasance in office, preferred against him, and from which he was discharged, at the session of 1824.

Mr. Haggin presented the petition of James I. Miles, former agent of the Penitentiary, praying that a law may pass authorizing and directing the Auditor to liquidate the accounts with said Miles, strike the balance, and if in his favor, issue a warrant on the treasury therefor.
Mr. L. Sanders presented the petition of the heirs of John Crutchfield, praying that a law may pass authorizing the Register of the land office to issue a grant, upon the production of a certain plat and certificate of survey, for 2678 acres of land in Gallatin county.

Mr. C. L. Harrison presented the petition of Judith Sibley, widow of Leonard Sibley, praying that herself or the heirs of said Leonard Sibley, may be reimbursed the expenditures of the said Leonard, in the apprehension and conviction of Elisha English, a fugitive from justice.

Mr. Hanson presented the petition of Alfred Bowen, praying that a sum of money paid by him, for apprehending certain fugitives from justice, confined in the jail of Clarke county, and since convicted and confined in the Penitentiary, may be refunded to him.

Which petitions were severally received, read and referred; the 1st, 2d, 4th and 5th to the committee of claims, and the 3d to the committee for courts of justice.

Mr. Stone, from the joint committee of enrollments, reported that the committee had examined enrolled bills of the following titles, and had found the same truly enrolled, viz:

An act to alter the time of holding certain courts.
An act to add a part of Adair to Casey county. And,
An act to amend and explain an act entitled, an act to reduce the price of the land between Walker's line and latitude 36 degrees and 30 minutes north, and east of Tennessee river, approved January 22d, 1827.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Stone inform the Senate thereof.

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

The committee of propositions and grievances have, according to order, had under their consideration the petition of the citizens of Campbell, Boone and Grant counties, praying for the establishment of a ferry across the Ohio river, from the town of Covington to Cincinnati, the title to the ferry to be vested in the trustees for the town of Covington, and their successors in office, and the profits of said ferry to be applied to the improvement of the streets and the road leading to said ferry, and have come to the following resolution thereupon, to-wit:

Resolved, 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 said resolution.

Mr. Hall, from the committee of claims, made the following report:

The committee of claims have, according to order, had under
consideration a report and sundry petitions to them referred, and came to resolutions thereon, to-wit:

The report of the commissioners appointed by the General Assembly, to ascertain and estimate the value of the ground and buildings of the Lunatic Asylum, in Lexington, transferred to the State, and to settle and liquidate the accounts of Andrew McCalla and others, for money expended, materials furnished, work and labor done, &c. in the erection of said Asylum, prior to the transfer to the State, excluding voluntary subscriptions;

Resolved, therefore, That a law ought to pass, authorizing the said McCalla and others, to draw from the public treasury the sum of five thousand five hundred dollars, in Commonwealth's paper, each according to his respective claim, as a full and entire compensation for the ground and Asylum as aforesaid.

A petition of sundry citizens of this Commonwealth, in favor of Polly Burnett, representing her to be a widow, with a family of eight children, and praying that she may obtain a title for one hundred acres of land, whereon she lives, without any further payment of the State price:

Resolved, therefore, That the said petition is reasonable.

Also, the petition of William B. Duncan, former Sheriff of Hickman county, representing that a law passed at the session of 1824, authorizing the County Court of Hickman county to allow the said Duncan for guarding John Vandiver, who was charged with murder; that the law alluded to has expired, and in fact had expired before the said Duncan's advisement of its passage; and praying that the act aforesaid may be revived and continued in force until the end of the Hickman County Court in the year 1828.

Resolved, therefore, That the petition aforesaid is reasonable.

Which being twice read, was laid on the table.

Mr. Barbee, from the committee of religion, made the following report:

The committee of religion have had under consideration sundry petitions to them referred, and come to resolutions thereon, to-wit:

Resolved, That the petition of Hastin Slames be rejected.
Resolved, That the petition of Sarah Blivins be rejected.
Resolved, That the petition of Thomas Johnston be rejected.
Resolved, That the petition of James Cole be rejected.
Resolved, That the petition of Sally Cole is reasonable.
Which being twice read, was concurred in.

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

The following bills were reported, from the several committees appointed to prepare and bring in the same, to-wit:
By Mr. Grider—1. A bill further to regulate the duties and powers of the trustees of towns in this Commonwealth. And,
By Mr. Barbee, from the committee of religion—2. A bill for the divorce of Sally Cole.

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, constitutional provision, and second and third reading of the second bill having been 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. Ward carry the said bill to the Senate, and request their concurrence.

A message from the Senate by Mr. Taylor:

Mr. Speaker: The Senate have passed bills of the following titles—an act to amend an act entitled, an act for the opening of a road from Cynthiana to Maysville, approved January 24, 1827; and, an act concerning the appropriation of fines and forfeitures in the counties of Mason and Nicholas—in which bills 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. Blackburn in the Chair; and after some time spent therein, the Speaker resumed the Chair; and Mr. Blackburn reported that the committee had, according to order, had under consideration a bill to incorporate the Ohio Bridge company—and had made some progress therein, but not having time to go through the same, had instructed him to ask leave to sit again—which was given.

Mr. Spalding presented the remonstrance of sundry citizens of Henderson county, against the petition from said county presented on yesterday.

Which was received, read and referred to the same committee.

Mr. Ward read and laid on the table the following resolution, viz:

Resolved by the Senate and House of Representatives of the Commonwealth of Kentucky, That the constitution of the United States ought to be so amended as to give the election of President and Vice President directly to the people.

Resolved further, That the constitution of the United States ought to be so amended, as to render the President of the United States ineligible after the first four years.

Resolved, That our Senators in Congress be instructed, and our Representatives in Congress requested, to use their utmost exertions to procure the adoption of these amendments.

Resolved, That His Excellency the Governor be requested to
transmit a copy of these resolutions to each of our Senators and members of the House of Representatives in Congress.
And then the House adjourned.

THURSDAY, DECEMBER 20, 1827.

1. Mr. Hardy presented the petition of Joseph G. McClelland, praying that a law may pass authorizing him to turnpike Muldrough's hill, and to collect tolls thereon.
2. Mr. Ewing presented the petition of Thomas Cross, preferring charges against William Parham, a justice of the peace for the county of Todd, and praying that the said Parham may be removed from his said office by an address of two thirds of both Houses of the General Assembly.
3. Mr. M. W. Hall presented the petition of sundry citizens of Barren county, praying that Beaver creek, from the mouth of the south fork to Big Barren river, may be declared navigable.
4. Mr. Hall presented the petition of William Tanner, praying that a sum of money paid by him, for an alleged failure in delivering the public books in the middle district, in the year 1826, may be refunded to him.
5. Mr. Marshall presented the petition of Daniel Curtright, John Curtright and Benjamin T. Thornton, representing that they have been arrested under a charge of forgery, and committed for trial before the Clarke circuit court, and alleging that they believe they cannot obtain a fair trial in Clarke, Bourbon or Madison counties, and praying that a change of venue may be granted them to Nicholas, Bath or Harrison circuit courts.
6. Mr. Bibb presented the petition of Allen Campbell, jailor of Logan county, praying that a law may pass allowing him compensation for keeping persons in jail under peace warrants; and that a general law may pass for the purpose of compensating jailors in this State for such services.
7. Mr. L. Boyd presented the petition of sundry citizens of Calloway county, praying that a quarter section of land on the waters of Blood river, in said county, be granted to Robert Ramsey, who is alleged to be in indigent circumstances.
8. Mr. L. Boyd also presented the petition of sundry citizens residing west of Tennessee river, praying that a fractional part of a quarter section of land lying on Caney creek, may be permitted to be entered by Garrett Wellingham, for the purpose of a site for a mill to be constructed thereon.
9. Mr. Breckinridge presented the petition of John M'Dowell, executor of the last will and testament of Mary O. Todd, deceased, praying that a law may pass, authorizing him to sell one of the slaves belonging to said estate, for the purpose of educating the children of said Mary O. Todd.
Which petitions were severally received, read and referred: the 1st to the committee on internal improvements; the 2d, 5th and 9th to the committee for courts of justice; the 3d, 4th, 7th and 8th to the committee of propositions and grievances; and the 6th to the committee of claims.

On the motion of Mr. N. P. Sanders—Ordered, That leave be given to bring in a bill to curtail the powers of the county court of Bullitt county—and that Messrs. Sanders, Ward, Helm, C. L. Harrison and Joyes be appointed a committee to prepare and bring in the same.

Mr. Hanson read and laid on the table the following resolution:

Resolved by the General Assembly of the Commonwealth of Kentucky, That when the Legislature adjourns on Saturday, the 22d instant, they will adjourn until Friday, the 28th instant.

And thereupon the rule of the House having been dispensed with, the said resolution was taken up, twice read and amended, by striking out "Friday, the 28th," and inserting in lieu thereof, Thursday, the 27th.

The question was then taken on the adoption of the said resolution, which was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Munford and Hanson, were as follows, viz:


A message was received from the Senate, announcing their disagreement to a bill which originated in this House, entitled, an act for the benefit of Robert Rainy—the passage of a bill which originated in this House entitled, an act to provide for the safe keeping of Jesse Hide and Ottaway Hide—and the passage of bills of the following titles: an act for the benefit of John Jones, Justice Huffacre and Rodes Garth; an act to establish an election precinct in Floyd county and for other purposes; an act to authorize the County Court of Wayne to appropriate certain
lands, for the purpose of opening a road through parts of Wayne and Whitley counties; and an act to amend an act entitled an act to regulate the several laws regulating the towns of Harrodsburg, Richmond and Hopkinsville, approved December 21st, 1825.

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

The committee of propositions and grievances have, according to order, had under their consideration the memorial of the citizens of Oldham county, alleging that their seat of justice has been illegally removed by the County Court of said county from Westport, and praying that it may be, by Legislative act, permanently established at Westport, and have come to the following resolution thereupon, to-wit:

Resolved, That the prayer of said memorialists is reasonable.
Which being twice read was concurred in.

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

On the motion of Mr. Breck—Ordered, That leave be given to bring in a bill to legalize the proceedings of the Madison county court, at the December term, 1827, in relation to its county levy: and that Messrs. Breck, Turner, Hanson and Combs be appointed a committee to prepare and bring in the same.

Mr. Spalding, from the select committee appointed for that purpose, made the following report:

The select committee to whom was referred the petition of sundry citizens of the county of Henderson, praying for the repeal of part of two acts concerning the town of Henderson, also a remonstrance of sundry persons against the repeal of said acts, have had the same under consideration, and upon a full examination of the petition and remonstrance, have come to the following resolution:

Resolved, That said petition be rejected.
Which being twice read, was concurred in.

Mr. Beatty, from the select committee to whom was referred a bill to authorize the stockholders of the Bank of Limestone to elect an agent to close the concerns of said bank, reported the same without amendment.

Ordered, That the said bill be engrossed, and read a third time tomorrow.

The following bills were reported from the several committees appointed for that purpose, viz:

By Mr. Blackburn, from the committee of propositions and grievances—1. A bill to establish a ferry from Covington, across the Ohio river, to Cincinnati.

By Mr. Munford—2. A bill to authorize the trustees of Hart county seminary to sell their donation lands. And,
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By Mr. Ewing—3. A bill to amend an act entitled an act to incorporate the Cumberland College at Princeton.

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, constitutional provision and second reading of the first bill having been dispensed with, the same was committed to the committee for courts of justice.

Mr. Rucker, from the select committee to whom was referred a bill to establish a new Judicial District, reported the same with an amendment.

And then the House adjourned.

FRIDAY, DECEMBER 21, 1827.

Mr. Munford presented the petition of the trustees of the Hart Seminary, praying that the fines and forfeitures accruing within the county of Hart, may by appropriated to the use of the said Seminary.

Mr. Beatty presented the petition of sundry citizens of this State, praying that the law of the last session authorizing the County Courts to establish inspections of salt in their respective counties, may be so amended as to exempt all salt imported into the State from inspection here, which has once undergone inspection at the place of manufacturing the same, and make the inspectors under said act amenable to some tribunal for malfeasance in office.

Mr. Beatty also presented the petition of sundry citizens of Mason and Fleming Counties, praying that the act of last session entitled, "an act to authorize the county courts to establish inspections of Salt," may be so amended as to require all the Salt landing at any place where an inspection is or may be established to be inspected and branded with the inspectors name thereon, before the same is sold or sent to the interior of the State.

Mr. M'Millan presented the petition of sundry citizens of Monroe county, praying that the entries of Alfred Pane, surveyor of Allen county upon the lands on which said petitioners are settled, may be declared void.

Mr. Combs presented the petition of the representatives of Stevens Thompson Mason, deceased, praying that a law may pass authorizing the registry of a survey of 1000 acres of land on the Ohio river below the mouth of Tennessee river, entered in the name of Clement Biddle, 7th August, 1784, and surveyed 12th November, 1823, and that a patent issue thereon:

Which petitions were severally received, read and referred: the first and fifth to the committee for Courts of Justice; and the second, third and fourth to the committee of propositions and grievances.
Mr. Beatty from the committee of Courts of Justice, made the following report:

The committee for courts of justice, have had under consideration, the petition of Thomas Cross, praying the removal of William Parham, a Justice of the Peace for Todd county, from office, for causes set forth in the petition. Your committee state that the petitioner has not given to the said Parham the notice required by the statute in that case provided, they therefore recommend the adoption of the following resolution:

Resolved, That the petitioner have leave to withdraw his petition.

The committee have also had under consideration the petition of John McDowell, praying the passage of an act authorizing him to sell certain negroes to accomplish an object, which his testator directed to be attained by the sale of certain real estate. Your committee are of opinion it would not be expedient even if the Legislature had the power to do so, to alter the will of the testator, and therefore recommend the adoption of the following resolution:

Resolved, That the prayer of the petitioner ought not to be granted.

The committee have also had under consideration a bill referred to them, for the benefit of John Allen and others, and recommend the adoption of the following resolution:

Resolved, That the said bill ought not to pass.

The committee have also had under consideration "leave to bring in a bill for the benefit of Peter Smith," and ask to be discharged from the further consideration thereof, as they know of no cause for bringing in said bill.

Which being twice read, the 1st and 4th resolutions were concurred in: and the 2d and 3rd laid on the table.

Mr. Beatty from the same committee to whom was referred a bill to encourage agriculture and the mechanic arts—reported the same without amendment.

Ordered, That the said bill be committed to a committee of the whole House for the 31st December.

Mr. Combs from the committee on Internal Improvements, made the following report, to-wit:

Your committee for Internal Improvements have had under consideration, certain petitions to them referred, and have come to the following resolutions thereon, to-wit:

Resolved, That the petition of sundry citizens of Whitley county praying that a law may pass making further provisions for opening a road from London in Laurel county, by way of Williamsburgh in Whitley county to the state line towards Jacksboro' in Tennessee, be rejected.

Resolved, That the petition of sundry citizens of this Com-
monwealth, praying that a law may pass granting a sum of money for the purpose of removing the obstructions to navigation, out of Pond river, is reasonable, and that the Chairman report a bill appropriating six hundred dollars for that purpose.

Which being twice read (and the first resolution amended by striking out the words “be rejected” and inserting in lieu thereof the words “is reasonable”) was concurred in.

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

Mr. Barbee from the committee of religion, made the following report:

The committee of religion have had under consideration the petition of Elizabeth Powel, and come to a resolution thereon, to-wit:

Resolved, That said petition ought to be rejected.

Which being twice read, was concurred in.

The Speaker laid before the House a letter from Jno. W. Hunt, one of the Commissioners of the Lunatic Asylum at Lexington, which was received and read as follows:

The Honorable the Speaker of the House of Representatives.

Sir: In the report I had the honor to make through you to the Legislature, I neglected to inform them that the papers marked A and B were made out by a patient in the Asylum, whose mind a short time since was much deranged. From a conviction that a knowledge of this circumstance will be gratifying to men of their philanthropic minds, I beg leave now to make the communication.

With great respect
I have the honor to be
Your most obedient serv’t.

JOHN W. HUNT.

Frankfort, Dec. 21, 1827.

Mr. M’Millan from the select committee to whom was referred a bill for the benefit of James Barlow, reported the same with an amendment, which being twice read, was concurred in; and the said bill as amended, ordered to be engrossed, and read a third time to-morrow.

Mr. M’Millan from the select committee to whom was referred an engrossed bill entitled, an act for the benefit of William Whitworth—reported the same with amendments.

Which being twice read, were concurred in:

And the said bill as amended, ordered to be re-engrossed, and again read a third time to-morrow.

Mr. A. Wilson from the select committee to whom was referred a bill to authorize the surveyor of Lincoln county, to trans-
cribe a part of his Record book, and to make out a new alphabet, reported the same with an amendment,
Which being twice read, was concurred in:
And the said bill as amended, ordered to be engrossed, and read a third time to-morrow.
Mr. Stone from the joint committee of enrollments reported that the committee had examined an enrolled bill entitled, an act to provide for the safe keeping of Jesse Hide and Ottaway Hide, and had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Stone inform the Senate thereof.
A message was received from the Senate, announcing the concurrence of the Senate in a resolution from this House, for a recess of the general assembly. The passage of bills which originated in this House of the following titles:
An act for the benefit of the administrators and heirs of Richard C. Anderson, deceased.
An act to change the place of voting in the Sharpsburg precinct in Bath county, and for other purposes. And,
An act to amend the several laws establishing the town of Covington—with amendments to the latter bill:
And the passage of a bill entitled, an act to authorize a special term to be held by the Judge of the 12th Judicial District in the county of Garrard, for the purpose of trying a certain negro slave named Isaac, who stands charged with Murder—and have received official information that on the 11th instant, the Governor approved and signed an enrolled bill which originated in the Senate, of the following title, to-wit:
An act to amend an act entitled, “an act for the benefit of the head right and Tellico settlers and for other purposes,” passed December twenty-eight, one thousand eight hundred and twenty-six—
And on the 17th instant, he approved and signed an enrolled bill which originated in the Senate of the following title,
An act authorizing the County Court of Spencer county, to have an additional term on the third Monday in January, one thousand eight hundred and twenty-eight.
The following bills were reported from the several committees appointed to prepare and bring in the same, to-wit:
By Mr. Beatty from the committee for courts of justice—1. A bill for the benefit of the devisees of Hugh Mercer Tennent and others—
By Mr. Combs from the committee on Internal Improvements—2. A bill to remove the obstruction to the navigation of Pond river;
By Mr. Barbee from the committee of religion—3. A bill for
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the divorce of Matilda Waters—4. A bill to amend the law authorizing the Circuit Courts to decree divorces.
By Mr. Forrest—5. A bill to allow additional Justices of the Peace for the counties of Washington and Scott.
By Mr. A. Boyd—6. A bill to legalize the proceedings of the Trigg County Court.
By Mr. Spalding—7. A bill to regulate the duties of County Courts.
By Mr. Ewing—8. A bill compelling litigants to give security for costs in certain cases.
By Mr. Miner—9. A bill to change the August terms of the Henry, Ohio and Hardin county courts.
By Mr. N. P. Sanders—10. A bill to curtail the powers of the Bullitt county court. And,
By Mr. Secrest—1. A bill to prohibit the county court of Fleming from laying the county levy over one dollar.
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, constitutional provision and second reading of the 1st, 2d, 3d, 5th, 6th and 9th bills having been dispensed with; the 1st, 3d, 5th, 6th and 9th were severally ordered to be engrossed and read a third time; and the second was committed to the committee for courts of justice.
And the rule of the House, constitutional provision and third reading of the 1st, 3d, 5th, 6th and 9th bills having been dispensed with, and the same being engrossed.
Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.
Ordered, That Mr. Spalding carry the said bills to the Senate and request their concurrence.
Mr. Guthrie from the select committee appointed for that purpose, reported a bill to amend the law relating to usury—which was received and read the first time as follows, to wit:
Be it enacted by the general assembly of the Commonwealth of Kentucky, That the surety of any bond, bill, note or obligation whether for money or for property in which interest is included over the rate of six per cent per annum, or where such greater interest has been agreed for on the loan or forbearance of money or property, shall be utterly absolved from the payment of both principal and interest; and such surety may, at his election, plead the usury at law or file his bill in equity, and force a discovery from the usurer, and on such discovery or proof, obtain a decree of acquittance. This act shall apply to all sureties whether in judicial proceedings or otherwise, who shall become such after its passage, and whether the money or property was loaned or forborne on usury before or after its passage.
And the question being taken on reading the said bill the second time, it was decided in the negative.
And so the said bill was rejected.
The yeas and nays being required thereon by Messrs. Smith and Guthrie, were as follows:
A message from the Senate by Mr. Beatty.
Mr. Speaker: The Senate have adopted a resolution for placing in Transylvania University a Sextant belonging to the State, in which they request the concurrence of this House.
And then he withdrew.
A bill from the Senate entitled, an act to authorize a special term to be held by the Judge of the twelfth Judicial District, in the county of Garrard, for the purpose of trying a certain negro slave named Isaac, who stands charged with murder—was read the first time, and ordered to be read a second time;
And thereupon the rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with.
Resolved, That the said bill do pass and that the title thereof be as aforesaid.
Ordered, That Mr. Hall inform the Senate thereof.
Mr. Beatty moved the following resolution, viz:
Resolved, That the Sergeant at arms be directed to procure a room for the use of the committee of courts of justice, during the present session;
Which being twice read, was adopted.
Mr. Spahling moved the following resolution, viz:
Resolved, That the committee on militia affairs, be instructed to enquire into the propriety of increasing the militia fines on militia officers in this Commonwealth for failing to perform their duty as required by law,
Which was twice read:
The said resolution was then amended by attaching thereto the following, viz:
Resolved, That the committee on the militia be instructed to enquire into the expediency of paying out of the public treasury
a reasonable compensation for the transportation of public arms, distributed by the Governor of this Commonwealth to the militia.

The said resolution as amended was then adopted.

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

WHEREAS, It appears by the Auditors statement that no public examination of his office has been made beyond January, 1825.

Resolved therefore by the General Assembly of the Commonwealth of Kentucky, That a committee of two from the Senate, and four from the House of Representatives be appointed to examine the Auditors Office for the year 1825. And that a committee of two from the Senate, and four from the House of Representatives be appointed to examine the Auditors Office for the year 1826.

And thereupon the rule of the House having been dispensed with, the said resolution was taken up, twice read, and concurred in.

Ordered, That Mr. Hall carry the said resolution to the Senate, and request their concurrence.

Mr. Guthrie moved the following resolution, viz.

Resolved, That the committee of ways and means be instructed to enquire into the expediency of giving the Commonwealth hire on the real estate and slaves of all public officers and their securities.

Which being twice read was adopted.

Mr. Grider moved the following resolution, viz:

Resolved, That the committee on internal improvements, enquire into the propriety of creating by law the office of civil engineer in this Commonwealth, to be filled by a suitable officer under the pay, direction and employment of the government.

Which being twice read.

The House then adjourned.

SATURDAY, DECEMBER 22, 1827.

Mr. L. Sanders presented the petition of Elizabeth Lemon, praying that a law may pass, releasing the claim of the Commonwealth to a certain tract of 200 acres of land in Bullitt county, (forfeited for the non-payment of taxes,) upon her paying the taxes due thereon, as well as the costs occasioned by her failure to pay the taxes in the time prescribed by law.

Mr. Barbee presented the petition of Edmund Chapman and Elizabeth Chapman, his wife, praying that the marriage contract between them may be dissolved, and that their property may be confirmed to each of them, as divided by agreement between the said parties.
Which were severally received, read and referred: the first to the committee of courts of justice, and the second to the committee of religion.

Mr. Barbee, from the committee of religion, made the following report, to-wit:

The committee of religion have had under consideration sundry petitions to them referred, and come to resolutions thereon, to-wit:

Resolved, That the petition of the Episcopal Church wardens in Lexington be rejected.

Resolved, That the petition of Morris Downs be rejected.

Resolved, That the petition of Isaac Ashcraft be rejected.

Which being twice read, was laid on the table.

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. Litton—1. A bill for the benefit of Jesse Walker.

On the motion of Mr. Smith—2. A bill to amend the law in trials before justices of the peace.

On the motion of Mr. Grider—3. A bill to authorize the citizens of Brownsville to elect trustees of said town, and for other purposes.

On the motion of Mr. Davenport—4. A bill to change the time for the meeting of the Legislature of Kentucky.

On the motion of Mr. Mumford—5. A bill to change the time of holding the circuit courts of Hart county.

On the motion of Mr. W. Hall—6. A bill to repeal the law requiring the Judge of the 8th judicial District to hold a special chancery term in the Barren circuit.

On motion of Mr. L. Sanders—7. A bill further to regulate appeal bonds.

On the motion of Mr. D. W. Wilson—8. A bill to regulate grocers and retailers of spirituous liquors.

On the motion of Mr. Litton—9. A bill further to regulate the price of the vacant lands in what is called the Tellico and Green river lands, and for other purposes.

On the motion of Mr. Hazlerigg—10. A bill to regulate and prescribe the manner in which evidence may be taken to be used on the impeachment or address of any of the civil officers of this Commonwealth, and for other purposes.

On the motion of Mr. N. P. Sanders—11. A bill to restrict the clerks of the Circuit and County Courts in this Commonwealth, in charging fees for endorsements of Commonwealth's Bank paper, &c. under the head of certificates, and for other purposes.

On the motion of Mr. Roberts—12. A bill for the benefit of Joseph Layton.

On the motion of Mr. Marshall—14. A bill further to regulate the granting of tavern license.

On the motion of Mr. Southgate—15. A bill to regulate the acknowledgment and authentication of deeds and powers of attorney. And,

On the motion of Mr. Waters—16. A bill to repeal the act of the 10th January, 1819, in relation to damages on protested bills of exchange, and to re-enact the former law on that subject.

Messrs. Litton, L. Sanders and Inglish, were appointed a committee to prepare and bring in the first; Messrs. Smith, Wilkerson, Parish and Hardy, the second; Messrs. Grider, Helm and Inglish, the third; Messrs. Davenport, Ford, Boyd, Smith and Moore, the fourth; Messrs. Munford, Helm, Hall and Inglish, the fifth; Messrs. Hall, Hardy and Munford, the sixth; Messrs. Sanders, Blackburn, Buford and Breck, the seventh; Messrs. D. W. Wilson, Ford, Reid, Blackburn and Marshall, the eighth; Messrs. Litton, Ward, Inglish, Coffman, Hughes and McMillan, the ninth; Messrs. Hazleigg, Conner, A. Davis, Graham and Beatty, the tenth; Messrs. N. P. Sanders, L. Sanders, Blackburn, and Helm, the eleventh; Messrs. Roberts, W. M. Davis, Ward and Watkins, the twelfth; Messrs. Marshall, Blackburn, Smith, Barbee and A. Boyd, the thirteenth; Messrs. Marshall, Watkins, McBride, Hughes and Ford, the fourteenth; Messrs. Southgate, Beatty, Marshall and D. W. Wilson, the fifteenth; and Messrs. Waters, Beatty, Blackburn and Helm, the sixteenth.

Mr. M'Brude moved to obtain leave to bring in a bill to allow grand jurymen pay for their services.

And the question being taken on granting leave to bring in said bill, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McBride and Inglish, were as follows, viz:


Ordered, That Messrs. McBride, Grider, Blackburn and D. W. Wilson, be appointed a committee, to prepare and bring in the said bill.

A message from the Senate by Mr. Dudley:

Mr. Speaker: The Senate disagree to a bill, which originated
in this House, entitled an act to take the sense of the people in this commonwealth as to the propriety of calling a convention.

And then he withdrew.

Mr. Sanders moved the following resolution, viz:

Resolved, That the committee heretofore raised, by this House, to inquire into, and report the condition of the Transylvania University and Lunatic Asylum, at Lexington, be required to visit these several institutions, to enable them more effectually to report the condition of said institutions.

Which being twice read, and an amendment being moved there- to, was laid on the table.

The amendments proposed by the Senate to a bill, which originated in this House, entitled an act for the benefit of the Sheriff of Hopkins county,—were twice read and concurred in.

Ordered, That Mr. Bishop inform the Senate thereof:

Mr. Southgate read and laid on the table, the following resolutions:

1. Resolved, by the General Assembly of the Commonwealth of Kentucky, That our Senators in Congress be instructed, and our Representatives requested, to use their exertions, to procure the passage of a law, providing for the surviving officers of the revolution.

2. Resolved, That his Excellency the Governor, transmit to each of our Senators and Representatives in Congress, a copy of the foregoing resolution.

The House took up the report of the committee of claims, made on the 19th instant, favorable to the petition of Polly Burnett, which being twice read, was concurred in.

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

Mr. Rucker, from the joint committee of enrollments, reported, that the committee had examined an enrolled bill, entitled an act, to authorize a special term to be held by the Judge of the 12th Judicial District, in the county of Garrard, for the purpose of trying a certain negro slave, named Isaac, who stands charged with murder, and had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Rucker, inform the Senate thereof:

It was then moved and seconded, at 12 o'clock M. that the House do now adjourn: And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Salle and Hall, were as follows viz:

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HOUSE OF REPRESENTATIVES.

NAYS—Mr. Speaker, Messrs. Barbee, Beatty, Bishop, A. Boyd, L. Boyd, Bruce, Coffin, Davenport, Evans, Griffin, Grider, M. W. Hall, Hardy, Hazlerigg, Helm, Hughes, Inglish, Litton, McMillan, Moore, Montague, Morris, Munford, Parish, Patrick, Powers, Roberts, Sallee, Secrest, Simpson, Smith, Swope, and White—34.

Mr. Rucker read and laid on the table, the following resolution.

Resolved, by the General Assembly of the Commonwealth of Kentucky, That our Senators in Congress be instructed, and Representatives be requested, to endeavor to procure the passage of a law, to establish an Armory at some suitable point in this state.

2. Be it further resolved, That the Governor transmit, forthwith, to each of them, a copy of the foregoing resolution.

Mr. Hall from the committee of claims, made the following report, viz:

The committee of claims, have according to order, had under consideration, sundry petitions, to them referred, and have come to resolutions thereon, to wit:

The petition of Judith Sibley, administratrix of her deceased husband, Leonard Sibley, praying that a law may pass, authorising the said Judith, or the heirs of the said Leonard, to draw from the public Treasury, the sum of eighty dollars, alleged to have been paid by the said Leonard, in his lifetime, for the detection of Elisha English, a fugitive from justice, by proclamation of the Governor of this commonwealth:

Resolved, therefore, That the said petition is reasonable.

The petition of Silas W. Robbins, praying to be reimbursed for his expenses and costs, on account of a prosecution had against him, for malfeasance in office, before the legislature of 1824:

Resolved, That the said petition be rejected.

The petition of James I. Miles, former agent of the Penitentiary of this commonwealth, alleging that there is a balance, due him from the government, and praying that the Auditor of public accounts, may be authorised, to liquidate that balance; and issue a warrant on the Treasury, for such balance, in favor of said Miles:

Resolved, That said petition be rejected.

Which being twice read, the first resolution was concurred in, and the second and third, laid on the table.

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

A bill for the benefit of Jesse Bailey, Ephraim Blackford, and others, was read a second time, and ordered to be engrossed, and read a third time.

And thereupon, the rule of the House, constitutional provision.
and third reading of said bill, having been dispensed with, and the same having been engrossed.

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

Ordered, That Mr. Grider, carry the said bill to the Senate, and request their concurrence.

And then the House adjourned.

THURSDAY, DECEMBER 27, 1827.

Mr. Combs presented the petition of John Deverin, praying that the sum of five hundred dollars paid by him for a license to set up a billiard table, may be refunded to him.

Mr. Haggin presented the petition of Eliza Boyd, praying that a law may pass divorcing her from her husband Elisha Boyd.

Mr. Wingate presented the petition of the widow and heirs of David Wisscott, deceased, praying that a law may pass authorizing the sale of 134 acres of land in Owen county, and also a negro man belonging to said widow and heirs.

Mr. L. Boyd presented the petition of sundry citizens of Hickman county, praying that a part of said county in which said petitioners reside may be added to the county of McCracken.

Which petitions were severally received, read and referred: the 1st to the committee of claims; the 2d to the committee of religion; the 3d to the committee for courts of justice; and the 4th to the committee of propositions and grievances.

Mr. N. P. Sanders, from the joint committee of enrollments, reported that the committee had examined enrolled bills of the following titles, and had found the same truly enrolled, to wit:

An act for the benefit of the administrator and heirs of Richard C. Anderson, deceased.

An act to change the place of voting in the Sharpsburg precinct, in Bath county, and for other purposes. And,

An act for the benefit of the sheriffs of Hopkins and Wayne counties.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. N. P. Sanders inform the Senate thereof.

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

By Mr. M. W. Hall—1. A bill repealing the law requiring the judge of the 2th Judicial District, to hold an additional term in the Barren Circuit.

By Mr. Inglish—2. A bill to establish a State road from Brandenburg, on the Ohio river, to Bowlinggreen. And,

By Mr. Hall, (of Barren)—3. A bill providing for the establishment of Common Schools throughout the Commonwealth.
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, constitutional provision and second reading of the first and third bills having been dispensed with, the first was ordered to be engrossed and read a third time, and the third was committed to a committee of the whole House for the 4th January next.

Ordered, That the public printer forthwith print 150 copies of the third bill for the use of the Legislature.

And thereupon the rule of the House, constitutional provision and third reading of the first bill having been 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. Hall carry the said bill to the Senate, and request their concurrence.

The amendments proposed by the Senate to bills which originated in this House of the following titles, were twice read and concurred in, viz:

An act making a chancery term to the Montgomery circuit court, and a special term to the Franklin circuit court. And,

An act for the benefit of Thomas Smith and others.

Ordered, That Mr. Hall inform the Senate thereof.

Mr. Ray moved for leave to bring in a bill to appropriate $2000 to pave Muldrow's Hill, on the road leading from Elizabethtown in Hardin county, to Louisville.

And the question being taken on granting leave to bring in said bill, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Ray and Inglish, were as follows, viz:


Ordered, That Messrs. Ray, Helm, White and Hall, (of Barren) be appointed a committee to prepare and bring in said bill.

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

1. An act to authorize the stockholders of the bank of Lime-

2. An act to authorize the surveyor of Lincoln county to tran-
scribe a part of his record book and to make out a new alphabet.

3. An act for the benefit of William Whitworth. And

4. An act for the benefit of James Barlow and Norman Clardy.

Resolved, That the first, second and third bills do pass; that the title of the first be as aforesaid; that of the second be amended to read an act to authorize the surveyors of Lincoln and Pike counties to transcribe parts of their record books, and for other purposes; and that of the third be amended to read, an act for the benefit of William Whitworth and Martha Whitworth.

Ordered, That Mr. Beatty carry the said bills to the Senate, and request their concurrence.

Ordered, That the fourth bill be recommitted to a select committee of Messrs. M'Millan, Grider, Thomas and Beatty.

A message was received from the Senate announcing their concurrence in a resolution which originated in this House, for appointing a joint committee to examine the Auditor's office for the years 1825 and 1826, and the passage of bills of the following titles: an act for the benefit of the heirs of Peter Follis, and an act to restore Eliza B. Shannon and Malinda Morris to the privileges of females sole.

Whereupon Messrs. Ward, Turner, Powers and Creel were appointed a committee on the part of this House, to examine the Auditor's office, pursuant to the above named resolution, for the year 1825, and Messrs. A. Boyd, Combs, Patrick and Skiles for the year 1826.

Ordered, That Mr. Ward inform the Senate thereof.

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

1. A bill to authorize the Trustees of the Trigg county Seminary to sell and convey her donation lands.

2. A bill for the benefit of Michael Huffacre.

3. A bill further to regulate the Bank of the Commonwealth.

4. A bill for the benefit of the heirs of Micajah Shelton, deceased.

5. A bill to restrict the county court of Hardin from laying the county levy over a certain amount.

6. A bill for the benefit of the Morgan Seminary and for other purposes.

7. A bill to reduce the salaries of the public officers of this Commonwealth. And,

8. A bill prescribing the manner in which changes may be made in the road leading from Mountsterling to the Virginia line, by the way of Prestonsburg.

The 1st, 6th and 8th were severally ordered to be engrossed and read a third time; the 2d was committed to a select committee of Messrs. Smith, George, Litton and Sallee; the 3d to a select committee of Messrs. B. Harrison, Combs, Bibb, Marshall, Smith, Beatty and L. Sanders; the 4th to the committee for
courts of justice; the 5th to a select committee of Messrs. Ray, Helm, H. Harrison, Bishop and Hughes; and the 7th to a select committee of Messrs. Ray, Hall, (of Barren,) Inglish, Wingate, N. P. Sanders and Moore.

And thereupon the rule of the House, constitutional provision, and third reading of the eighth bill having been dispensed with, and the same being engrossed;

Resolved, That the said bill do pass, and that the title thereof be, “an act for the benefit of David Morgan.”

Ordered, That Mr. Graham carry said bill to the Senate, and request their concurrence.

Leave was given to bring in the following bills:

On the motion of Mr. Inglish—1. A bill to authorize the clearing out the obstructions in Rough creek, from Cunningham’s ford to its mouth.

On the motion of Mr. L. Sanders—2. A bill to appropriate acres of vacant land to endow a seminary of learning in Anderson county.

On the motion of Mr. Williams—3. A bill for the benefit of David Jones and Elizabeth Fugate.

On the motion of Mr. N. Sanders—4. A bill to authorize the building of a bridge across Salt river, at Clark’s ripple, in Bullitt county.

On the motion of Mr. L. Boyd—5. A bill to establish seminaries of learning in the counties of Calloway, Graves, Hickman and McCracken. And,

On the motion of Mr. Williams—6. A bill to amend an act entitled an act to amend the several acts taxing billiard tables, and for other purposes, approved December 21st, 1821.

Messrs. Inglish, Watkins, Litton and Davis (of Ohio,) were appointed a committee to prepare and bring in the first; Messrs. L. Sanders, Downing, Haggin, Hall and Williams, the second; Messrs. Williams, Hall, B. Harrison and Haggin the third; Messrs. N. Sanders, B. Harrison and Guthrie the fourth; Messrs. L. Boyd, Davenport, Hughes and Harald the fifth; and Messrs. Williams, Inglish, Combs and Harrison the sixth.

And then the House adjourned.

FRIDAY. DECEMBER 28, 1827.

Mr. Watkins presented the petition of sundry citizens of Breckenridge, Ohio and Daviess county, praying for the establishment of a new county out of parts of each of said counties.

Which was received, read, and referred to the committee of propositions and grievances.

On motion—Ordered, That Mr. Colglazier be added to the com-
committee appointed to investigate certain charges against Minor Winn, a justice of the peace of Harrison county.

A message from the Senate by Mr. Daviess:

Mr. Speaker: The Senate have passed a bill which originated in this House, entitled an act to regulate the powers of the Trustees of the town of Mount Vernon in Bullitt county, and for other purposes—and have passed a bill entitled an act changing the time of holding the Anderson and Laurel circuit courts, and for other purposes; and a bill entitled an act for the benefit of John E. Wilson; 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.

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.

1. Resolved, That the petition of the county court of Rockcastle county, praying that a law may pass authorizing them to sell a part of the public square in the town of Mount-Vernon, be rejected.

2. Resolved, That the petition of Peter Curtner praying a donation of a quarter section of land be rejected.

3. Resolved, That the petition of Christopher Hinton praying a donation of a quarter section of land be rejected.

4. Resolved, That the petition of Robert Ramsey praying for a donation of a quarter section of land be rejected.

5. Resolved, That the petition of Garrett Willingham, praying for a donation of part of a quarter section of land for the purpose of erecting a water grist mill thereon, be rejected.

6. Resolved, That the petition of the heirs of Edmund Wooldridge deceased, praying that a law may pass authorizing them to survey and carry into grant, two entries for 13,000 acres of land made by their ancestor south west of the Tennessee river. December the 5th, 1781, be rejected.

7. Resolved, That the petition of John Faughn sen'r, praying for a donation of a fraction of a quarter section of land on which he lives, is reasonable.

8. Resolved, That the petition of Beverly Brown a free man of colour, praying a law may pass releasing him and his family from the penalties of an act to prohibit free persons of colour from coming to, and settling in Kentucky, after a time therein expressed, is reasonable.

9. Resolved, That the petition of the citizens of Barren county praying that a law may pass declaring Beaver creek navigable from its mouth up to the mouth of the south fork thereof, is reasonable.

10. Resolved, That the petition of the citizens of Pendleton coun-
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ty praying that an election precinct may be established in said county, is reasonable.

The first resolution having been amended by striking out the words be rejected, and inserting the words is reasonable, and concurred in:

It was then moved and seconded to amend the second resolution by striking out the words be rejected, and inserting in lieu thereof the words, is reasonable.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Blackburn and L. Boyd, were as follows, viz:


The said resolution, as amended, was then concurred in.

The 3d, 4th, 5th, 6th, 7th, 8th, 9th and 10th resolutions were then concurred in.

Ordered, That said committee prepare and bring in bills pursuant to the 1st, 2d, 7th, 8th, 9th and 10th resolutions.

Mr. Barbee, from the committee of religion, made the following report, viz:

The committee of religion have had under consideration sundry petitions to them referred, and come to resolutions thereon, to-wit:

Resolved, That the petition of Edmond and Elizabeth Chapman, each praying a divorce, be rejected.

Resolved, That the petition of Mary Drysdale, be rejected.

Resolved, That the petition of Eliza Boyd is reasonable.

Which being twice read, (the second resolution having been amended by striking out the words “be rejected,” and inserting in lieu thereof the words “is reasonable,”) was concurred in.

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

Mr. Gridder, from the select committee to whom was referred an engrossed bill entitled, an act for the benefit of James Barlow and Norman Claridy—reported the same with an amendment:

Which being twice read, was concurred in.
The said bill as amended was then ordered to be re-ingrossed, and again read a third time to-morrow.

Mr. Ray, from the select committee to whom was referred a bill to restrict the county court of Hardin from laying the county levy over a certain amount—reported the same with an amendment.

It was then moved and seconded to lay the said bill and amendment on the table until the first day of June next:

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Ray and Coffman, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Barbee, Beatty, Bibb, Bishop, Blackburn, A. Boyd, Breck, Bruce, Buford, Colglazier, Combs, Conner, Creel, Cunningham, Davenport, Evans, Ewing, Ford, Grider, Haggin, Hall, M. W. Hall, B. Harrison, Hughes, Lindsay, Marshall, McBride, McConnell, Miner, Morris, Munford, Patrick, Reid, Simpson, Skiles, Smith, Southgate, Swope, Thomas, Turner, Watkins, Watts, Williams, A. Wilson and Yantis—46.


A message from the Senate by Mr. Dudley.

Mr. Speaker: The Senate have adopted a resolution for appointing a joint committee to examine the charges preferred against Jacob H. Holeman, public printer—in which resolution they request the concurrence of this House.

And then he withdrew.

The said resolution was then taken up, twice read and concurred in. And,

Messrs. Barbee, Beatty, Blackburn, Ward, Southgate, Combs, Davis (of Ohio), Hardy, Haggin and L. Sanders appointed a committee on the part of this House.

Ordered, That Mr. Barbee inform the Senate thereof.

A message was received from the Senate, announcing the passage of bills which originated in this House, of the following titles—

An act to divorce Sally Cole from her husband James Cole.

And an act for the benefit of the Southern College, and Lancaster Seminary.

Mr. Smith moved the following resolution:

Resolved, That the committee of ways and means be instructed to enquire into the expediency of appropriating $ of the seat proceeds of the Commonwealth's bank, to the repair and
improvement of the Turnpike and wilderness road, and to report by bill or otherwise.

Which being twice read, was adopted.

On the motion of Mr. Ward; Ordered, That leave be given to bring in a bill for the benefit of the Rittenhouse Academy in Georgetown; and that Messrs. Ward, Duvall and Forrest be appointed a committee to prepare and bring in the same.

The amendments proposed by the Senate to a bill from this House entitled, an act to amend the several laws establishing the town of Covington, were twice read and concurred in.

Ordered, That Mr. Southgate inform the Senate thereof.

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

By Mr. Hall—1. A bill for the benefit of Judith Sibley, and others.

By Mr. Barbee from the committee of religion—2. A bill restoring Eliza Boyd to the privileges of a feme sole.

By Mr. L. Sanders—3. A bill further to regulate appeal bonds.

By Mr. Conner—4. A bill to provide for the building of bridges across certain water courses in Greenup county. And,

By Mr. Grider—5. A bill to authorize the inhabitants of the town of Brownsville, in the county of Edmonson to elect trustees.

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, constitutional provision and third reading of the second bill having been 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. Barbee carry the said bill to the Senate, and request their concurrence.

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

1. An act to authorise the trustees of the Trigg county Seminary, to sell and convey her donation lands—and

2. An act for the benefit of the trustees of the Morgan Seminary, and for other purposes.

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

Ordered, That Mr. Boyd carry the said bills to the Senate, and request their concurrence.

The following bills were severally read a second time viz:

1. A bill for the benefit of Hugh McWilliams.

2. A bill for the better regulation of the inspection of Tobacco, and for other purposes.
3. A bill for the benefit of the heirs of John Williams deceased, and for other purposes.
4. A bill further to regulate the powers and duties of the trustees of towns in this commonwealth.
5. A bill to authorize the trustees of the Hart Seminary to sell their donation lands.
6. A bill to amend an act entitled an act to incorporate the Cumberland College at Princeton.
7. A bill to amend the law authorizing the circuit courts to decree divorces.
8. A bill to regulate the duties of county courts.

The 1st, 3d, 5th and 6th were severally ordered to be engrossed and read a third time; the second was committed to a select committee of Messrs. Bruce, Parish, Breck, Ford, Moore, Creel and White; the 4th, to a select committee of Messrs. Southgate, Grider, Ingles, and Combs; the 7th to the committee for courts of Justice; and the 8th, to a committee of the whole House for the 3rd of January.

And thereupon the rule of the House, constitutional provision and third reading of the third and fifth bills having been dispensed with, and the same being engrossed.

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

Ordered, That Mr. Parish carry the said bills to the Senate and request their concurrence.

A bill compelling litigants to give security for costs in certain cases, was read a second time; it was then moved and seconded to lay the said bill on the table until the first day of June next;

And the question being taken thereon it was decided in the negative.

The yeas and nays being required thereon by Messrs. N. Sanders and Davenport were as follows:

YEAS—Mr. Speaker, Messrs. Beatty, Breck, Bruce, Buford, Coffman, Combs, Creel, Cunningham, Downing, Duvall, Grifin, Grider, Haggin, Hazlerigg, Helm, Inglis, Lindsay, Litton, Montague, Munford, Patrick, Reid, Rife, Roberts, N. P. Sanders, Secrest, Smith, Spalding, Turner, Ward, Williams, A. Wilson and Wingate—34.


The said bill was then committed to the committee for courts of justice.

And then the House adjourned.
SATURDAY, DECEMBER 29, 1827.

1. Mr. Forrest presented the petition of the administrator and administratrix of Aquilla Hodskins, deceased, praying that a law may pass authorizing the sale of a horse mill and cotton gin in Lebanon, belonging to the estate of said Aquilla Hodskins.
2. Mr. Bibb presented the petition of sundry citizens of Logan county, praying for the establishment of an election precinct in the northern part of said county.
3. Mr. D. W. Wilson presented the petition of the heirs of William Powell, deceased, praying that a law may pass authorizing them to perfect, by conveyances, certain written contracts of exchange between said heirs in relation to lands descended from said William Powell.
4. Mr. Thomas presented the petition of sundry citizens of Allen county, praying that an election precinct may be established in said county.

Which petitions were severally received, read and referred; the first and third to the committee of courts of justice, and the second and fourth to the committee of propositions and grievances.

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 their consideration sundry petitions to them referred, and have come to the following resolutions thereupon, to-wit:

Resolved, That the petition of Moses Musgrove, praying that his name may be changed from Musgrove to Johnson, be rejected.

Resolved, That the petition of a part of the citizens of Kentucky, praying that a law may pass to exempt all Salt imported into this state from inspection, which has undergone an inspection at the place of manufacturing the same, be rejected.

Resolved, That the petition of the citizens of Monroe county, praying the Legislature to pass an act declaring the entries and surveys made by Alfred Payne, surveyor of Allen county, between Walker's line and the line run by Matthews and others, illegal and void, be rejected.

Which being twice read, was concurred in.

On motion—Ordered, That the committee of propositions and grievances be discharged from the further consideration of the petitions of William Tanner and Thomas McKee, and that the same be referred to the committee of claims.

Mr. Beatty, from the committee for courts of justice, to whom was referred a bill to remove the obstructions to the navigation of Pond river, reported the same with an amendment.
Which being twice read, was concurred in; and the said bill as amended, ordered to be engrossed and read a third time.

And thereupon the rule of the House, constitutional provision and third reading of said bill having been 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. Davenport carry the said bill to the Senate and request their concurrence.

Mr. Beatty, from the same committee, to whom was referred a bill to authorize the Register of the land office to issue land warrants in certain cases, reported the same with an amendment.

Which being twice read, was concurred in, and the said bill as amended, ordered to be engrossed and read a third time on Monday next.

Ordered, That the public printer forthwith print 150 copies of said bill for the use of the Legislature.

Mr. Beatty, from the same committee, to whom was referred a bill appropriating fines and forfeitures, for the lessening the county levy of certain counties, reported the same without amendment.

The said bill was then ordered to be engrossed and read a third time on Monday next.

Mr. Beatty, from the same committee, to whom was referred an engrossed bill entitled, an act to amend an act entitled an act to encourage the establishment of private schools, reported the same with an amendment.

Which being twice read, was concurred in, and the said bill as amended, ordered to be re-engrossed and again read a third time.

And thereupon the rule of the House, constitutional provision, and third reading of said bill having been 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. Combs carry the said bill to the Senate, and request their concurrence.

Mr. Beatty from the same committee, made the following report, viz:

The committee for courts of justice, have had under consideration the petition of the administrators of the estate of W. C. Davis. The object of the petition is to obtain the passage of an act to authorize the administrators to sell a part of the real estate of the deceased, in order to prevent the necessity of selling the slaves of the deceased; and also to enable the administrators to carry into execution a parol contract for land, made in the lifetime of said Davis, with Edward S. Hall, who it is alleged is willing to carry said contract into execution. Your
committee recommend the adoption of the following resolution, viz:

Resolved, That the prayer of the petitioners ought not to be granted.

Which being twice read, and amended, by striking out the word "not," was concurred in.

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

Mr. Smith, from the select committee to whom was referred a bill for the benefit of Michael Huffacre, reported the same with an amendment, which being twice read, was concurred in:

And the said bill as amended, ordered to be engrossed and read a third time.

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

By Mr. Blackburn, from the committee of propositions and grievances—1. A bill to amend the acts authorizing the county courts to appoint inspectors of salt. Also,

2. A bill to authorize the sale of part of the public square in the town of Mount Vernon, in Rockcastle county.

By Mr. Barbee, from the committee of religion—3. A bill to restore Mary Drysdale to the privileges of a feme sole.

By Mr. M. W. Hall, from the committee of claims—4. A bill for the benefit of Polly Burnet and children.

By Mr. Ward—5. A bill for the benefit of the Rittenhouse Academy in Georgetown.

By Mr. Rucker—6. A bill declaring Tradewater river navigable.

By Mr. Daniel—7. A bill for the benefit of the heirs of Daniel Dickerson, deceased.

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, constitutional provision, and second reading of the third and fourth bills having been dispensed with, the said bills were ordered to be engrossed, and read a third time.

And thereupon the rule of the House, constitutional provision, and third reading of the third bill having been 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. Barbee carry the said bill to the Senate, and request their concurrence.

A message from the Senate by Mr. Cockerill.

Mr. Speaker: The Senate have received official information that on the 27th instant, the Governor approved and signed ar
enrolled bill, which originated in the Senate, of the following title, viz:

An act to authorize a special term to be held by the judge of the twelfth judicial district, in the county of Garrard, for the purpose of trying a certain negro slave named Isaac, who stands charged with murder; and have passed a bill entitled, an act to establish an election precinct in the county of Barren, and for other purposes—in which bill, they request the concurrence of this House.

And then he withdrew.

A message from the Governor, by Mr. Pickett, his Secretary.

Mr. Speaker:—

On the 19th instant, the Governor approved and signed enrolled bills which originated in the House of Representatives, of the following titles, to-wit:

An act to alter the time of holding certain courts.

An act to amend and explain an act entitled, "an act to reduce the price of land between Walker's line, and latitude thirty-six degrees, and thirty minutes north, and east of Tennessee river," approved January twenty-second, one thousand eight hundred and twenty-seven.

An act to add part of Adair to Casey county.

On the 21st instant, an enrolled bill entitled, an act to provide for the safe keeping of Jesse Hide and Ottaway Hide. And,

On the 27th instant, enrolled bills of the following titles:

An act to change the place of voting in the Sharpsburg precinct, in Bath county, and for other purposes.

An act for the benefit of the administrators and heirs of Richard C. Anderson, deceased.

An act for the benefit of the Sheriffs of Hopkins and Wayne counties.

And then he withdrew.

Ordered, That Mr. Duvall inform the Senate thereof.

The following engrossed bills were severally read a third time:

1. An act for the benefit of Hugh McWilliams;
2. An act for the benefit of James Barlow and Norman Clardy;
3. An act to amend an act entitled, an act to incorporate the Cumberland College at Princeton.

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

Ordered, That Mr. McMillan carry the said bills to the Senate and request their concurrence.

The following bills were severally read the second time, viz:

1. A bill to incorporate the Kentucky and Ohio Bridge Company.
2. A bill to curtail the powers of the county court of Bul-litt county.
3. A bill to prohibit the county court of Fleming from laying the county levy above one dollar.

4. A bill to establish a state road from Brandenburg on the Ohio river, to Bowling Green.

5. A bill for the benefit of Judith Sibley and others.

6. A bill to regulate appeal bonds.

7. A bill to provide for the building of bridges across certain water courses in Greenup county. And,

8. A bill to authorize the inhabitants of Brownsville, in the county of Edmondson, to elect trustees.

The 1st, 5th, 6th, 7th and 8th, were severally ordered to be engrossed and read a third time: the 4th was committed to a committee of the whole House for the 2d January: and the question being taken on engrossing the 2d and 3d bills, and reading the same a third time, it was decided in the negative, and so the said bills were rejected.

And then upon the rule of the House, constitutional provision, and third reading of the 8th bill having been 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. Grider carry the said bill to the Senate, and request their concurrence.

The amendments proposed by the select committee to a bill to establish an election precinct in the county of Todd—were twice read, and the first, second and third concurred in: the 4th amendment was then read as follows, viz:

Be it further enacted, That all that part of Hardin county included in the following bounds (to wit:) beginning on the Rolling fork at Etherington ferry, and running with the road leading from Elizabethtown to Robert Johnson's on the head of middle creek, thence down middle creek to Nolyn, thence down Nolyn to where the road leading from Elizabethtown to Nashville, crosses the same, thence with said road to Hart county line, thence with said line to Green county line, thence with the same to the great road leading from Hodgenville to Greensburgh, thence with said road to John Hurst's tan-yard, thence a straight line to William Elliot, living on the little south fork of Nolyn, thence a straight line to Samuel Smith, living on the rolling fork, thence down the same, to the beginning; shall be, and the same is hereby erected into an election precinct, in said county of Hardin, and the qualified voters in said precinct, shall meet at the house of Lewis Brown, in Hodgenville, in said precinct, for the purpose of voting at all legal elections.

Be it further enacted, That the county court of Hardin, at the term they appoint a clerk and judges to the election, to be held at their court house, shall also appoint a clerk and judges to
preside at the election to be held at said precinct, in said county; and it shall be the duty of the Sheriff of said county to attend by himself, or deputy, and conduct the election to be held in said precinct, which election shall be governed by the same rules and regulations as are now prescribed by law.

It was then moved and seconded, to amend said amendment, by adding thereto the following words:

And the qualified voters in said precinct shall not be at liberty to vote at any other place, except at the place appointed by law, to hold elections in said precinct.

And the question being taken on adopting the said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. H. J. and Ray, were as follows:

YEAS—Messrs. Beatty, Coglazier, Combs, Conner, Cunningham, Evans, Guthrie, M. W. Hall, B. Harrison, C. L. Harrison, Joyce, Lindsay, Marshall, McConnell, Miner, Morris, Simpson, Skiles, Southgate, Thomas, Turner, Woodland and Yantis—23.


The said amendment was then concurred in.

The remaining amendments having been concurred in: the said bill as amended, was ordered to be engrossed, and read a third time.

And thereupon the rule of the House, constitutional provision, and third reading of said bill having been 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 establish election precincts in certain counties."

Ordered, That Mr. Ewing carry the said bill to the Senate, and request their concurrence.

Mr. Ewing moved the following resolution:

Resolved, That the committee on courts of justice be instructed to prepare and bring in a bill compelling attorneys at law, to give security for all monies they may hereafter collect for their clients.

Which being twice read, was adopted.

Mr. Turner moved the following resolution:

Resolved, That the committee for courts of justice be instructed
to enquire into the propriety of so amending the penal laws of this Commonwealth, as to cause convicts from the Penitentiary to be imprisoned during life, for the second offence, and that they have leave to report by bill or otherwise.

Which being twice read, was adopted.

Mr. Forrest moved the following resolution:

Resolved, That the committee for courts of justice be instructed to report a bill to extend the law appointing district attorneys for this commonwealth.

Which being twice read was adopted.

Mr. Southgate moved the following resolution:

Resolved, That the committee for courts of justice be instructed to report a bill to extend the law appointing district attorneys for this commonwealth.

Which being twice read was adopted.

Mr. Forrest moved the following resolution:

Resolved, That the committee for courts of justice be instructed to report a bill to extend the law appointing district attorneys for this commonwealth.

Which being twice read was adopted.

Mr. Southgate moved the following resolution:

Resolved, That the auditor be requested to furnish this House with a list of the lands that have been forfeited to the state, for the non payment of the taxes due thereon, and not redeemed—stating the time when they were forfeited, in what county they are situate, to whom they belonged, and the number of acres in each tract.

Which being twice read, was adopted.

Ordered, That the report of the commissioners of the Lunatic Hospital, be referred to the committee for courts of justice.

Leave was given to bring in the following bills:

On the motion of Mr. Bibb—1. A bill authorizing the sale of certain streets in Hubbard Sanders' addition to Russellville;

On the motion of Mr. L. Boyd—2. A bill for the benefit of Robert Patterson;

On the motion of Mr. Hazlerigg—3. A bill for the benefit of James Christy, and for other purposes;

On the motion of Mr. Spalding—4. A bill to authorize the clerk of the county court of Union county, to transcribe certain records in said office;

On the motion of Mr. L. Boyd—5. A bill to authorize the opening a road from Hopkinsville, in Christian county, to Columbus, in Hickman county, and for other purposes; and,

On the motion of Mr. Bishop—6. A bill to open a state road from Elizabethtown by way of Litchfield, Hartford, Madisonville and Princeton to Smithland.

Messrs. Bibb, Montague, Davenport and Ewing were appointed a committee to prepare and bring in the first: Messrs. L. Boyd, Yantis, B. Harrison and Bibb, the second: Messrs. Hazlerigg, Conner, Powers and Secrest, the third: Messrs. Spalding, M. Hall and Ford, the fourth: Messrs. L. Boyd, Davenport, Yantis and Bibb, the fifth: and the committee on internal improvements, the sixth.

And then the House adjourned.
MONDAY, DECEMBER 31, 1827.

1. Mr. Combs presented the petition of sundry citizens of the town of Lexington, praying that a law may pass to incorporate a company for constructing a rail road from Lexington to Cleveland's landing, on the Kentucky river.

2. Mr. Joyes presented the petition of sundry citizens of Middletown in Jefferson county, praying that a law may pass authorizing the citizens of said town to elect trustees to fill the vacancies occasioned by a failure to elect at the time appointed by law.

3. Mr. Joyes also presented the petition of sundry citizens of Jefferson town in Jefferson county, praying that a law may pass authorizing the trustees of said town, to raise by tax on the citizens of said town, the sum of one hundred dollars annually.

4. Mr. N. P. Sanders presented the petition of the trustees of Shepherdsville in Bullitt county, praying that a law may pass confirming certain acts of said trustees, and their predecessors in office, and to give said trustees and their successors, power to make conveyances for certain lots in said town.

5. Mr. Guthrie presented the remonstrance of sundry citizens of Oldham county, against the petition of other citizens of said county, praying that the seat of justice of said county may be fixed at the town of Westport.

6. Mr. N. P. Sanders presented the petition of Robert Lucky, praying a divorce from his wife Amelia Lucky.

7. Mr. Guthrie presented the petition of sundry citizens of Louisville, praying that all salt inspected before landing at said town, may be exempted from inspection, unless the parties owning the same choose to have the same inspected.

8. Mr. Guthrie presented the petition of John C. Rogers, the sheriff of Ohio county, praying that further time may be allowed him, to account and settle with the Auditor of public accounts, for the revenue tax for said county, collectable in the year 1827.

Which petitions were severally received, read and referred: the first to the committee on internal improvements; the 2d, 3d, 5th, 7th and 8th, to the committee of propositions and grievances; the 4th, to the committee for courts of justice; and the sixth to the committee of religion.

Mr. Duvall from the joint committee of enrollments, reported that the committee had examined enrolled bills, and a resolution of the following titles, and had found the same truly enrolled, viz:

An act making a chancery term to the Montgomery circuit court.

An act to divorce Sally Cole, from her husband James Cole.

An act for the benefit of Thomas Smith and others.
An act further to regulate the powers of the trustees of the town of Mount Vernon, in Bullitt county, and for other purposes.

An act to amend the several acts establishing the town of Covington.

An act for the benefit of the Southern College and Lancaster Academy; and a resolution for appointing a committee to examine the Auditor's office, for the years 1825 and 1826.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Duvall inform the Senate thereof.

Mr. Breck from the committee of ways and means, made the following report.

The committee of ways and means have, in obedience to a resolution of the House, had under consideration the expediency of repealing all laws, authorizing clerks of courts, to draw money from the public treasury for record books, presses and ex-officio services, and report:

That the sum drawn from the treasury, during the last year by clerks of courts, for ex-officio services, amounted to

<table>
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<tr>
<td>For Record Books</td>
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<tr>
<td>For Presses</td>
<td>$2,301.13</td>
</tr>
<tr>
<td></td>
<td>$210.03</td>
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<tr>
<td>Total</td>
<td>$5,894.26</td>
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</table>

Considering the value in general, of clerkship's of courts in this commonwealth, and the eagerness with which they are sought after, your committee are of opinion, that the treasury ought not to be burthened with these items of expenditure. With this view they have prepared, and herewith report a bill.

Your committee have also, according to order, had under consideration the expediency of giving the commonwealth a lien on the real estate, and slaves of all public officers, and their securities, and report the following resolution.

Resolved, That no change in the law, in relation to public officers and their securities, so far as relates to a lien of the commonwealth upon their estates, is at present expedient.

Which being twice read, was concurred in.

Mr. B. Harrison, from the committee on internal improvements, made the following report.

The committee for internal improvements, have had under consideration, several subjects referred to them, and have come to the following resolutions thereon.

Resolved, That it is inexpedient to bring in a bill to authorize the Governor, or some named commissioner, on behalf of the commonwealth, to contract for and purchase, any or all of the stock of the Louisville and Shelbyville turnpike road company, and to finish said road."
Resolved, That in the opinion of this committee, the existing laws, which prescribe the manner, of working the roads in this commonwealth, are found by long experience, to be entirely ineffectual, and not likely ever to accomplish the object of their enactment. We, therefore, beg leave to recommend their repeal in toto; and in their stead to provide by law, for working the roads by a tax, to be imposed for that purpose, and allowing every person so taxed, the privilege of working out his tax, at the rate of cents per hour, for every hour he may labour faithfully on a public road.

Which being twice read, was concurred in.

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

Mr. Hall from the committee of claims, made the following report, viz:

The committee of claims have according to order, had under consideration, sundry petitions to them referred, and have come to resolutions thereon, to-wit:

The petition of John Deerin of Lexington, praying to be permitted to draw from the treasury the sum of five hundred dollars, which he alleges has been drawn from him as the tax on a billiard table license, that he never set up, or used the table, under said license;

Resolved, That the said petition be rejected.

The petition of Thomas McKee, a constable in the town of Maysville, representing that he had detained in custody, at considerable expense, John Stokes and James Slemons, who were charged with felony, after acquittal by the Magistrates before whom they were tried, and praying to be reimbursed from the public treasury;

Resolved, That said petition be rejected.

The petition of William Tanner, setting forth, that he undertook the distribution of the Journals and acts of Assembly, of this state in the middle district, for the year 1826; that there was a disagreement between the receipt given to the Secretary of state, and the books distributed and returned, amounting to fifteen dollars worth of books against the petitioner, which was obviated by the purchase and delivery of that amount of books, to the Secretary, and praying to be reimbursed from the treasury.

Resolved, That the said petition be rejected.

Which being twice read, the first resolution was committed to the committee of claims, and the second and third (the second being amended by striking out the words be rejected, and inserting in lieu thereof, the words is reasonable,) were concurred in.

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

A message from the Senate by Mr. Harris.
Mr. Speaker: The Senate have passed bills, which originated in this house, of the following titles: An act for the benefit of David Morgan; An act to authorize the Trustees of Hart county Seminary to sell their donation lands; and, An act to regulate the sale of the lands west of the Tennessee river, and for other purposes, with amendments to the latter bill, in which they request the concurrence of this House.

And then he withdrew.

Mr. Breck, from the select committee to whom was referred, a bill for the better regulation of the inspection of tobacco, and for other purposes, reported the same with an amendment, which being twice read, was concurred in; and the said bill as amended, ordered to be engrossed and read a third time tomorrow.

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

By Mr. Breck—1. A bill to amend the laws in relation to clerks of courts, in this commonwealth.

By Mr. Beatty, from the committee of courts of justice—2. A bill to authorize the administrators of William C. Davis, deceased, to carry into execution, a parol contract made by said Davis, in his lifetime, with Edward S. Hall, for five or six acres of land.

By Mr. Blackburn—3. A bill for the benefit of Beverly Brown.

By Mr. Blackburn—4. A bill for the benefit of Peter Curtner. And

By Mr. Williams—5. A bill for the benefit of David and Elizabeth E. Jones.

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, constitutional provision and second reading of the first, second and fifth bills having been dispensed with, the first was committed to a select committee of Messrs. D. Wilson, Ward, Southgate and Davenport; the second to the committee for courts of justice; and the fifth was ordered to be engrossed and read a third time.

And thereupon, the rule of the House, constitutional provision and third reading of said bill having been 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. Williams carry the said bill to the Senate and request their concurrence.

Mr. Williams, from the select committee appointed for that purpose, reported a bill to amend an act, entitled an act, to amend the several acts taxing billiard tables, and for other purposes; which was received and read the first time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That any person or persons, who may desire to set up
or use any billiard table, within this commonwealth, for a shorter period of time than one year, he, she or they, thus desiring, may apply to the clerk of the court of the county where such table is proposed to be set up or used, and pay said clerk a tax after the rate of five hundred dollars per year, for the time he, she or they, propose to keep or use such table; upon the payment of which sum, the clerk shall give the person or persons applying, a certificate in writing, specifying the payment of the tax, the place and time the same is to be kept. Provided however, That no certificate shall be given for a shorter time than two months. And the tax thus received, shall be accounted for by the clerk, as directed by the act to which this is an amendment.

And the question being taken on reading the said bill a second time, it was decided in the negative, and so the said bill was rejected.

The yeas and nays being required theron by Messrs. McMillan and Williams, were as follows, viz:

YEAS—Messrs. Bibb, Combs, Downing, Haggin, B. Harrison, Joyes, Lindsay, Roberts, L. Sanders, Southgate and Williams—11.


The House then, according to the standing order of the day, resolved itself into a committee of the whole House—Mr. Blackburn in the chair—and after sometime spent therein, the Speaker resumed the chair, and Mr. Blackburn reported, that the committee had, according to order, had under consideration, a bill to incorporate the City of Louisville, and had gone through the same with sundry amendments, which he handed in at the clerks table, and which being severally twice read, were concurred in.

And then the House adjourned.
The Speaker laid before the House, a letter from the visitor appointed to visit the Penitentiary, which was received and read as follows, viz:

STATE OF KENTUCKY,
Frankfort, 10th December, 1827.

Dear Sir—By an act of Assembly, approved 10th day of January 1825, the undersigned were appointed a board of visitors, to examine periodically, the Penitentiary, and to report to each successive legislature, their opinion as to the management of the institution. We now beg leave to make the following report, viz:

That we have regularly, once in each month, since the last session of the legislature, visited the institution; and with great pleasure have witnessed, the rapid improvements which have been made, as well in the general management and government of the same, as in the amelioration of the condition of its inmates. The health of the convicts has been so remarkable in the course of the present year, that it has been more a matter of surprise, than of any calculation which could have been made, upon any scale of the most judicious arrangement; we have never found more than three, at any one time, on the sick list. One death has occurred in the course of the year, by disease, and one by justifiable homicide. In the first case, it is believed, that the decedant had contracted a permanent disorder, before he was confined in the Penitentiary, which was the cause of his death. In the latter case there was a bold and desperate attempt to escape, in defiance of the guard, and indeed, an attempt on the part of the convict, to murder his opponents, before the only alternative was resorted to.

The condition of the convicts has been rendered as comfortable as the nature and design of the institution required; their labor is, by no means, excessive or severe, but constant and unremitting, their food wholesome and abundant, their clothing in every respect suited to their condition; their dormitories and cells are kept clean, and during the unhealthy seasons of the year, are fumigated and aired, to prevent the accumulation of unhealthy gases, and we can, with pleasure say, that the whole of the internal polity of the Penitentiary, has been greatly improved under the government of its present keeper.

Before we close this communication, we beg leave to refer the legislature to our report made to them, at their session in 1825, which will be found in the Journals of the House of Representatives, pages 123, 4 and 5, and in that of the Senate pages 80, 81 and 2. We have remarked with astonishment, the wonderful facility with which Mr. Scott can, at any time, divert the labor of
The convicts, from one species of manufacturing to another, without any apparent difficulty, while at the same time, the profits seem to be undiminished. We regard this as an evidence of the peculiar talents of the present keeper, qualifying him, in a very eminent degree, for that station, and if his life should be spared, that institution will ultimately prove a source of considerable revenue to the government.

With sentiments of respect,

We have the honor to be, &c.

PORTER CLAY,  
JAMES DAVIDSON,  
JNO. M. FOSTER,  
JAS. W. DENNY,  
Board of Visitors.

JOHN SPEED SMITH, Speaker of the H. of Rep.

The Speaker laid before the House, a letter from the Auditor of Public Accounts, enclosing a table, shewing the number of qualified voters in each county in this Commonwealth, during each of the last four years, which is in the following words:

STATE OF KENTUCKY,  
Auditor's Office 31st December, 1827.

DEAR Sir—Accompanying this, I have the honor to transmit to the House of Representatives, a table, shewing the number of qualified voters in each county in this Commonwealth, for the years 1824, 5, 6 and 7, agreeably to a resolution passed on the 10th instant.

It will be observed that there are five counties, from which there are no returns for the year 1827.

Yours, &c.

PORTER CLAY, Auditor.

JOHN SPEED SMITH, Esq. Speaker of the H. of Rep.

[See opposite table.]

A message from the Senate by Mr. Smith:

Mr. Speaker: The Senate disagree to a bill which originated in this House entitled, an act for the divorce of Matilda Waters. They have passed a bill entitled an act to ratify and confirm the line of 36° 30', as run by Thomas J. Matthews; and have adopted a resolution appointing committees to examine the Bank of the Commonwealth and branches—in which bill and resolution they request the concurrence of this House.

And then he withdrew.

Mr. Combs moved the following resolution, viz:

Resolved, That the affidavits hereto annexed, of James C. Redus, clerk of the Fayette county court; that of James O. Har-
Shewing the years 1824, 1825, 1826 and 1827.

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<td>Anderson</td>
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<td>Bracken</td>
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<td>Hickman</td>
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REMARKS.

Page 158 — House Journal.
A TABLE,

Shewing the number of qualified voters in each county in this Commonwealth, for the years 1824, 1825, 1826 and 1827.

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<th>Counties</th>
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JOHN SPEED

The Speech of Public, qualified vote each of the.

DEAR Sir,

To the House qualified vote, years 1824, 10th instant. It will be there are not.

JOHN SPEED

A message Mr. Speaker, in this House. They have passed line of 36° 30' and a resolution the Commons they request that.

And then he Mr. Combs.

Resolved, That Redes, clerk of.
rison, attorney for said county, of George W. Morton, G. W. Clark and I. Hedington, deputy sheriffs, and Harry I. Bodley, clerk of the election in said county for the year 1827, accounting for the absence of the commissioners books for said county, in said year, and showing the number of qualified voters in said county, be referred to the committee for apportioning the representation in this Commonwealth for the next four years, as the next best proof in the absence of the said commissioners books. Which being twice read, (and amendments having been moved thereon) was laid on the table.

Ordered, That a bill to incorporate the city of Louisville, be referred to the committee for courts of justice.

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. B. Harrison in the chair—And after some time spent therein, the Speaker resumed the chair, and Mr. Harrison reported that the committee had according to order, had under consideration a bill to prevent future confinements in claims to land, and had made some progress therein, but not having time to go through the same, had instructed him to ask for leave to sit again.

Which was granted.

Ordered, That the public printer, forthwith print 150 copies of said bill, for the use of the members of this House.

And then the House adjourned.

WEDNESDAY, JANUARY 2, 1828.

Mr. Ward presented the petition of Polly Garnett, praying that a law may pass authorizing the sale of some houses and lots, in the town of Barboursville, and a tract of about eight acres of land adjoining said town, belonging to the estate of her deceased husband, Westley M. Garnett.

Mr. L. Boyd presented the petition of sundry citizens of Hickman county, praying that the seat of justice of said county may be removed from the town of Columbus, to some central point in said county, and also, the remonstrance of sundry other citizens of said county, against the petition aforesaid.

Mr. L. Boyd presented the petition of sundry citizens residing west of the Tennessee river, praying that the Receiver's office in said district, may be removed to a more central position therein, or that Receivers offices may be established in the several counties west of the Tennessee river.

Mr. L. Boyd presented the petition of sundry citizens of Hickman county, praying that a tract of from ten to thirty acres of land may be granted to David Mencer, for the purpose of enabling him to build a mill for the convenience of the neighborhood.
Mr. Secrest presented the petition of Hannah Crain, praying that she may be divorced from her husband, Samuel Crain.

Mr. Patterson presented the petition of the children of Mary Blackburn, praying that a law may pass authorizing the sale of certain slaves, devised to them by Jacob Vinzant, their grandfather, and that the proceeds of said sale may be distributed amongst them.

Mr. Guthrie presented the petition of the President and Directors of the Louisville and Portland Canal Company, praying that the time now allowed them by law to complete said Canal, may be extended one year.

Which petitions were severally received, read and referred: the first and sixth, to the committee for courts of justice; the second, third and fourth, to the committee of propositions and grievances; the fifth, to the committee of religion; and the seventh, to the committee on internal improvements.

Mr. Barbee, from the committee of religion, made the following report, viz:

The committee of religion have had under consideration sundry petitions to them referred, and come to resolutions thereon, viz:

Resolved, That the petition of Robert Lucky, be rejected.
Resolved, That the petition of Robert McCormack, be rejected.
Resolved, That the petition of Elizabeth Vice, be rejected.
Resolved, That the petition of John Adams, be rejected.
Resolved, That the petition of Amelia Kearly, is reasonable.
Resolved, That the petition of Joel M'Lemore, be rejected,

Which being twice read, was concurred in.

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

Mr. Smith moved the following resolution, viz:

Resolved, That the committee on courts of justice, be instructed to prepare and report a bill, changing the present electoral district system to the general ticket.

Which being twice read, was adopted.

Mr. Beatty, from the committee for courts of justice, to whom was referred, a bill compelling litigants to give security for costs in certain cases, reported the same with an amendment.

Which being twice read, was concurred in.

Ordered, That the said bill be re-committed to a select committee of Messrs. Yantis, Ewing and Davenport.

Mr. Beatty, from the same committee, to whom was referred, a bill to amend the law concerning chancery proceedings, reported the same with an amendment.

Ordered, That the said bill and amendment be re-committed to a select committee, of Messrs. Combs, Wilson, Hanson, A. Davis and Beatty.
Mr. Duvall, from the joint committee of enrollment, reported that the committee had examined enrolled bills of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of David Morgan. And,
An act to authorize the trustees of the Hart Seminary to sell their donation lands.

Whereupon, the Speaker affixed his signature thereunto.

Ordered, That Mr. Duvall inform the Senate thereof.

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

By Mr. Blackburn, from the committee of propositions and grievances—1. A bill to add a part of Caldwell to Trigg county. 2. A bill to remove the seat of justice of Oldham county.

By Mr. Hazlerigg—3. A bill to add a part of Morgan to Fleming county.

By Mr. Barbee, from the committee of religion—4. A bill for the benefit of Francis Vanseok.

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, constitutional provision and second readings of the said bills having been dispensed with, the first and second bills (together with the petitions and counter petitions, &c.) were referred to the committee of propositions and grievances; and the third and fourth were ordered to be engrossed and read a third time.

And thereupon, the rule of the House, constitutional provision and third reading of the third and fourth bills having been dispensed with, and the same being engrossed.

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

Ordered, That Mr. Barbee carry the said bills to the Senate and request their concurrence.

And then the House adjourned.

THURSDAY, JANUARY 3, 1828.

Mr. Graham presented the petition of sundry citizens of Floyd county, praying that a part of said county in which they reside, may be added to the county of Pike.

Mr. Haggin presented the petition of Susan Martin, praying that a part of a tract of land of 100 acres, descended from her deceased husband, to her and her children, may be authorized to be sold for the purpose of paying the purchase money due for said tract of land.

The Speaker laid before the House the petition of Josiah King of Gallatin county, praying a divorce from his wife, Hetty King.
Mr. Waters presented the petition of Jeroboam Beauchamp, praying that a law may pass, authorizing him to build a mill-dam, across the Rolling fork of Salt river, and erect mills thereon;

Which petitions were severally received, read, and referred; the first to the committee of propositions and grievances; the second to the committee of courts of justice; the third to the committee of religion; and the fourth to the committee on internal improvements.

Mr. Beatty from the committee for courts of justice to whom was referred a bill for the benefit of the heirs of Micajah Shelton, deceased; reported the same without amendment;

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

Mr. Beatty from the same committee to whom was referred a bill to authorize the administrators of William C. Davis, deceased, to carry into execution a parol contract made by said Davis, in his life time, with Edward S. Hall, for five or six acres of land—reported the same with an amendment, which being twice read, was concurred in:

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

Mr. Beatty from the same committee, reported a bill to provide counsel to go to Washington City, to defend the validity of the seven years' limitation law—which was received and read the first time:

And the question being taken on reading the said bill a second time, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Helm and Conner, were as follows:


Mr. Beatty from the same committee, made the following report:

1. The committee for courts of justice have had under consideration, a resolution instructing them to enquire into the propriety of repealing the existing law "requiring an order of court to be obtained, and a deems to issue when a litigant desires to take the depositions of witnesses out of this Commonwealth," and have come to the following resolution thereon:

Resolved, That the existing law on that subject, ought not to be changed.

2. Also, a resolution directing an enquiry into the propriety of so amending the law of costs, as to make executors and administrators liable, so far as they have assets, for the costs of suits instituted by them, and where they may fail to recover, on causes of action, accruing in the life-time of their testator or intestate. They are of opinion the law in this respect, ought to be changed, and report a bill for that purpose.

3. They have also had under consideration, a petition of the administrators of Aquilla Hodskins, deceased, praying that a law may pass to authorize the sale of a lot of land, which had been the joint property of him and his brother; and which had been sold at public sale, in the life-time of said Aquilla, and purchased by him, but not paid for; nor was any instrument of writing executed evidencing the sale. Your committee are of opinion the contract of sale cannot be enforced, because it was not reduced to writing, and therefore, that one moiety of the property descended to the heirs of the said Aquilla, and the other moiety still belongs to the surviving joint owner. The committee are also of opinion, that if the parties desire to have a sale of the property, they can attain their object by an application to the circuit court, and therefore, that it would be inexpedient to legislate thereon. They recommend the adoption of the following resolution:

Resolved, That the prayer of the petitioner ought not to be granted.

Which being twice read, and the third resolution amended, by striking out the word not was concurred in.

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

A message from the Senate by Mr. Harris:

Mr. Speaker, The Senate disagree to a bill which originated in this House, entitled an act to legalize the proceedings of the Trigg county court, and have passed a bill entitled an act to legalize the proceedings of the Grant county court, at an extra term of said court, with amendments, in which they request the concurrence of this House.

And then he withdrew.
Mr. Hall from the committee of claims, made the following report, viz:

The committee of claims have, according to order, had under consideration sundry petitions to them referred, and have come to resolutions thereon, to-wit:

1. The petition of John Deverin, praying to be permitted to set up and use a Billiard table in the town of Lexington, for one year, free from the tax imposed by law, alledging that he has heretofore paid the tax, and obtained a licence therefor, but was prevented from setting up and using said table, by causes over which he had no control.

Resolved, That the said petition is reasonable.

2. The petition of Alfred Bowen, representing that some time in the year 1827, Gustavus Brockwy, James McGill and George W. Dunbar, escaped from the jail of Clarke county, that the said Bowen as jailor of said county, offered three hundred dollars, as a reward for the apprehension of the fugitives as aforesaid, that they were all apprehended, convicted and confined in the jail and Penitentiary house, and that the said Bowen did in fact pay for the apprehension as aforesaid, the sum of two hundred and ninety dollars.

Resolved, That the said petition be rejected.

3. The petition of Allen Campbell, Jailor of Logan county, representing that he kept a certain Fenelon R. Wilson, about six months by virtue of a warrant to keep the peace.

Resolved, That the said petition be rejected.

The petition of the justices of the peace of Graves county, and the trustees of the town of Mayfield, representing that a contract has been made for building a jail in said county; that the people are generally poor, that the circulating medium has been greatly diminished by the operations of the land office in that vicinity, and that there is in the hands of the Treasurer of the trustees of the said town of Mayfield, the sum of forty-eight dollars being one moiety of the sales of lots in said town, sold by virtue of an act passed January 25th, 1827, and praying the passage of a law directing the appropriation of the forty-eight dollars aforesaid, in aid of building a jail in said county of Graves.

Resolved, That said petition be rejected.

Which being twice read, was concurred in.

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

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

By Mr. Blackburn, from the committee of propositions and grievances—1. A bill for the benefit of John C. Rogers, sheriff of Ohio county.

By Mr. Hall, from the committee of claims—5. A bill for the relief of John Deverin—6. A bill for the benefit of Thomas M'Kee. And,

By Mr. B. Harrison, from the committee on internal improvements—7. A bill to incorporate the Lexington Rail Road company.

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, constitutional provision, and second reading of the first, third and sixth bills having been dispensed with, the first was ordered to be engrossed and read a third, and the second and third were committed to the committee for courts of justice.

And thereupon the rule of the House, constitutional provision, and third reading of the first bill having been 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. Helm carry the said bill to the Senate, and request their concurrence.

And then the House adjourned.

FRIDAY, JANUARY 4, 1828.

On motion—Ordered, That the committee of propositions and grievances be discharged from the further consideration of "a bill to add a part of Caldwell, to the county of Trigg," the said bill was then ordered to be engrossed and read a third time tomorrow.

The Speaker laid before the House a letter from the Governor of this Commonwealth, which was received and read as follows, viz:

EXECUTIVE DEPARTMENT, January 3d, 1828.

Sir:—I received early last spring, a box of religious books from an unknown individual residing in New England, free of all expense, and accompanied by a request, that I should present a copy to each member of the Legislature of this State.

A copy of the book herewith transmitted, and the advertisement on the envelope, will explain the object of the donor.

The books are now in the office of the Secretary of State, and subject to the disposition of the members.
You will please to lay this note, with the accompanying book before the body over which you preside.

I am, respectfully,

Your ob't. servant,

JOS. DESHA.

Mr. Yantis, from the select committee to whom was referred a bill compelling litigants to give security for costs in certain cases—reported the same without amendment, which being twice read, was concurred in:

And the said bill being further amended, was recommitted to a select committee of Messrs. Skiles, Bibb, Ewing, Yantis and B. Harrison.

Mr. Grider, from the select committee to whom was referred a bill further to regulate the duties and powers of trustees of towns in this Commonwealth—reported the same with an amendment, which being twice read, was concurred in.

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

Mr. L. Sanders, from the select committee appointed for that purpose, made the following report:

The select committee to whom was referred the report of the commissioners superintending the rebuilding of the Capitol, have had the same under consideration, and report, that they have diligently enquired into the probable amount that the commissioners superintending the same will require, to enable them to progress so far with the work, as to enable the next Legislature to convene in the new Capitol; and from the best data that we can draw an estimate from, it will require an additional appropriation of $25,000. Your committee have corresponded and conversed with the commissioners and superintendant of the building, and are prepared to say from the best light afforded them, that an appropriation short of the one suggested, will not enable the commissioners either to complete the building so early or to contract for labour and materials, as advantageously as such an appropriation would enable them.

Your committee would further state, that in our consultations with the commissioners that they themselves suggest the propriety of reducing the number of commissioners to superintend the rebuilding of the Capitol, to the number three. Under the foregoing state of facts, your committee recommend the adoption of the following resolution:

Resolved, That it is expedient to make the further appropriation of $25,000 to the commissioners superintending the rebuilding the Capitol for the purpose of finishing the same.

Resolved, That said board of commissioners be reduced by displacing a portion thereof to the number three.

Which being twice read, was concurred in:
A message from the Senate, by Mr. Hughes.

Mr. Speaker. The Senate have passed a bill which originated in this House, entitled, an act for the benefit of Jesse Bailey, Ephraim Blackford and others—and have instructed me to ask leave to withdraw a bill passed by the Senate, entitled, an act to amend an act entitled an act for opening a road from Cynthiana to Maysville, approved January 24, 1827.

And then he withdrew.

Ordered, That leave be given to withdraw said bill, and that Mr. Patterson inform the Senate thereof.

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

By Mr. Barbee, from the committee of religion—1. A bill for the benefit of Amelia Kearlv.;

By Mr. Ward—2. A bill for the benefit of Susan W. Owen;

By Mr. Spalding—3. A bill to authorize the clerk of the county of Union, to transcribe certain records in said office;

By Mr. Sanders—4. A bill making further appropriations for rebuilding the Capitol, and for other purposes;

By Mr. Bibb—5. A bill authorizing the sale of certain streets in the town of Russelville;

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, constitutional provision, and second reading of the first, second and fifth bills having been dispensed with, the first and fifth were ordered to be engrossed, and read a third time: and the second was committed to the committee of religion.

And thereupon, the rule of the House, constitutional provision and third reading of the first and fifth bills having been dispensed with, and the same being engrossed;

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

Ordered, That Mr. Barbee carry the said bills to the Senate, and request their concurrence.

Mr. B. Harrison, from the select committee to whom was referred “a bill further to regulate the bank of the Commonwealth,” reported the same with an amendment, the said bill and amendment, were then read as follows:

Sec. 1st. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the President and Directors of the bank of the Commonwealth, shall, on or before the first Monday in next, discontinue its respective branches, and adopt such rules and regulations, in relation to the funds of the institution in its branches, as may be best calculated to secure the same, and promote the interest of the bank.
Sec. 2. Be it further enacted, That the President and Directors of said bank shall lay off the State into not exceeding Districts—and appoint an agent for each District, who shall, at the time of his appointment, reside in the District, and whose duty it shall be, to attend at least three times a year in each county in his District, to receive accounts due the bank and for the renewal of its notes, and to do and transact any other business of the bank, which from time to time may be necessary—and it shall be the duty of the President and Directors of said bank to take from each agent, bond, with approved security in the penalty of $1000, conditioned for the faithful discharge of his duty as agent, and for the performance of such other matters and things, in relation to said bank and the discharge of his duty, as the President and Directors, by an ordinance of the board, may, from time to time, require—and particularly that said agent account for and pay into the bank all sums of money and bank notes, which he may from time to time receive from the debtors of said bank or otherwise, so that the same be received on account of any debt, claim or demand of said bank—and which bond shall be subject to be renewed, whenever said President and Directors may require and said President and Directors are hereby authorized to allow said agents an annual compensation to be paid by said bank, provided the same shall not exceed the sum of $500 in notes of said bank, to each agent annually.

Sec. 3. Be it further enacted, That it shall be the duty of every agent appointed under the provisions of this act, to put up in the Clerk's office of each county in his District, a written notice of the particular days and place, which shall be at the court house if there be one in said county, when and where he will attend to receive discounts on said bank, and for the renewal of its notes.

Sec. 4. Be it further enacted, That the President and Directors of said bank, are hereby authorized to appoint additional Clerks for said bank and to allow each not exceeding $200 in the notes of said bank annually for his services.

The amendment is as follows:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the President and Directors of the bank of the Commonwealth, shall, on or before the first Monday in next, discontinue its respective branches, and withdraw all the funds thereof, and adopt such regulations for effecting that object, as may be best calculated to promote the interest of the bank.

Sec. 2. Be it further enacted, That the President and Directors of said bank, shall lay off the State into Districts, and appoint an agent for each District, who shall, at the
time of his appointment, reside in the District, and whose duty it shall be to attend at least a year in each county in his District, to receive calls, and to do and transact any other business of the bank, which from time to time may be necessary, or which may be required by an order of the board of Directors; and it shall be the duty of the President and Directors of said bank, to take from each agent, bond, with approved security in the penalty of $1, conditioned for the faithful discharge of his duty as agent, and particularly that he account for, and pay into the bank, all sums of money and bank notes, which he may from time to time receive from the debtors of said bank, on account of any debt, claim or demand of said bank, which bond shall be subject to be renewed, whenever said President and Directors may require—and said President and Directors are hereby authorized to allow said agents, an annual compensation to be paid quarterly, by said bank, provided the same shall not exceed the sum of $1 in notes of said bank.

Sec. 3. Be it further enacted, That it shall be the duty of every agent appointed under the provisions of this act, to put up in the Clerk's office in each county in his District, a written notice of the particular days and place, which shall be at the seat of justice in each county, when and where he will attend to receive calls and discounts payable to said bank, and for the renewal of notes, which notes shall be deposited in the Clerk's office at least three months before the day on which the agent is to attend for the purposes aforesaid, and it shall be the duty of the Clerk to keep the said notice, or a copy thereof, at all times posted up in some conspicuous place in his office.

Sec. 4. Be it further enacted, That the President and Directors of said bank, are hereby authorized to appoint additional Clerk's for said bank, and to allow each an annual compensation, not exceeding $1 to be paid quarterly, in the notes of said bank.

Sec. 5. Be it further enacted, That the President and Directors of said bank, shall cause to be transferred to the credit of the Treasurer, on the first day of October, annually, the net profits of said bank.

It was then moved and seconded, to lay the said bill and amendment on the table, until the first day of June next.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Ewing and West, were as follows, viz:

YEAS—Messrs. Barbee, Barker, Baseman Bishop, A. Boyd, L. Boyd, Coffin, Creel, Daniel, W. M. Davis, Davenport, Downing, Duvall, Evans, Forrest, Graham, Griffin, Guthrie, W

NAYS—Mr. Speaker, Messrs. Beatty, Bibb, Blackburn, Breck, Breckenridge, Bruce, Buford, Cogalzie, Combs, Conner, Cunningham, A. Davis, Ewing, Ford, Gaines, George, Grider, Hanson, B. Harrison, Hazlerigg, Helm, Ingels, Lindsay, Marshall, McBride, McConnell, Miner, Moore, Morris, Powers, Ray, Reid, Simpson, Skiles, Smith, Swope, True, Turner, Waters, Watkins, D. W. Wilson, Woodland and Yantis—44.

And then the House adjourned.

SATURDAY, JANUARY 5, 1828.

Mr. Daniel, presented the petition of Sarah Bowmer, widow, and administratrix of Peter Bowmer, deceased, praying that a law may pass, authorizing the sale of certain real estate belonging to the estate of her deceased husband, for the payment of his debts.

Mr. Breckinridge presented the petition of John Byrne, praying compensation for his services and expenses, in bringing back to justice, a person charged with felony, who had been apprehended in the State of Louisiana, under the orders of the Governor of this state.

Which petitions were severally received, read and referred: the first to a select committee of Messrs. Daniel, Blackburn and Buford: and the second to the committee of claims.

Ordered, That the joint resolution laid on the table on the ultimo, by Mr. Beatty, be referred to a committee of the whole House.

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, and after some time spent therein, the Speaker resumed the chair, and Mr. Yantis reported, that the committee had, according to order, had under consideration the joint resolutions offered by Mr. Beatty, on the 12th ultimo, and had made some progress therein, but not having time to go through the same, had instructed him to ask for leave to sit again—which was granted.

Mr. Breckinridge read and laid on the table the following resolutions:

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That in the opinion of this General Assembly, the election
of John Quincy Adams by the House of Representatives of the United States, was constitutional, fair and pure.
2. That the prominent measures of his administration have been wise, just and patriotic.
3. That he is better qualified for the office he fills, than General Andrew Jackson, his only competitor. And,
4. That he ought, therefore, to be re-elected President of the United States.

Mr. Gaines moved the following resolution, viz:
Resolved, That the committee of ways and means be instructed to enquire into the expediency of raising the sum of $8 dollars, for the purpose of erecting the bridge across the Ohio river, from the towns of Covington and Newport, to the City of Cincinnati, and that said sum be raised by a loan to the State.
Which being twice read was adopted.

Mr. Munford moved the following resolution, viz:
Resolved, That the time of meeting of this House, during the remainder of the present session, shall be nine o'clock, A. M.
Which being twice read, was adopted.

Mr. Southgate moved the following resolution, viz:
Resolved, That the committee of courts of justice, be instructed to enquire whether in the event the sheriffs of this Commonwealth refuse to execute bonds for the collection of the county levy—the county courts have power to appoint collectors for that purpose, and if not, to report a bill vesting the county courts with such power.
Which being twice read, was adopted.

Mr. Skiles read and laid on the table the following resolution, viz:
Resolved by the General Assembly of the Commonwealth of Kentucky, That the President and Directors of the bank of the Commonwealth of Kentucky, shall, on or before the second Monday in February next, in the presence of the Governor, Auditor and Treasurer, proceed to count and cancel for burning dollars, in the notes now on hand of said bank and branches, and that they shall make special report upon this subject, to the next Legislature, in the first week of its session.

Mr. Hazlerigg moved the following resolution:
Whereas it is represented to this present General Assembly, that many of the poor people of this Commonwealth, have settled on wild and unimproved lands, without any title legal or equitable, deducible of record, believing them to be vacant, and many under the influence of those impressions, have made lasting and valuable improvements thereon, after which they have located the same by virtue of Kentucky Land Office Treasury warrants;
And whereas, it is further represented, that a great part of
the land thus settled and improved, was not so subject to location, there being prior existing claims or titles thereto.

Wherefore be it resolved, that the committee on courts of justice be instructed to enquire into the expediency of so amending the occupant laws of this Commonwealth, as to secure to such settlers in case of eviction by prior claims pay for all such improvements as they may have made on such lands, as well before as after the acquisition of such title, and that they have leave to report by bill or otherwise.

Which being twice read, was adopted.

Mr. Gaines moved the following resolution, viz:

Resolved, That in honor of the brave Kentucky Militia, who aided in achieving the glorious victory of the 8th of January, 1815, at New Orleans, His Excellency, the Governor be requested to cause to be fired on the 8th instant, at 12 o'clock a national salute on the public square:

Which being twice read, it was then moved and seconded, to amend said resolution to read as follows:

Resolved by the House of Representatives of the Commonwealth of Kentucky, That the Governor be, and he is hereby requested to procure the Artillery Company of Frankfort, to fire a national salute on the public square, on the 8th instant, at 12 o'clock, in commemoration of the victory at New Orleans on the 8th January, 1815.

Resolved, That in repeating our wishes to commemorate the unparalleled victory of the 8th January, 1815, we cherish the gratitude and admiration we feel for our brave countrymen who achieved it.

It was then moved and seconded to lay the said resolution and proposed amendment, on the table:

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Waters and Skiles, were as follows, viz:

YEAS—Messrs. Barker, Beatty, Bibb, Bishop, Blackburn, Breck, Breckinridge, Bruce, Coffman, Cogdizer, Combs, Corner, Creed, Cunningham, A. Davis, W. M. Davis, Davenport, Ewing, Ford, Gaines, George, Grider, M. W. Hall, Hanson, Hardy, B. Harrison, Harald, Hughes, Ingels, Ingham, Joyes, Lindsay, Lipton, Marshall, McBride, M'Connell, Miner, Moore, Morris, Patrick, Powers, Reid, Rife, Salle, Simpson, Skiles, Smith, Southgate, Swope, True, Watkins, A. Wilson, Woodland and Yantis—54.

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Leave was given to bring in the following bills:

On the motion of Mr. Smith—1. A bill to change the time of holding the circuit courts in the counties of Harlan and Perry.

On the motion of Mr. Coffman—2. A bill for the benefit of Jesse Jackson, sheriff of Muhlenburg county.

On the motion of Mr. Hardy—3. A bill to amend the law concerning circuit judges.

On the motion of Mr. Spalding—4. A bill to raise the jurisdiction of justices of the peace, in this Commonwealth in certain cases.

On the motion of Mr. M. Hall—5. A bill for the relief of John M'Ferran and Alanson Trigg, former deputy sheriffs of Barren county.

On the motion of Mr. Watkins—6. A bill to extend the town of Joesville, at the mouth of Clover creek, in Breckinridge county and for other purposes.

Messrs. Smith, George and Patrick, were appointed a committee to prepare and bring in the first; Messrs. Coffman, Davis (of Ohio) and Helm the second; Messrs. Hardy, Blackburn, B. Harrison and M. Hall the third; Messrs. Spalding, Blackburn, Watts and Hanson the fourth; Messrs. Hall, Hardy, Waters and Barbee the fifth; and Messrs. Watkins, Blackburn, Lindsay, Helm and Wilson the sixth.

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

By Mr. Marshall—1. A bill for the benefit of securities.

By Mr. Litton—2. A bill to amend an act entitled, an act for the benefit of Jesse Walker and others. And,

By Mr. M'Millan—3. A bill for the benefit of the heirs of Tobias Moredock;

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, constitutional provision, and second reading of the third bill having been dispensed with, the same was referred to the committee for courts of justice.

Mr. Davenport from the select committee appointed for that purpose, reported a bill to alter the time of the annual meeting of the General Assembly, which was received and read the first time.

And then the House adjourned.

MONDAY, JANUARY 7, 1828.

Mr. McMillan presented the petition of Sarah Lester, and of sundry citizens of this commonwealth on her behalf, praying that a law may pass to release the payment of a sum of money, due by her to the branch bank of the Commonwealth at Greensburg.
Mr. Ewing presented the petition of sundry citizens of Elkton, in Todd county, praying that an additional justice of the peace, may be appointed for said county, to reside in said town of Elkton.

Mr. L. Boyd presented the petition of sundry citizens residing west of the Tennessee river, praying that the quarter section of land on which Jane King now resides, in McCracken county, be granted without fee, to the said Jane King.

Mr. L. Boyd also presented the petition of sundry citizens residing west of the Tennessee river praying that the tract of land in Graves county, on which Jane Tate now resides may be granted to her.

Mr. Baseeman presented the petition of Lydia Grady praying that she may be divorced from her husband William Grady.

Mr. Southgate presented the petition of James Owen of Campbell county praying for a change of venue, in the case depending in the Campbell circuit court, in which the said Owen stands charged with stabbing a certain James Coleman, with intent to kill.

Mr. Southgate also presented the petition of the county court of Campbell county, praying that compensation may be made out of the public Treasury, to William Barnes, for his services as a commissioner, for taking in the lists of taxable property in said county.

Mr. Williams presented the petition of sundry citizens of Mercer county, praying that the place of holding elections, in the precinct now called the Lucto precinct may be changed to Salisbury, in said county.

Which petitions were severally received, read and referred:

The 1st to the committee of ways and means; the 2d, to a select committee consisting of Messrs. Ewing, Bibb and Davenport: the 3d and 4th, to the committee of propositions and grievances: the 5th to the committee of religion: the 6th, to the committee of courts of justice: the 7th to the committee of claims: and the 8th, to a select committee consisting of Messrs Williams, Forrest, Haggan, Hail and Spalding.

Mr. Rucker from the joint committee of enrollments, reported that the committee had examined an enrolled bill entitled,

An act for the benefit of Jesse Bailey, Ephraim Blackford, and others;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Rucker inform the Senate thereof.

On motion—Ordered, That the vote rejecting a bill to authorize the county courts in this commonwealth, to permit gates to be erected across public roads and highways, be reconsidered; and that
said bill be re-committed, to a select committee of Messrs. Breck­
enridge, Breck, Yantis, Daniel and McMillan.

On motion—The vote concurring in the report of the committee
for courts of justice, rejecting the petition of Ogden, was
reconsidered.

Ordered, That the said report and petition, be recommitted to
the committee for courts of justice.

Mr. Beatty from the committee for courts of justice, made a
report, which was received and laid on the table.

Mr. B. Harrison from the committee on internal improvements,
made the following report, viz:

The committee on internal improvements, have had under
consideration, the petition of the Louisville and Portland canal
company, and have come to the following resolution thereupon,
to-wit:

Resolved, That the prayer of said petition, is reasonable and
ought to be granted; and that a bill be reported for that purpose.
Which being twice read, was concurred in.

Mr. Ray from the select committee to whom was referred, a bill
to reduce the salaries of the public officers of this commonwealth,
reported the same with sundry amendments.

It was then moved and seconded, to lay the said bill, and
amendments on the table, until the first day of June next.

And the question being taken thereon, it was decided in the ne­
gative.

The yeas and nays being required thereon, by Messrs. Stone
and Coffman, were as follows:

YEAS—Mr. Speaker, Messrs. Barbee, Baseman, Beatty, Bibb,
L. Boyd, Colglazier, Combs, Conner, Cunningham, W. M. Davis,
Davenport, Downing, Eving, Ford, George, Gridor, Guthrie, B-
Harrison, Hughes, Ingels, Lindsay, Marshall, McBride McCon­
nell, Miner, Morris, Reid, Riffe, Roberts, Sallee, Simpson, Skiles,
Smith, Swope, True, Watkin and A. Wilson—58.

NAYS—Messrs. Barker, Bishop, A. Boyd, Breckinridge, Bruce,
Coffman, Greel, Daniel, A. Davis, Evans, Forrest, Graham, Grif­
fin, Haggin, Hall, M. W. Hall, R. C. Hall, Hardy, C. L. Harris­
on, Hazlerigg, Helm, Henderson, Harald, Inglish, Joyce, Litton,
McMillan, Montagne, Munford, Parish, Patrick, Patterson, Pow­
ers, Ray, Rucker, N. P. Sanders, L. Sanders, Secrest, Southgate,
Spalding, Stone, Thomas, Ward, Waters, Watts, West, White,
Willkerson, Williams, Wingate, Woodland and Yantis—52.

The said bill with the amendments, were then re-committed
to a select committee of Messrs. Ward, Ray, Hardy and Brecki­
enridge.

Mr. Smith from the select committee appointed for that pur­
pose, reported a bill further to regulate the Court of Appeals:
Which was received and read the first time;
It was then moved and seconded, to lay the said bill on the table until the first day of June next:

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Smith and Combs, were as follows:


The said bill was then ordered to be read a second time.

A bill to alter the time of the annual meeting of the General Assembly, was read the first time.

And the question being taken, on reading the said bill a second time, it was decided in the negative.

And so the said bill was rejected.

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

By Mr. B. Harrison, from the committee of internal improvements.

1. A bill for the improvement of the navigation of Rough creek.

2. A bill to open a state road from Elizabethtown by way of Litchfield, Hartford and Madisonville, to Princeton in Caldwell county. And,

3. A bill to alter the mode of working public roads in this Commonwealth.

By Mr. Wingate from the committee of propositions and grievances.

4. A bill to declare Beaver creek a navigable stream. And,

5. A bill for the benefit of John Faughn.

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, constitutional provision and second reading of the second, third and fourth bills having been dispensed with; the second and fourth, were ordered to be
engrossed, and read a third time; the third was referred to a committee of the whole House on the state of the Commonwealth for to-morrow.

Ordered, That the public printer, forthwith print one hundred and fifty copies of the third bill, for the use of the legislature.

And thereupon the rule of the House, constitutional provision and third reading of the fourth bill having been 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. Hardy carry the said bill to the Senate and request their concurrence.

The amendments proposed by the Senate to a bill which originated in this House, entitled an act further to regulate the sale of the lands west of the Tennessee river, were twice read and concurred in.

Ordered, That Mr. Boyd inform the Senate thereof.

Ordered, That the amendments proposed by the Senate to a bill which originated in this House, entitled an act to legalize the proceedings of the Grant County court, at an extra term of said court, be referred to a select committee of Messrs. Henderson, Gaines, Ward and Southgate.

The following engrossed bills were severally read a third time.

1. An act to authorize the Register of the land office to issue land warrants in certain cases.
2. An act appropriating fines and forfeitures for the lessening of the county levy, of Anderson county.
3. An act for the benefit of Polly Burnett and children.
4. An act for the benefit of Michael Huffaker.
5. An act to incorporate the Kentucky and Ohio bridge company.
6. An act for the benefit of Judith Sibley and others.
7. An act further to regulate appeal bonds.
8. An act to provide for the building of bridges across certain water courses, in Greenup county.
9. An act for the better regulation of the inspection of Tobacco, and for other purposes.

Ordered, That the first bill be recommitted to the committee of ways and means; the second to a select committee of Messrs. Bruce, Combs, Hazlerigg, Grider, Ewing, A: Wilson, Graham, and Riffe; and the fifth to a select committee of Messrs. Southgate, Ward, Gaines and Combs.

Resolved, That the third, fourth, sixth, seventh, eighth and ninth, 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.

It was then moved and seconded at half past one o'clock, P. M., that this House do now adjourn:

X
And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Ewing and Ward, were as follows, viz:


NAYS—Mr. Speaker, Messrs. Barker, Bishop, A. Boyd, L. Boyd, Breck, Colglazier, Conner, Davenport, Duvall, Evans, Ewing, Griffin, Grider, Guthrie, M. W. Hall, R. C. Hall, Hanson, Hardy, B. Harrison, C. L. Harrison, Helm, Inglis, Lindsay, Litton, Marshall, M'Bride, M'Connell, Miner, Montague, Morris, Munford, Patrick, Patterson, Powers, Ray, Reid, Rucker, Sallee, Secret, Simpson, Skiles, Stone, Swope, Watkins, Wingate, Woodland and Yantis, 48.

A message from the Senate by Mr. Given:

Mr. Speaker: The Senate have passed a bill which originated in this House, entitled an act to authorize the trustees of the Trigg county Seminary, to sell and convey her donation lands; and have passed bills of the following titles: an act to establish a female academy in the town of Harrodsburg; an act to regulate the Cumberland Hospital, in which bills they request the concurrence of this House.

And then he withdrew.

And then the House adjourned.

TUESDAY, JANUARY 8, 1828.

Mr. N. P. Sanders, presented the petition of sundry citizens of Bullitt county, praying that the law declaring Floyd's Fork a navigable stream up to Maurice L. Miller's be repealed, and that the said stream may be declared navigable, to Brashear's ford.

Mr. R. C. Hall presented the petition of certain citizens of Bourbon county, praying that the part of Bourbon county in which they reside may be added to the county of Nicholas.

Mr. Guthrie presented the petition of Randall W. Smith praying that a change of venue may be granted him, for his trial upon two indictments now depending against him in the Jefferson circuit court, for the murder of Preston W. Brown, and Christopher.

Mr. Inglis presented the petition of sundry citizens of Grayson, Hardin and Hart counties, praying for the formation of a new county, out of parts of each of the counties aforesaid.
Mr. Hazlerigg presented the petition of Samuel May, and John S. Oakly, praying compensation, for apprehending William Holman, a fugitive from justice charged with a felony.

Mr. Bibb presented the petition of the trustees of Russellville, praying that a law may pass legalizing a survey, and plat of said town, made out by Samuel H. Curd and William Stewart.

Which petitions were severally received, read and referred: the first to the committee on internal improvements; the second to a select committee of Messrs. R. Hall, Marshall and West; the third to the committee for courts of justice; the fourth to the committee of propositions and grievances; the fifth to the committee of claims; and the 6th to a select committee of Messrs. Bibb, Grider, Davenport and Ewing.

Mr. Stone, from the joint committee of enrollments, reported that the committee had examined an enrolled bill entitled,

An act to authorize the trustees of the Trigg County Seminary to sell and convey her donation lands;


And had found the same truly enrolled.

Ordered, That Mr. Stone inform the Senate thereof.

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

By Mr. Yantis—1. A bill to authorize certain county courts to appoint viewers to view a way for a road from Richmond in Madison county, to the Green River Salt Works.

By Mr. Coffman—2. A bill for the benefit of Jesse Jackson, sheriff of Muhlenburg county.

By Mr. Montague—3. A bill for the benefit of John Gibson.

By Mr. L. Boyd—4. A bill for the benefit of Robert Patterson.

By Mr. N. Sanders—5. A bill to regulate the fees of the clerks of courts in this Commonwealth.

By Mr. M. Hall—6. A bill for the relief of John McFerran and Alanson Trigg, former sheriffs of Barren county.

By Mr. Smith—7. A bill to amend the law in trials cognizable before justices of the peace.

By Mr. Stone—8. A bill to provide for erecting a bridge across Hinkston's creek, at the mouth of Peyton Lick Branch.

By Mr. Blackburn—9. A bill to enable the executors of Thomas Ely to carry into effect his will.

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, constitutional provision and second reading of the 2d, 3d, 4th, 5th and 9th bills having been dispensed with, the 2d, 3d, 4th and 9th were ordered to be engrossed and read a third time, and the fifth was committed to the committee for courts of justice.

And thereupon the rule of the House, constitutional provision,
and third reading of the 2d, 3d, 4th and 9th bills having been dispensed with, and the same being engrossed;

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

Ordered, That Mr. Coffman carry the said bills to the Senate and request their concurrence.

A message was received from the Senate, announcing the passage of bills of the following titles:

An act to amend an act entitled, an act for opening a road from Cynthiana to Maysville, approved January 24th, 1827. And,

An act concerning the 70th regiment of Kentucky militia.

Mr. Combs, from the select committee to whom was referred a bill to amend the law concerning chancery proceedings—reported the same with sundry amendments.

And then the House adjourned.

WEDNESDAY, JANUARY 9, 1828.

1. Mr. Forrest presented the petition of sundry citizens of Anderson county, praying that an additional constable may be appointed for said county, to reside in the neighborhood of William Gist, on the waters of Beaver creek.

2. Mr. Wingate presented the petition of sundry citizens of Gallatin county, praying that the part of Gallatin in which they reside may be added to the county of Owen.

3. Mr. Southgate presented the petition of sundry citizens of Campbell county, praying that an election precinct may be established in said county, and that the elections therein be held at Alexandria.

4. Mr. Bibb presented the petition of the trustees of the town of Madisonville, praying that the plat of said town may be authorized to be recorded in the clerk's office of the county court of Hopkins.

5. Mr. Wingate presented the petition of sundry citizens of Owen county, praying that Eagle creek, in said county, up to Sanders' new mill, may be declared a navigable stream.

6. Mr. Swope presented the petition of Mary Cowen, praying that a law may pass authorizing the sale of certain tracts of land in Cumberland county, belonging to the estate of her late husband James Cowen, for the purpose of paying his debts.

7. Mr. Swope also presented the petition of Mary Galbraith and Henry Galbraith, administratrix and administrator of Robert Galbraith, deceased, praying that a law may pass authorizing the sale of a lot of ground in Burksville, for the benefit of the heirs of said Robert Galbraith.

8. Mr. A. Wilson presented the petition of sundry citizens of
Lincoln county, praying that a sum of money due the Commonwealth's bank by Nancy Magill, may be remitted to her.

9. Mr. A. Wilson also presented the petition of sundry citizens of Lincoln county, praying that a tract of 273 acres of land lying in said county, on which Nancy Vaughan resides, may be granted to said Nancy without the payment of the State price therefor.

10. Mr. Stone presented the petition of Emily Sharp and David B. Williams, administrators of Richard Sharp, deceased, praying that a law may pass authorizing the sale of certain real estate belonging to said decedent.

Which petitions were severally received, read and referred: the first to a select committee of Messrs. Forrest, L. Sanders, Downing and Sallee; the 2d, 3d, 8th and 9th to the committee of propositions and grievances; the 4th to a select committee of Messrs. Bibb, Grider, Davenport and Ewing; the 5th to the committee on internal improvements; and the 6th, 7th and 10th to the committee for courts of justice.

Mr. Stone, from the joint committee of enrollments, reported that the committee had examined an enrolled bill entitled,

An act to regulate the sale of the land west of the Tennessee river;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Stone inform the Senate thereof.

Mr. Blackburn, from the committee of propositions and grievances, to whom was referred "a bill to remove the seat of justice of Oldham county," reported the same without amendment.

Ordered, That said bill be laid on the table.

Mr. Beatty, from the committee for courts of justice, to whom was referred a bill to amend the law in relation to costs, reported the same with an amendment;

Which being twice read was concurred in.

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

On motion—Ordered, That a bill to establish a ferry from Covington across the Ohio river to Cincinnati, with the report of the committee for courts of justice thereupon, be referred to a select committee of Messrs. Gaines, Southgate, B. Harrison, Haggin and Ray.

A message was received from the Senate, announcing the passage of bills of the following titles:

An act to add a small part of Warren to Allen county;

An act appointing commissioners to lay off and mark a State road from Harrodsburg to Smithland in the county of Livingston.

The House then, according to the standing order of the day, resolved itself into a committee of the whole House—Mr. Breckinridge in the chair; and after some time spent therein, the
Speaker resumed the chair, and Mr. Breckenridge reported that the committee had, according to order, had under consideration a bill to alter the mode of summoning venires and petit juries, and had made some progress therein, but not having time to go through the same, had instructed him to ask for leave to sit again.

Which being granted,
The House then adjourned.

THURSDAY, JANUARY 10, 1828.

Resolved, That the resolution adopted at a former day of the session, fixing the hour to which the House should stand adjourned for the remainder of the session, be rescinded.

1. Mr. Evans presented the petition of John Tomlinson, praying that a law may pass, divorcing him from his wife Rebecca Tomlinson.

2. Mr. Williams presented the petition of Mary Broils, praying that a law may pass, divorcing her from her husband William Broils.

3. Mr. George presented the petition of sundry citizens of Knox county, praying for the relief of Mary Wallen, who is stated to be an object of charity.

Which petitions were severally received, read and referred: the 1st and 2d to the committee of religion; and the 3d to the committee of claims.

Mr. Skiles from the select committee to whom was referred a bill compelling litigants to give security for costs in certain cases, reported the same with an amendment, which being twice read, was disagreed to.

It was then moved and seconded, to lay the said bill on the table, until the first day of June next.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Davenport and Ewing, were as follows, viz:


NAYS—Messrs. Bishop, Davenport, Evans, Ewing, Gaines.
Mr. Haggin from a select committee made the following report:

The committee to whom was referred the petition of sundry citizens of Mercer county, praying the passage of a law changing the place of holding the election in the Luctow precinct in said county, have had the same under consideration, and find no notice has been given for the proposed change. Your committee recommend the adoption of the following resolution:

Resolved, That the prayer of the petitioners ought not to be granted.

Which being twice read, was concurred in.

Mr. Hazlerigg presented the remonstrance of sundry citizens of Floyd and Pike counties, against the petition of sundry other citizens of said counties, praying that a part of Floyd county may be added to the county of Pike;

Which was received, read and referred to the committee of propositions and grievances.

Mr. Southgate from the select committee to whom was referred a bill to establish a ferry from Covington across the Ohio river to Cincinnati—reported the same with an amendment;

Which being twice read, was concurred in: and the said bill as amended, ordered to be engrossed and read a third time.

Ordered, That the committee of the whole House be discharged from the further consideration of a bill to establish a state road from Brandenburg, on the Ohio river to Bowling Green—and of a bill, to encourage agriculture and the mechanic arts, that the former be committed to a select committee of Messrs. Inglis, Harald, M. Hall and Hardy; and the latter be placed in the orders of the day.

Mr. Grider moved the following resolution, viz:

Resolved, That the committee on internal improvements be instructed to inquire into the propriety of reporting a bill appropriating $5000, for the purpose of erecting a lock and dam at the lower falls on Green river, so as to render it practicable to pass said falls at all stages of water, with appropriate boats or water crafts.

Which being twice read:

And the question being taken on the adoption thereof, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Breckinridge and Grider, were as follows:

YEAS—Mr. Speaker, Messrs. Barbee, Barker, Baseman, Beatty, Bibb, Bishop, Breck, Bruce, Buford, Combs, Conner, Cunningham, Daniel, A. Davis, Duvall, Evans, Ewing, Ford, Forrest, Gaines, George, Grider, Guthrie, Haggin, Hall, M. W. Hall,
Resolved by the General Assembly of the Commonwealth of Kentucky, That when they adjourn on Tuesday the 22d instant, they will adjourn sine die.

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

By Mr. Breck, from the committee of ways and means—1. A bill to amend the law regulating the turnpike and wilderness road.

By Mr. Ewing—2. A bill to allow an additional justice of the peace in Todd county.

By Mr. Bibb—3. A bill to legalize the proceedings of the trustees of the towns of Russelville and Madisonville.

By Mr. McBride—4. A bill to change the boundary line of the town of Henderson.

By Mr. Forrest—5. A bill to allow an additional constable to the county of Anderson, and for other purposes.

By Mr. Breck—6. A bill to alter the time of holding the Anderson county court, and for other purposes.

By Mr. B. Harrison, from the committee on internal improvements—7. A bill allowing the further time of one year for completing the Louisville and Portland Canal;

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, constitutional provision, and second and third reading of the 2d, 3d, 4th, 5th, 6th and 7th bills having been dispensed with, and the same being engrossed.

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

Ordered, That Mr. Ewing carry the said bills to the Senate and request their concurrence.

Mr. Combs moved a resolution, which being twice read and amended, was adopted, in the following words:

Resolved, That the committee of internal improvements, be instructed to inquire into the expediency of appropriating $ for the purpose of erecting locks and dams at the several ripples on the Kentucky river, from the mouth thereof, up
to Buckley's ferry, in Woodford county, and from thence to the mouth of Sugar creek, and from thence to Boonsborough, so as to render said river navigable at all stages of the water.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Hanson—1. A bill further to regulate the town of Winchester.
On the motion of Mr. Hazlerigg—2. A bill giving certain officers further time to renew their bonds.
On the motion of Mr. Montague—3. A bill for the benefit of the heirs of James Neely, deceased.
On the motion of Mr. Rucker—4. A bill authorizing county courts to appoint commissioners to examine surveyors offices.
On the motion of Mr. Montague—5. A bill for the benefit of Thomas M. Smith, and to authorize the trustees of the Simpson county Seminary to sell her donation lands.
On the motion of Mr. Henderson—6. A bill to authorize the trustees of the Grant Seminary to sell their donation lands.

Messrs. Hanson, Cunningham and Cograzier, were appointed a committee to prepare and bring in the first; Messrs. Hazlerigg, Conner and Powers, the second; Messrs. Montague, Bibb and Bruce, the third; Messrs. Rucker, Davenport, Ward and L. Boyd, the fourth; Messrs. Montague, Grider and Bibb, the fifth; and Messrs. Henderson, Inglis, Sallee and Gaines, the sixth.

And then the House adjourned.

FRIDAY, JANUARY 11, 1828.

1. Mr. Rucker presented the remonstrance of sundry citizens of Caldwell county, against a petition praying that a part of the said county may be added to the county of Trigg.
2. Mr. A. Boyd presented the petition of Robert Patterson, praying a divorce from his wife Nancy Patterson.
3. Mr. Ford presented the petition of the heirs of Thomas Gooch deceased, praying that a law may pass authorizing the Register of the Land office to execute to them a deed for a tract of land, purchased by the decedent for the taxes due thereon, in Owen county, for which an insufficient deed has been executed.
4. Mr. Evans presented the petition of sundry citizens of this Commonwealth, praying that a state road may be opened from Somerset to a point on the road from Barboursville to the Cumberland Gap.
5. Mr. Hazlerigg presented the petition of John Cooper, praying that compensation may be allowed him for keeping his daughter, a lunatic.
6. Mr. Henderson presented the petition of Peter Younger, praying that a law may pass preventing William Huffman from
parting with a certain deed, in order to secure said Younger against a liability he is under for said Huffman.

7. Mr. L. Sanders presented the petition of sundry citizens of Ghent in Gallatin county, praying that an additional justice of the peace and constable may be allowed said county of Gallatin.

8. Mr. Griffin presented the petition of Paris Loe, praying a divorce from his wife Susanna Loe.

Which petitions were severally received, read and referred; the first, together with the bill on that subject, to a select committee of Messrs. Rucker, Creed, A. Boyd and L. Sanders; the second and eighth to the committee of religion; the third to the committee of courts of justice; the fourth to the committee of internal improvements; the fifth to the committee of claims, and the sixth and seventh to the committee of propositions and grievances.

A message was received from the Senate, announcing the passage of a bill which originated in this house, entitled, "an act to alter the time of holding the Anderson county court, and for other purposes," with an amendment.

The said amendment was then taken up, twice read and concurred in.

Ordered, That Mr. Sanders inform the Senate thereof.

Mr. Wingate from the committee of propositions and grievances, made the following report:

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

1. Resolved, That the petition of a portion of the citizens of Gallatin county, praying to be added to the county of Owen, is reasonable.

2. Resolved, That the petition of the citizens of Jeffersontown in the county of Jefferson, is reasonable.

3. Resolved, That the petition of the citizens of Hickman county, praying the removal of their county seat from Columbus, is reasonable.

4. Resolved, That the petition of the citizens of Logan county, praying the establishment of an election precinct in said county, is reasonable.

5. Resolved, That the petition of the citizens of Allen county, praying the establishment of an election precinct in said county, is reasonable.

6. Resolved, That the petition of a portion of the citizens of Hickman county, praying to be added to the county of McCracken, be rejected.

Resolved, That the petition of sundry citizens of Louisville,
praying a repeal or modification of the laws in relation to the inspection of Salt, be rejected.

7. Resolved, That the petition of sundry citizens of Hickman county, praying that David Mercer be permitted to enter a small piece of land without paying the state price on the same, be rejected.

8. Resolved, That the petition of the citizens of Middletown in Jefferson county, is reasonable.

Which being twice read, was concurred in.

Ordered, That the said committee prepare and bring in bills pursuant to the 1st, 2d, 3d, 4th, 5th and 8th resolutions.

Mr. Wingate from the same committee, reported a bill to establish an election precinct in Allen county.

Which was received and read the first time and ordered to be read a second time.

And thereupon the rule of the House, constitutional provision, and second reading of the said bill having been dispensed with, and having been amended at the clerk's table, the same was committed to a select committee of Messrs. Bibb, C. Harrison, Grider, Inglish, Colglazier, Harald and Sallee.

Mr. Rucker from the joint committee of enrollments, reported, that the committee had examined an enrolled resolution for appointing a joint committee to examine the charges preferred against Jacob H. Holeman, public printer; and had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Rucker inform the Senate thereof.

Ordered, That the second reading of a bill to incorporate the Lexington Rail Road company, be dispensed with, and that the same be referred to a select committee of Messrs. Combs, B. Harrison and Guthrie.

The House proceeded to consider, "a bill to remove the seat of justice of Oldham county," reported from the committee of propositions and grievances.

It was then moved and seconded to amend said bill by attaching thereto the following proviso:

Provided however, That on the first Monday, Tuesday and Wednesday in February next, the qualified voters of Oldham county, who are qualified to vote for representatives in the legislature of this state, shall, at the several places of holding elections in said county, vote for the county seat: those in favor of Westport, for that place, and those in favor of Lagrange, for that place; and the county court of Oldham are hereby authorized and required to appoint judges and clerks of said election, and the sheriff is required to hold the same; and the judges, clerks and sheriffs shall certify the several polls, and return the same to the clerk of the circuit court, and the circuit court shall, at their next term.
inspect said polls, and hear the evidence of either party, as to illegal voters, and purge the polls, and declare the place having the highest number; and should Westport have the highest number of voters this act shall have immediate effect, but should Lagrange have the highest number of voters, then the seat of justice shall remain at Lagrange.

And the question being taken on adopting the said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Guthrie and Wingate, were as follows:


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

A message from the Governor by Mr. Pickett his secretary:

Mr. Speaker: The Governor has approved and signed enrolled bills, originating in the House of Representatives, of the following titles:

An act to amend the several laws establishing the town of Covington.

An act for the benefit of the Southern College and Lancaster Seminary.

An act to divorce Sally Cole from her husband James Cole.

An act further to regulate the powers of the trustees of the town of Mount Vernon in Bullitt county, and for other purposes.

An act for the benefit of Thomas Smith and others.

An act making a chancery term to the Montgomery circuit court.

An act for the benefit of David Morgan.

An act to authorize the trustees of the Hart county Seminary to sell their donation lands.

An act for the benefit of Jesse Bailey, Ephraim Blackford and others.
An act to regulate the sale of the land west of the Tennessee river.

An act to authorize the trustees of the Trigg county seminary to sell and convey their donation lands.

And a resolution of the following title:

A resolution for appointing committees to examine the Auditor's office for the years 1825 and 1826.

And then he withdrew.

Ordered, That Mr. Stone inform the Senate thereof.

Mr. Beatty from the committee for courts of justice, to whom was referred, "a bill to incorporate the City of Louisville," reported the same with sundry amendments.

Which being twice read, were concurred in, and the said bill as amended, ordered to be engrossed and read a third time.

And thereupon the rule of the House, constitutional provision, and third reading of the said bill having been 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. Guthrie carry the said bill to the Senate and request their concurrence.

Mr. Beatty, from the same committee to whom was referred, a bill for the benefit of Thomas M'Kee, reported the same with an amendment;

Which being twice read was concurred in.

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

A message from the Senate by Mr. Fleming.

Mr. Speaker: The Senate have passed a bill entitled, an act for the benefit of Captain Mairs company of the 114th regiment; in which bill they request the concurrence of this House.

And then he withdrew.

Mr. Beatty from the committee for courts of justice, reported a bill to compel attorneys at law to execute bond for the payment of money collected by them in their official character.

Which was received and read the first time.

It was then moved and seconded to lay the said bill on the table until the first day of June next:

And the question being taken thereon, it was decided in the affirmative.

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

YEAS—Mr. Speaker, Messrs. Barker, Baseman, Beatty, Bibb, Bishop, Blackburn, A. Boyd, Breck, Breckinridge, Bruce, Bu ford, Coffinan, Colglazier, Conner, Cunningham, A. Davis, W. M. Davis, Davenport, Duvall, Evans, Gaines, George, Guthrie,


And then the House adjourned.

SATURDAY, JANUARY 12, 1828.

Mr. Helm presented the petition of Amy Ann B. Gibson, praying a divorce from her husband Robert R. Gibson;

Also the petition of sundry citizens of the counties of Hardin and Breckinbridge, praying for the formation of a new county out of parts of each of said counties.

Mr. R. Hall presented the petition of Edmond Collins, praying that a law may pass, to refund to him a sum of money improperly collected from him by the sheriff of Nicholas, for his revenue tax for the years 1825 and 1826.

Mr. L. Sanders presented the petition of the heirs and representatives of Michael Troutman, praying that a law may pass to refund to them a sum of money paid by the decedent in his lifetime, as the security of Benjamin Pope, former sheriff of Nelson county, which sum they allege exceeded the amount due to the government by said Pope and his securities.

Which petitions were severally received, read and referred: the first to the committee of religion; the second to the committee of propositions and grievances; the third to a select committee of Messrs. Hall, West and McMillan; and the fourth to the committee of claims.

Mr. B. Harrison from the committee on internal improvements, made the following report, viz:

The committee for internal improvements beg leave to report:

That the petition of Jeroboam Beauchamp, praying that a law may pass to grant him the privilege of building a mill on the Rolling fork, is reasonable.

That the petition of Joseph G. McClelland, for permission to turnpike Mudrow's hill, and erect a toll gate, be rejected.

That the petition of sundry citizens of this Commonwealth, praying that a law may pass declaring Eagle creek, from Sanders' new mill to the mouth, a navigable stream, is reasonable.
Which being twice read, was concurred in.

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

Mr. Hall, from the committee of claims, made the following report:

The committee of claims have, according to order, had under consideration sundry petitions to them referred, and have come to resolutions thereon, to-wit:

The petition of John Byrne, representing that he had been authorized by a warrant from the Governor of this State, to proceed to the State of Louisiana, and receive from the constituted authorities of that State, a certain Thomas Park, who had been guilty of killing, by shooting, a certain William McBee, a citizen of the town of Lexington, and alleging that he did receive and bring back the said Thomas Park, and deliver him to the constituted authorities of this State, and in so doing has expended the sum of $121, and praying remuneration for the same:

Resolved, That the said petition be rejected.

The petition of the justices of the county court of Campbell county, representing that a commissioner appointed to take in the list of taxable property in one captain's company in said county, for the year 1827, refused to discharge the duties of commissioner as aforesaid, whereby the court were compelled to appoint a certain William Barnes, in the room and place of the commissioner so refusing, and that the said Barnes incurred considerable trouble in taking in said list of taxable property, so as to be returned to the Auditor's office in time, and praying a reasonable compensation from the treasury:

Resolved, That the said petition be rejected.

The petition of Samuel May and John S. Oakley, representing that they had pursued William Holeman, a fugitive from justice, who had stole a horse in the county of Estill; that they overtook and brought the said Holeman back to justice; that he was tried, found guilty, condemned and punished; and praying to be compensated for their trouble:

Resolved, That the said petition is reasonable.

Which being twice read, the first resolution was concurred in, the second laid on the table, and the third disagreed to.

Mr. Combs from the select committee to whom was referred a bill to incorporate the Lexington Rail Road Company, reported the same with sundry amendments;

Which being twice read, were concurred in;

And the said bill as amended, ordered to be engrossed and read a third time on Monday next.

Mr. Inglish from the select committee to whom was referred a bill to establish a state road from Brandenburg on the Ohio
river to Bowlinggreen; reported the same with sundry amendments:
Which being severally twice read, were concurred in:
And the said bill as amended, ordered to be engrossed, and
read a third time on Monday next.
A bill from the Senate entitled an act changing the time of
holding the Anderson and Laurel circuit courts, and for other
purposes.
Was read the first time and ordered to be read a second time.
And thereupon the rule of the House, constitutional provision,
and second and third readings of said bill having been dispensed
with.
Resolved, That the said bill do pass, and that the title thereof
be as aforesaid.
Ordered, That Mr. Sanders inform the Senate thereof.
Mr. Duvall from the joint committee of enrollments, reported
that the committee had examined an enrolled bill entitled, an
act to alter the time of holding the Anderson county court and
for other purposes; and had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Duvall inform the Senate thereof.
A message was received from the Senate, announcing the pas-
sage of a bill which originated in this House entitled, an act for
the benefit of John C. Rogers, sheriff of Ohio county; and the
passage of bills of the following titles:
An act regulating the town of Salvisa, in the county of Mercer
and an act for the benefit of the heirs of Newell Beauchamp, de-
ceased.
Mr. Henderson from the select committee to whom was re-
ferred the amendments proposed by the Senate to a bill which
originated in this House entitled, an act to legalize the proceed-
ings of the Grant county court, at an extra term of said court, re-
ported the same without amendment:
The said amendments were then concurred in.
Ordered, That Mr. Henderson inform the Senate thereof.
The following bills were reported from the several committees
appointed to prepare and bring the same, viz:
By Mr. Blackburn, from the committee of propositions and
grievances—1. A bill to establish election precincts in certain
counties.
By Mr. Beatty, from the committee of courts of justice—2. A
bill to provide for the election of electors of President and Vice
President.
Also—3. A bill prescribing the duties of clerks in the inferior
courts in making out complete records.
By Mr. B. Harrison, from the committee of internal improve-
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ments—4. A bill to improve the road between Shelbyville and Louisville.

Also—5. A bill concerning Floyd's fork.

By Mr. Litton—6. A bill amendatory to the several acts establishing a turnpike by way of Williamsburgh, Whitley county.

By Mr. Hazlerigg—7. A bill giving further time to certain officers to renew their bonds.

By Mr. Spalding—8. A bill concerning the jurisdiction of justices of the peace of this Commonwealth in certain cases.

By Mr. Munford—9. A bill to alter the time of holding the Hart circuit court, and to extend the term of the Todd circuit court.

By Mr. Wilkerson—10. A bill for the benefit of the securities of Alfred Stone, late sheriff of Bath county.

By Mr. Helm—11. A bill to extend the town of Joesville, at the mouth of Clover creek in Breckinridge county and for other purposes.

By Mr. Haggin—12. A bill to encourage a publication of a digest of the decisions of the court of Appeals.

By Mr. Montague—13. A bill for the benefit of Thomas M. Smith and to authorize the trustees of the Simpson county Seminary, to sell her donation lands.

By Mr. Montague—14. A bill for the benefit of the heirs of James Neely, deceased.

By Mr. Forrest—15. A bill to change the place of holding the elections in the south precinct in Washington county.

By Mr. L. Sanders—16. A bill to establish a Seminary of learning in Anderson county, and for other purposes.

By Mr. Litton—17. A bill to reduce the price of vacant land north of Walker's line.

By Mr. Patrick—18. A bill to improve the navigation of the north and middle forks of the Kentucky river. And,

By Mr. Hanson—19. A bill to expedite the trial of civil actions;

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, constitutional provision, and second reading of the 1st, 2d, 4th, 5th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th and 19th bills having been dispensed with, the 1st, 5th, 9th, 11th, 13th and 16th, were ordered to be engrossed and read a third time; the second was committed to a committee of the whole House, for the 14th instant; the 4th to a select committee of Messrs. Beatty, Blackburn, Marshall, Breck, B. Harrison, Guthrie and D. Wilson; the 10th, 14th and 19th, to the committee for courts of justice; the 12th to a select committee of Messrs. Hanson, Breck, Ward, Southgate and Marshall; the 15th to a select committee of Messrs. Waters, Forrest,
and Watts; and the 17th to a select committee of Messrs. Millen, Litton, Thomas, Inglish and Smith;

And thereupon the rule of the House, constitutional provision, and third reading of the 1st, 5th, 9th, 11th, 13th and 16th bills having been dispensed with, and the same being engrossed.

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.

Mr. Sanders from the select committee to whom was referred an engrossed bill entitled, an act appropriating fines and forfeitures, for the lessening the county levy of certain counties, reported the same with an amendment; which being twice read, was concurred in:

And the said bill as amended, ordered to be engrossed, and read a third time on Monday next.

Mr. Beatty moved the following resolution:

Resolved, That the committee of ways and means be instructed to enquire whether the probable revenues receivable into the public treasury, during the annual fiscal year, will be sufficient to meet the expenditures of the same period, and if not, that they also report what additional tax will be necessary to render the revenues equivalent to the necessary expenditures of the government.

Which being twice read, was concurred in:

Mr. Colglazier moved the following resolution:

Resolved, That the committee of ways and means be instructed to enquire into the expediency of allowing the clerks of courts a certain fixed salary annually; to be deducted out of the aggregate amount of their fee bills each year, and of compelling them to pay over the surplus when collected, to the treasurer.

And the question being taken on the adoption thereof, it was decided in the negative, and so the said resolution was disagreed to.

On the motion of Mr. Turner—Ordered, That leave be given to bring in a bill further to regulate costs on appeals from justices of the peace to the circuit courts; and that Messrs. Turner, Hanson, Breck, Bibb and L. Sanders be appointed a committee to prepare and bring in the same.

Mr. Grider from the select committee appointed for that purpose reported a bill to provide for the payment of grand jurors, which was received, and read the first time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That each and every grand juror who shall hereafter be summoned, and attend any circuit court in this Commonwealth, and who shall be compelled to attend said court more than one day as a grand juror, shall receive per day, for
every day he shall be compelled to attend over and above one
to be paid out of the public treasury.

Be it further enacted, That it shall be the duty of the clerks of
the several circuit courts in this Commonwealth, after the grand
jury shall be discharged, where they have attended more than
one day at a term to make out a certificate stating the number of
days each grand juror has attended, for which he is entitled to
be paid, which certificate, when presented to the auditor, he
shall audit, and the treasurer shall pay the amount due thereon
out of any money in the treasury not otherwise appropriated.

And the question being taken on reading the said bill a second
time, it was decided in the negative, and so the said bill was re­
jected.

The yeas and nays being required thereon by Messrs. Col­
glazier and McBride, were as follows, viz:

YEAS—Messrs. Darbee, Barker, Bibb, Bishop, A. Boyd, L.
Boyd, Bruce, Coffman, Colglazier, Creed, Dowling, Ewing, Ford,
Harald, Ingels, Inghill, Joyce, McBridge, McMillan, Moore, Mon­
tague, Munford, Parish, Patrick, Patterson, Reid, Rucker, Sallee,
Stone, White and Yantis—31.

NAYS—Mr. Speaker, Messrs. Baseman, Beatty, Connor,
Cunningham, A. Davis, W. M. Davis, Evans, Forrest, Guimes,
George, Grider, Guthrie, Haggin, M. W. Hall, R. C. Hall, Han­
son, Hardy, B. Harrison, Hehn, Henderson, Hughes, Lindsay,
Litton, Marshall, M'Connell, Morris, Powers, Ray, Riffe, Roberts,
N. P. Sanders, L. Sanders, Secrest, Simpson, Skiles, Smith,
Spalding, swope, Thomas, Turner, Waters, Watkins, Watts,
Wilkerson, A. Wilson and Woodland—46.

Mr. Henderson moved the following resolution:

Resolved, That the military committee be instructed to enquire
into the expediency of providing, by law, for furnishing with
arms the Washington troop of horse in the county of Grant.

Which being twice read, was adopted.

Mr. N. Sanders moved the following resolution:

Resolved, That the committee for courts of justice be instruct­
ed to enquire into the propriety of repealing all laws giving debts
due the Bank of the Commonwealth superior dignity against ex­
cutors and administrators, over other debts.

And the question being taken on the adoption thereof, it was
decided in the negative, and so the said resolution was disagreed
to.

The yeas and nays being required thereon by Messrs. Hazle­
rigg and N. Sanders, were as follows, viz:

YEAS—Messrs. Coffman, Ford, Forrest, R. C. Hall, Hardy,
Hazlerigg, Harald, Inghill, McBride, McMillan, Patrick, Riffe,
Rucker, Sallee, N. P. Sanders and Spalding—16.

NAYS—Mr. Speaker, Messrs. Darbee, Barker, Baseman, Bea­

Mr. Ewing moved the following resolution, viz:

Resolved, That the committee for courts of justice be directed to enquire into the expediency of the passage of a law preventing magistrates from sitting on the trial of persons' causes contrary to their will.

And the question being taken on the adoption thereof, it was decided in the negative, and so the said resolution was rejected.

Mr. Stone read and laid on the table the following resolution:

Resolved by the General Assembly of the Commonwealth of Kentucky, That they will, by a joint ballot of both Houses, on Friday the 18th of this inst. proceed to elect a Treasurer, Public Printer, a President and Directors of the Bank of Kentucky, and a President and Directors of the Bank of the Commonwealth of Kentucky and branches.

And thereupon the rule of the House having been dispensed with, the said resolution was taken up, twice read, and adopted.

Ordered, That Mr. Stone carry the said resolution to the Senate and request their concurrence.

Mr. Skiles moved the following resolution, viz:

Whereas, it is absolutely necessary that some effort should be made in opening avenues for commerce in the State of Kentucky, to enable her industry and enterprise to come into equal and fair competition with the States of Ohio, Indiana and Illinois, who in addition to their natural advantages of navigation, are making most laudable and noble exertions to make those advantages still greater by artificial means—The contiguity of other and equally fertile States to the river Mississippi and its branches, whose articles of export are the same or measurably the same with our own, and the consequent advantages they derive, almost to our total exclusion from markets, can leave a doubt on the mind of none as to the imperious necessity of exertion.

It must be obvious to all that the connection of the contemplated Baltimore and Ohio railroad, with the head of perpetual navigation on the Mississippi, would produce the greatest possible advantages to this State, by giving us access to the markets of the Potomac and the Delaware, until the march of time shall have removed the obstacles to our commercial intercourse with the market of New-Orleans. It will likewise be perceived that the
citizens of the eastern part of the State of Ohio, who, from their local situation, are not immediately interested in the great canal in that State, would with propriety, call upon that government to equalize the advantages distributed by public improvements, by connecting the Kentucky with the Baltimore and Ohio rail road. Therefore,

Be it resolved, That the committee on internal improvements be instructed to report a bill authorizing the construction of a rail road from the town of Maysville, on the Ohio river, to some point at or near the mouth of the Cumberland river, and authorizing a loan of dollars to effectuate the same.

Which being twice read, was laid on the table.

Leave was given to bring in the following bills:

On the motion of Mr. Hanson—1. A bill to expedite the trial of civil actions.

On the motion of Mr. Spalding—2. A bill to establish an inspection of tobacco, at Raleigh, on the Ohio river, in Union county.

On the motion of Mr. Gaines—3. A bill to amend the several laws more effectually to suppress the practice of duelling.

On the motion of Mr. Bishop—4. A bill to repeal so much of an act entitled an act to regulate endorsements on executions, approved December 25, 1820, as relates to the collection of officers fees.

On the motion of Mr. L. Boyd—5. A bill allowing the appointment of a deputy to the office of receiver of public monies west of the Tennessee river, and for other purposes.

On the motion of Mr. Helm—6. A bill for the benefit of Leonard B. Parker, deputy sheriff of Hardin county.

On the motion of Mr. Watkins—7. A bill to appropriate $ for the purpose of erecting a bridge across Clover creek, in Breckinridge county.

On the motion of Mr. Helm—8. A bill to revive the law in relation to attorneys for the Commonwealth.

9. A bill for the benefit of the heirs of Peter Abell.

On the motion of Mr. McMilan—10. A bill to reduce the fees of clerks of courts in this Commonwealth.

On the motion of Mr. Roberts—11. A bill to improve the State road leading from Owensborough, on the Ohio river, to Franklin in Simpson county.

On the motion of Mr. Ray—12. A bill further to regulate the county courts.

On the motion of Mr. Montague—13. A bill to provide for the building a bridge across Drake's creek, in Simpson county.

On the motion of Mr. Hanson—14. A bill for the benefit of John Ward, late sheriff of Clarke county. And,

On the motion of Mr. Helm—15. A bill more effectually to
suppress the practice of permitting slaves to hire from their owners their time.

Messrs. Hanson, L. Sanders and Haggin, were appointed a committee to prepare and bring in the first; Messrs. Spalding, Inglish and B. Harrison the 2d; Messrs. Gaines, Beatty and Hanson the 3d; Messrs. Bishop, Davis (of Ohio) and Davenport the 4th; Messrs. L. Boyd, Rucker, Ewing and Helm the 5th; Messrs. Helm, Ray and Wakling the 6th; Messrs. Watkins, Helm, Davis (of Ohio) and Skiles the 7th; Messrs. Helm, Hanson and Guthrie the 8th; Messrs. Helm, Ray and Thomas the 9th; Messrs. McMillan, R. Hall and Barbee the 10th; the committee on internal improvements the 11th; Messrs. Ray, Bibb and Roberts the 12th; Messrs. Montague, Hardy and Thomas the 13th; Messrs. Hanson, Cunningham and Turner the 14th; and Messrs. Helm, Hanson, Guthrie and Watkins the 15th.

And then the House adjourned.

MONDAY, JANUARY 14, 1828.

1. Mr. M. Hall presented the petition of the administrator and administratrix of David Logan, deceased, praying that a law may pass authorizing them to convey a tract of land in Rockcastle county, heretofore sold by them, belonging to the estate of the said decedent.

2. Mr. Barker presented the petition of sundry citizens of this Commonwealth, praying that a law may pass forbidding justices of the peace from becoming the securities of sheriffs or constables in their official bonds.

3. Mr. Grider presented the petition of John Anderson, praying that a law may pass to compel justices of the peace, upon their going out of office, to deliver over the records, papers, &c. belonging to their office to their successors.

4. Mr. Ford presented the petition of Theodocia Salesberry, praying a divorce from her husband Andrew Salesberry.

5. Mr. Helm presented the petition of sundry citizens of this Commonwealth, praying that Stanley Singleton may be exempted from the penalties incurred by him, by engaging in a duel with Daniel J. Stephens.

6. Mr. R. C. Hall presented the petition of sundry citizens of Nicholas county, praying that the county court of said county may be authorized to change the route of the State road from Millersburg to the mouth of Cassedy, and leading thence to the mouth of Big Sandy. And,

7. Mr. Montague presented the petition of Walters Elams, jailor of Simpson county, praying remuneration for his service and expenses for apprehending and keeping a certain runaway slave named Ned.
Which petitions were severally received, read and referred: the 1st, 2d, 3d and 5th to the committee for courts of justice; the 4th to the committee of religion; the 6th to the committee on internal improvements; and the 7th to the committee of claims.

Mr. Beatty, from the committee for courts of justice, made the following report:

The committee for courts of justice have had under consideration sundry petitions to them referred, and have come to resolutions thereupon as follows, to-wit:

1. Resolved, That the petition of the widow and heirs of David Winsett, praying that a law may pass authorizing the sale of a tract of land, and vesting the proceeds in Missouri lands, ought not to be granted.

2. Resolved, That the petition of the heirs and legal representatives of Daniel Stephens, deceased, praying that a law may pass authorizing the sale of a tract of land, ought not to be granted.

3. Resolved, That the petition of the heirs and legal representatives of William Powell, deceased, praying that a law may pass authorizing the conveyance of land, belonging to infants, in fulfillment of a contract, made in the lifetime of their mother, ought not to be granted.

4. Resolved, That the petition of Polly Garnet, praying that an act may pass, authorizing the sale of certain lots in Barboursville, and a tract of land adjoining said town, ought not to be granted.

5. Resolved, That the petition of Susan Martin, praying that a law may pass authorizing a part of a tract of land to be sold, to pay for the balance, ought not to be granted.

6. Resolved, That the petition of Mary Galbraith, widow, and Henry Galbraith, administrator, of Robert Galbraith, deceased, praying that a law may pass authorizing the sale of an undivided moiety of a lot of ground, for the support of the widow and children, ought not to be granted.

7. Resolved, That the petition of Mary Cowan, of the State of Tennessee, praying that a law may pass, authorizing the sale of certain tracts of land in Kentucky, for the payment of the debts of her deceased husband, ought not to be granted.

8. Resolved, That the petition of certain citizens of the town of Munfordsville, praying that a law may pass, authorizing the sale of certain streets in said town, ought not to be granted.

9. Resolved, That the petition of Rene Williamson, setting forth that he stands indicted, in the Garrard circuit court, for larceny, and praying a change of venue, ought not to be granted.

10. Resolved, That the petition of James Owen, setting forth that he stands indicted, in the Campbell circuit, for stabbing, with intent to kill, and praying a change of venue, ought not to be granted.
11. Resolved, That the petition of the heirs of John Crutchfield, praying that a law may pass, authorizing the Register of the land office to issue a grant, upon the production of a certain plat and certificate of survey of 2678 acres of land in Gallatin county, ought not to be granted.

12. Resolved, That the petition of the board of trustees of the Hart Seminary, is reasonable.

13. Your committee have also had under consideration a petition of sundry citizens, praying that further time may be given by law for redeeming lands sold to pay debts due the Commonwealth Bank, and purchased by said bank. The law, as it now stands, gives two years to redeem lands sold to satisfy executions in favor of that institution. Your committee are of opinion it is not expedient to change the law on this subject. If the time for redemption should now be prolonged, it would have a tendency to raise the hopes of the debtors to that institution, that the Legislature would again interfere, on some future occasion, and thus they would be prevented from using the proper exertions to raise funds to redeem their lands, sold to pay debts due the bank—Many of them, resting upon the too sanguine hope of such future indulgencies, would probably apply their funds to other purposes, and would thus be unprepared to redeem when the time of redemption should be about to expire. The best means of promoting the general good, in relation to this matter, is, to have a permanent and inviolable rule; the consequence of which would be, that every man whose lands have been sold, would use his utmost exertions to be prepared to redeem, before the time of redemption should pass. If peculiar circumstances should prevent a redemption in time, the officers of the bank would doubtless take them into consideration, and still permit the lands to be redeemed, by paying up the debt and interest. Indeed your committee feel no doubt the officers of the bank would permit redemptions in all cases, before they had actually made sale of the lands purchased in by them, as their only motive in purchasing is to secure the amount due, and interest. Your committee are therefore of opinion that it is inexpedient to legislate on this subject. They recommend the adoption of the following resolution.

Resolved, That the prayer of the petitioners ought not to be granted.

Which being twice read, the 1st, 2d, 3d, 5th, 6th, 7th, 8th, 9th, 11th and 12th resolutions were concurred in; and the 4th, 10th and 13th laid on the table.

Ordered, That the said committee prepare and bring in a bill pursuant to the 12th resolution.

On motion—Ordered, That leave be given to withdraw the papers filed with the petitions of Mary Cowan, Alfred Bouren, and Crutchfield's heirs,
Mr. Breck, from the committee of ways and means, made the following report:

1. The committee of ways and means having, according to order, had under consideration the petition of Sarah Lester, praying to be discharged from the payment of a debt due by her to the Bank of the Commonwealth, report the following resolution:

Resolved, That the prayer of said petition ought not to be granted.

2. The committee have also, in obedience to a resolution of the House, had under consideration the expediency of the erection of a bridge by the Commonwealth, across the Ohio river, at Covington, and report the following resolution:

Resolved, That it is inexpedient for this Commonwealth to undertake the erection of said bridge.

3. The committee have also had under consideration a bill to them referred, entitled an act to authorize the Register of the land office to issue land warrants in certain cases. Your committee have been unable to ascertain or indeed form any opinion of the probable extent of claims, to the liquidation of which, by the passage of the bill, the State would be subjected. It is believed by your committee, that the bill, in its consequences, would be extremely mischievous, and therefore ought not to pass. They report it without amendment, and the following resolution:

Resolved, That the committee of ways and means be discharged from the further consideration of said bill.

Which being twice read, and the first resolution concurred in.

It was then moved and seconded to amend the second resolution by striking out the word "inexpedient," and inserting in lieu thereof the word "expedient."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Gaines and Breck, were as follows, viz:

YEAS—Mr. Gaines.


The second and third resolutions were then concurred in; and the bill referred to in the third resolution re-committed to a se
lect committee of Messrs. Harald, Coffman, Helm, Litton and Thomas.

Mr. Hall, from the committee of claims, made the following report:

The committee of claims have had under consideration the petition of John Cooper, representing that he has kept his daughter Nancy House one year, who has been found a lunatic by the verdict of a jury in the Morgan circuit court, at the November term, 1825, of said court; that the said Nancy is since dead, and that the Auditor refuses to pay to said Cooper the sum of fifty dollars, the amount allowed by said court for keeping the said Nancy as aforesaid.

Resolved, That the said petition is reasonable.

Which being twice read, was concurred in.

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

Mr. Ray from the select committee appointed for that purpose, reported a bill further to regulate the county courts of this Commonwealth.

Which was received and read the first time, as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the passage of this act, no county court within this Commonwealth shall possess the power to let out, or make any contract for the erection of any public buildings, or other public improvements, within their respective counties, unless a majority of all the magistrates of said county shall concur in making the order or record by which such building or other improvement is made.

It was then moved and seconded to lay the said bill on the table until the first day of June next:

And the question being taken thereon, it was decided in the affirmative.

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

YEAS—Mr. Speaker, Messrs. Barker, Beatty, Bibb, Breck, Colglazier, Combs, Conner, Creel, Cunningham, Davenport, Evans, Ford, Gaines, George, Gridor, Guthrie, Hagggin, M. W. Hall, Hanson, Hardy, B. Harrison, Helm, Henderson, Hughes, Ingels, Lindsay, Marshall, M. Bride, M'Connell, Montague, Morris, Manford, Reid, Simpson, Skiles, Swope, Turner, Waters, Watkins, A. Wilson, Woodland and Yantis—43.

Mr. Stone, from the joint committee of enrollments, reported that the committee had examined enrolled bills of the following titles, and had found the same truly enrolled:

An act changing the time of holding the Anderson and Laurel circuit courts, and for other purposes.

An act to legalize the proceedings of the Grant county court at an extra term of said court. And,

An act for the benefit of John C. Rogers, sheriff of Ohio county.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Stone inform the Senate thereof.

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

By Mr. Beatty, from the committee for courts of justice—1. A bill for the benefit of the infant heirs of Aquilla Hodskins, dec'd.
2. A bill for the benefit of the heirs of William Barker, dec'd.
3. A bill authorizing circuit courts to decree the sale of slaves in certain cases.
4. A bill for the benefit of the heirs of Stevens Thompson Mason, deceased.
5. A bill further to regulate the town of Shepherdsville.

By Mr. Gaines—6. A bill to amend the several acts more effectually to suppress the practice of duelling.

By Mr. Turner—7. A bill further to regulate costs on appeals from justices of the peace to the circuit courts in this Commonwealth, and for other purposes.

By Mr. B. Harrison—8. A bill to amend the law concerning circuit judges.

By Mr. Helm—9. A bill to revive the law providing for the appointment of Commonwealth's Attornies, approved February 12, 1829. And,

By Mr. L. Boyd—10. A bill to establish Seminaries of Learning in the counties of Calloway, Graves, Hickman and McCracken.

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, constitutional provision, and second reading of the 2d, 3d, 5th, 9th and 10th bills having been dispensed with, the 2d, 3d and 5th were ordered to be engrossed and read a third time; the 9th was committed to a select committee of Messrs. Haggan, Helm, Hanson and L. Sanders, and the 10th to the committee for courts of justice.

And thereupon the rule of the House, constitutional provision, and third reading of the 2d, 3d and 5th bills having been dispensed with, and the same being engrossed.

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.

The House then, according to the standing order of the day, resolved itself into a committee of the whole House, Mr. Yantis in the chair; after some time spent therein, Mr. Speaker resumed the chair, and Mr. Yantis reported that the committee had, according to order, had under consideration, a bill to prevent future confusion in claims to lands—a bill to amend the election laws of this Commonwealth—and a bill to regulate the duties of county courts; and had gone through the same, with amendments to the two former, which he handed in at the Clerk's table.

A message was received from the Senate, announcing the passage of a bill entitled, an act to fix the ratio and apportion the representation for the ensuing four years.

And then the House adjourned.

TUESDAY, JANUARY 15, 1828.

Mr. Duvall presented the petition of David Flournoy, praying that a law may pass authorizing the county court of Scott to receive his delinquent lists, and certify the same to the Auditor of public accounts, the former delinquent lists having been informally made out.

Mr. Guthrie presented the petition of John Jones, late sheriff of Jefferson county, praying that the title to certain real property sold under execution, and purchased by the Commonwealth, may be released to him, and that a quietus be given him by the Auditor of public accounts, for his debt to the state, upon his transferring to the Commonwealth, an equal amount of stock in the Louisville and Shelbyville turnpike road.

Mr. Davenport presented the petition of James Adams, praying a divorce from his wife Sally.

Which petitions were severally received, read and referred; the first to the committee of propositions and grievances; the second to the committee of ways and means, and the third to the committee of religion.

It was then moved and seconded that the House do now take up for consideration, a bill from the Senate entitled, *an act to fix the ratio and apportion the representation for the ensuing four years.*

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Breck and Yantis, were as follows, viz:

YEAS—Messrs. Bentley, Bibb, L. Boyd, Breck, Conner, Cunningham, A. Davis, Davenport, Evans, Ewing, Ford, Gaines,
George, Grider, Hanson, Helm, Henderson, Hughes, Ingels, Lindsay, M'C Connell, Moore, Montague, Morris, Patrick, Powers, Reid, Sallee, Simpson, Skiles, Southgate, Swope, Turner, Watkins, Wilkerson, A. Wilson, D. W. Wilson, Woodland and Yantis—39.

NAYS—Mr. Speaker, Messrs. Barbee, Barker, Baseman, Bishop, Blackburn, A. Boyd, Bruce, Coffian, Creel, Downing, Duvall, Forrest, Graham, Griffin, Guthrie, Haggin, Hall, M. W. Hall, R. C. Hall, Hardy; B. Harrison, C. L. Harrison, Hazlerigg, Harald, Inglis, Joyes, Litton, M' Bride, M'Millan, Munford, Parish, Patterson, Ray, Riffe, Roberts, Rucker, N. P. Sanders, L. Sanders, Seerest, Spalding, Thomas, Waters, Watts, West, White and Wingate—47.

Mr. Beatty from the committee for courts of justice, to whom was referred, a bill for the benefit of the heirs of Tobias Moddock, deceased, reported the same with an amendment; which being twice read, was concurred in, and the said bill as amended ordered to be engrossed and read a third time.

And thereupon the rule of the House, constitutional provision and third reading of said bill having been 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. M'Millan carry the said bill to the Senate and request their concurrence.

Mr. Beatty from the same committee, to whom was referred, a bill for the benefit of the heirs of James Neely deceased, reported the same without amendment.

Ordered, That the said bill be recommitted to a select committee of Messrs. Montague, L. Sanders and Grider.

Mr. Beatty from the same committee made the following report:

The committee for courts of justice have had under consideration, a petition of Stephen T. Logan and Elizabeth Logan, praying for the passage of an act, giving authority to the petitioners to pass the equitable title of certain infants, to landed property, in fullfilment of a contract of sale made of said land, and which they allege would redound greatly to the advantage of said infants, one of the petitioners being the mother, and the other a brother of said infants. Your committee have come to the following resolution:

Resolved, That the prayer of the petitioners, ought not to be granted.

Which being twice read, was concurred in.

Mr. Barbee, from the committee of religion, made the following report:

The committee of religion have had under consideration, san-
dry petitions to them referred, and have come to resolutions thereon, to-wit:

1. Resolved, That the petition of Hannah Crain, be rejected.
2. Resolved, That the petition of John Tomlinson, be rejected.
3. Resolved, That the petition of Lydia Grady, be rejected.
4. Resolved, That the petition of Will. S. Faulconer, be rejected.
5. Resolved, That the petition of Josiah King, be rejected.
6. Resolved, That the petition of Mary Broils, be rejected.
7. Resolved, That the petition of Paris Loe, be rejected.
8. Resolved, That the petition of仿佛 Salesberry, be rejected.
9. Resolved, That the petition of Samuel Goudy, be rejected.
10. Resolved, That the petition of Catharine Endor, is reasonable.

Which being twice read, (the second and sixth resolutions having been amended by striking out the words "be rejected," and inserting in lieu thereof the words "is reasonable," ) was concurred in.

Ordered, That the said committee prepare and bring in bills pursuant to the 2d, 6th and 11th resolutions.

Mr. Millan, from the select committee to whom was referred a bill to reduce the price of vacant land north of Walker's line, reported the same with an amendment.

Which being twice read, was concurred in.

It was then moved and seconded to fill the first blank in said bill with $2.50 cents, being the price for each 100 acres.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Sallee and Millan, were as follows, viz:


NAYS—Messrs. Beatty, Blackburn, Breck, Combs, Conner, Cunningham, Gaines, Grider, Guthrie, Haggan, Hanson, B. Harrison, Helm, Henderson, Hughes, Ingels, Joynes, Lindsay, Marshall, McBride, McConnell, Moore, Morris, Patterson, Powers, Reid, Sallee, Simpson, Skiles, Southgate, Turner, Waters, Wilkerson, Williams, A. Wilson, Wingate, Woodland and Yantis—38.

The said bill having been further amended, was, with the
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amendments, committed to a select committee of Messrs. Hall, Combs, M'Millan and B. Harrison.

On motion—Ordered, That the committee of the whole House be discharged from the further consideration of "a bill to provide for the election of Electors of President and Vice President," and of "a bill providing for the establishment of common schools throughout the Commonwealth," and that said bills be engrossed and read a third time tomorrow.

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

By Mr. Beatty, from the committee for courts of justice—1. A bill for the benefit of the Hart county Seminary.

2. A bill to amend an act imposing a duty on sales at auction, in the county of Jefferson, for the benefit of the Louisville Hospital, approved December 17, 1824.

By Mr. Hall, from the committee of claims—3. A bill for the benefit of John Cooper. And,

By Mr. L. Boyd—4. A bill to authorize the receiver of public monies west of the Tennessee river to appoint a deputy, 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, constitutional provision, and second reading of the said bills having been dispensed with, the first and third were ordered to engrossed and read a third time, and the second and fourth were committed to the committee for courts of justice.

And thereupon the rule of the House, constitutional provision, and third reading of the 1st and 3d bills having been dispensed with, and the same being engrossed;

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

Ordered, That Mr. Munford carry the said bills to the Senate and request their concurrence.

The amendments proposed by the committee of the whole House to a bill to prevent future confusions in claims to land, were twice read and concurred in.

And the said bill, as amended, ordered to be engrossed and read a third time to morrow.

A bill to regulate the duties of county courts, reported from the committee of the whole without amendment,

Was taken up for consideration, and read as follows, viz.

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the justices of the peace, in and for the several counties of this Commonwealth, shall be divided into three classes, at their April term next, provided there be a county court in said month, if not, then such division shall take place at
the first term thereafter, and at the same term in every year hereafter.

Sec. 2. Be it further enacted, That each division shall hereafter hold courts alternately, to do business in all cases except those which the existing laws require a majority of the justices of the peace to concur, and accept such terms as the present law requires, a concentration of all the justices of the peace at their respective court houses.

Sec. 3. Be it further enacted, That it shall be the duty of the clerk of each county court to proceed by ballot at the term alluded to in the first section of this act, to divide the justices thereof into three classes as before provided for; the clerk in making such division, shall take care to have one of the three eldest justices of the peace in commission, on each of those divisions, and it shall be the duty of each clerk to enter upon record the names of the justices thus allotted to the first, second and third classes and noting upon the record which class shall set first, and so on for a regular rotation of duty.

Sec. 4. Be it further enacted, That it shall be the duty of each clerk immediately or as soon as practicable after the division takes place, to copy the order of division, and hand said copy to the sheriff of his county.

Sec. 5. Be it further enacted, That after said division takes place, if one or more of said divisions shall fail, or refuse to attend any county court agreeable to the order of said division, it shall be lawful for said county court, to order a summons to issue to said delinquent or delinquents, to shew cause, if any, why said delinquent or delinquents shall not be fined the sum of three dollars each, for their non-attendance.

Sec. 6. Be it further enacted, That upon the motion or trial of said delinquent or delinquents, or on failure of said delinquent or delinquents, shewing good cause to the satisfaction of the county court, for their non-attendance, the court shall fine each magistrate for his non-attendance, three dollars each, which money or fine shall be applied towards lessening the county levy.

Sec. 7. Be it further enacted, That it shall be the special duty of the sheriff, after he receives a copy of said order of division from the clerk, soon as practicable, deliver a copy of said order to the several magistrates in each division.

Sec. 8. Be it further enacted, That either the justices of the peace, clerk of the county courts, or sheriff, shall fail in complying with any of the duties required by this act, they shall be liable to all fines and forfeitures as in other cases of a similar nature.

Sec. 9. Be it further enacted, That this act shall not be so construed as to prevent any magistrate from setting in his county court, at any time he may think proper to attend and set, with either of said classes.
It was then moved and seconded, to lay the said bill on the table, until the first day of June next.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Spalding and Conner, were as follows:


The amendment proposed by the committee of the whole House, to a bill to amend the election laws of this Commonwealth, to strike out the first section thereof;

Was twice read and concurred in.

The said bill was in the following words:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That all laws establishing election precincts in this state, be, and the same are hereby repealed; and that all the precincts thereby established, be, and the same are hereby abolished.

Be it further enacted, That it shall be the duty of the several county courts within this Commonwealth, at their next June or July terms, and at their several June or July terms in every year thereafter, to lay off their respective counties into as many election precincts, as there are militia companies therein, making the boundaries of such companies the boundaries of the election precincts.

Be it further enacted, That it shall be the duty of the several county courts as aforesaid, forthwith to designate some suitable place in each of their respective precincts as aforesaid, at which the next ensuing general election shall be held, and appoint a fit person to open, conduct and make return of the election in each precinct so established, a clerk and two judges, all of whom shall reside in that precinct in which they are appointed to act; the persons so appointed, before they shall proceed to act, shall
take an oath before some justice of the peace, that they will conduct the election in their respective precincts with impartiality and agreeably to the constitution and laws of this state.

Be it further enacted, That it shall be the duty of the persons so appointed, to cause the polls to be opened at the places designated by the county courts in their respective precincts, at the hour of ten o'clock in the morning, on the first Monday in August next, and at that hour on the first Monday in August in every year thereafter; that the persons conducting said elections shall keep the polls open one day and no longer, unless the inclemency of the weather or the state of the waters should make it necessary to keep the polls open longer, and in that event, two days and no more. Provided however, that nothing herein contained, shall be so construed as to require the judges of said election to close the polls in less than three days, if any one candidate shall intimate his wish to that effect, in writing to some one or more of the persons who are to conduct said elections, at or previous to the commencement; that all the qualified voters in this Commonwealth, shall vote in the precincts in which they live, and no where else.

Be it further enacted, That it shall be the duty of the several persons appointed under this act to discharge the duties of sheriffs in the respective election precincts, to meet the sheriff of their respective counties, on the first Saturday after the first Monday in August, in every year, at the court house of their respective counties, and in conjunction with said sheriff, by faithful addition and comparison, to ascertain the person or persons elected; and it shall be the duty of the respective sheriffs to make returns thereof, as is now required by law.

Be it further enacted, If any one or more of the persons appointed under this act, in any precinct hereby proposed to be established shall fail to attend, it shall be the duty of those attending to appoint others in their stead, who shall reside in such precinct, and before they proceed to act, shall take the oath herein prescribed.

Be it further enacted, That the persons appointed under the provisions of this act, shall receive no compensation for their services, but shall be exempt from serving on juries for one year from their appointment.

Be it further enacted, That all acts or parts of acts coming within the preview of this act, shall be, and the same are hereby repealed.

Be it further enacted, That it shall be the duty of the several sheriffs within this Commonwealth, to advertise at their respective court house doors, one month before the first Monday in next August, and one month before the first Monday in every
August thereafter, the time and place of holding elections in their respective precincts together with the offices to be filled by said elections.

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

The yeas and nays being required thereon by Messrs. M. Hall and Sallee, were as follows, viz:

YEAS—Messrs. Colglazier, Gaines, M. W. Hall, Lindsay, M’Millan, Munford, Secrest, Simpson, Thomas and Wilkerson—10.


The following engrossed bills were severally read a third time:

1. An act to authorize the administrators of William C. Davis, deceased, to carry into execution a parol contract made by said Davis in his life-time, with Edward S. Hall, for five or six acres of land.

2. An act further to regulate the duties and powers of trustees of towns in this Commonwealth.

3. An act to open a State road from Elizabethtown, by way of Litchfield, Hartford and Madisonville, to Princeton, in Caldwell county.

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

Ordered, That Mr. Ewing carry the said bill to the Senate, and request their concurrence.

Ordered, That the second bill be committed to a select committee of Messrs. Marshall, Grider, Combs, Breck and Guthrie; and the third to a select committee of Messrs. Hardy, Helm, Blackburn, Watkins, Coffman and Davis, (of Ohio.)

And then the House adjourned.
Mr. Hardy, from the select committee to whom was referred an engrossed bill entitled, an act to open a State road from Elizabethtown, by way of Litchfield, Hartford and Madisonville, to Princeton, in Caldwell county, reported the same with amendments;

Which being twice read, were concurred in.

And the said bill, as amended, ordered to be re-engrossed and again read a third time.

And thereupon the rule of the House, constitutional provision and third reading of said bill having been 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. Helm carry the said bill to the Senate, and request their concurrence.

Mr. Hall, from the select committee to whom was referred a bill to reduce the price of vacant land north of Walker's line, reported the same with an amendment;

Which being twice read, was concurred in.

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

Mr. Creel, from the select committee to whom was referred an engrossed bill entitled an act to add a part of Caldwell to Trigg county, reported the same without amendment.

Ordered, That the said bill be re-committed to the committee of propositions and grievances.

Leave was given to bring in the following bills:

On the motion of Mr. Breckinridge—1. A bill for the benefit of John Byrne,

On the motion of Mr. Ward—2. A bill to authorize the Secretary of State to purchase seventy-five copies of the digest of the statutes.

Messrs. Breckinridge, Combs and True were appointed a committee to prepare and bring in the first, and Messrs. Ward, Helm and Baseman the second.

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

By Mr. Blackburn, from the committee of propositions and grievances—1. A bill for the benefit of the sheriff of Scott county.

2. A bill to add a part of Gallatin county to the county of Owen.

By Mr. Spalding—3. A bill to establish an inspection of tobacco at Raleigh, on the Ohio river, in Union county.

By Mr. Rucker—4. A bill to authorize county courts to ap-
point commissioners to examine surveyors' offices, 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, constitutional provision and second reading of the first, second and third bills having been dispensed with, the first and second were ordered to be engrossed and read a third time, and the third was committed to a select committee of Messrs. Spalding, Watts and L. Sanders.

And thereupon the rule of the House, constitutional provision and third reading of the first and second bills having been dispensed with, and the same being engrossed;

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

Ordered, That Mr. Ward carry the said bills to the Senate, and request their concurrence.

Mr. Spalding, from the select committee to whom was referred a bill to establish an inspection of tobacco, at Raleigh, on the Ohio river, in Union county, reported the same with an amendment;

Which being twice read, was concurred in:

And the said bill, as amended, ordered to be engrossed and read a third time.

And thereupon the rule of the House, constitutional provision and third reading of said bill having been 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. Spalding carry the said bill to the Senate, and request their concurrence.

Mr. Blackburn moved the following resolution, viz:

Resolved, That the committee on internal improvements be instructed to enquire into the propriety of passing a law authorizing the appropriation of fifty thousand dollars to be applied in graduating and improving the road from Maysville to Louisville, by the way of Lexington, Versailles, Frankfort and Shelbyville: fifty thousand dollars to be applied to graduating and improving the road leading from Louisville, through Elizabethtown and Bowlinggreen, in a direction to Nashville, in Tennessee: fifty thousand dollars to be applied to graduating and improving the road leading from Lexington to the Virginia line, by the way of Richmond, in Madison county: fifty thousand dollars, to be applied to graduating and improving the road from Lexington to the mouth of Cumberland, by the way of Harrodsburg: fifty thousand dollars, to be applied to improve the navigation of the Kentucky river, by dams and locks, commencing at the first ripple, above the mouth of said river: and that the several sums be
appropriated out of the money belonging to the good people of this Commonwealth in the Bank of Kentucky, and in the Common­
wealth's Bank of Kentucky; and that said committee have 
leave to report by bill or otherwise.
Which being twice read, was laid on the table.
It was then moved and seconded to take up for immediate con-
sideration a bill from the Senate entitled, an act to fix the ratio 
and apportion the representation for the ensuing four years.
And the question being taken thereon, it was decided in the 
negative.
The yeas and nays being required thereon, by Messrs. Conner 
and Hanson, were as follows:
YEAS—Messrs. Barker, Baseaman, Beatty, Bibb, L. Boyd, 
Breck, Breckinridge, Colglazier, Combs, Conner, Cunningham, 
A. Davis, Davenport, Evans, Ewing, Ford, Gaines, George, Grider, 
Hanson, Hazlerigg, Helm, Henderson, Hughes, Ingels, 
Lindsay, Marshall, M'Connell, Miner, Moore, Montague, Morris, 
Patrick, Powers, Reid, Riffe, Sallee, Simpson, Skiles, Stone, 
Swope, Turner, Watkins, Wilkerson, A. Wilson, D. W. Wilson, 
Woodland and Yantis—48.
NAYS—M. Speaker, Messrs. Barbee, Bishop, Blackburn, A. 
Boyd, Bruce, Coffman, Creel, Daniel, W. M. Davis, Dougherty, 
Downing, Duvall, Forrest, Graham, Griffin, Guthrie, Haggin, 
Hall, M. Hall, R. C. Hall, Hardy, B. Harrison, C. L. Harrison, 
Harald, Inglish, Joyes, Litton, McBride, M'Millan, Munford, 
Parish, Patterson, Ray, Roberts, Rucker, N. P. Sanders, L. Sanders, 
Secrest, Smith, Spalding, Thomas, Ward, Waters, Watts, 
West, White, Williams and Wingate—49.
On motion—Ordered, That the committee of the whole house 
be discharged from the further consideration of a bill to alter the 
mode of summoning venires and petit jurors.
The amendments proposed by the committee of the whole 
house to said bill, were twice read and concurred in.
Mr. Grider then moved to amend said bill, by attaching there-
to the following as an additional section, viz:
Be it further enacted by the General Assembly of the Common­
wealth of Kentucky, That each grand juror, who shall hereafter 
be summoned and serve as such, shall receive seventy-five cents 
per day, to be paid out of the county levy; which term of service 
and the amount, shall be certified by the clerk of the circuit court,
or courts respectively, upon application of said jurors; the county 
court, upon the claim being presented, shall put and allow said 
claim in the county levy, to be collected and paid over as other 
like claims are now by law.
And the question being taken on adopting the said amend­
ment, it was decided in the negative.
The yeas and nays being required thereon by Messrs. Grid and Ray, were as follows:


The question was then taken on engrossing the said bill, and reading the same a third time, which was decided in the affirmative.

The yeas and nays being required thereon by Messrs. R. C. Hall and Moore, were as follows, to-wit:


A message was received from the Senate, announcing their disagreement to a bill which originated in this House entitled an act for the benefit of the executors of John Hudson, deceased.

And the passage of bills of the following titles:

An act to continue in force the law providing for the appointment of Commonwealth's Attorneys, and

An act for the benefit of the surveyor of Hopkins county.

And then the House adjourned.
Mr. Guthrie presented the petition of sundry citizens of the town of Shippingport, praying that a law may pass for the better regulation of the said town.

Mr. Ward presented the petition of Joseph S. Norris and Robert Lindsey, praying that they may be released from their responsibility to the government, as the securities of John C. Buckner, late a sub-agent for the penitentiary.

The Speaker laid before the House the petition of sundry citizens of Madison county, praying that a sum of money may be appropriated to the building a bridge across Rockcastle river, on the Madison turnpike and wilderness road.

Which petitions were severally received, read and referred: the 1st to the committee of propositions and grievances; the 2d to the committee of courts of justice, and the third to a select committee of Messrs. Breck, Turner, Marshall, Yantis, Smith, Breckinridge and Hanson.

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

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 part of the citizens west of the Tennessee river, praying that a receiver of public moneys for land may be appointed in each of the four several counties west of the Tennessee river, be rejected.

Resolved, That the petition of a part of the citizens of the counties of Grayson, Hardin and Hart, praying for the erection of a new county out of part of each of said counties, be rejected.

Resolved, That the petition of a part of the citizens of Ohio, Breckinridge and Grayson counties, praying for the erection of a new county out of part of their several counties, is reasonable.

Which being twice read, and the first and second resolutions concurred in:

It was then moved and seconded to amend the third resolution by striking out the words is reasonable, and inserting in lieu thereof the words “be rejected.”

And the question being taken thereon, it was decided in the affirmative.

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

YEAS—Mr. Speaker, Messrs. Basceman, Beatty, Bibb, Blackburn, L. Boyd, Breck, Breckinridge, Buford, Combs, Conner, Cunningham, Davenport, Evans, Ewing, Ford, Gaines, Grider,
Mr. Lindsay presented the remonstrance of sundry citizens of Bourbon and Nicholas counties, against a petition praying that the route of the road from Millersburg to the iron works may be changed. And,

Mr. Combs presented the petition of Pamela Stout, praying a divorce from her husband William Stout.

Which remonstrance and petition were received, read and referred: the former to the committee on internal improvements, and the latter to the committee of religion.

Mr. Beatty, from the committee for courts of justice, to whom was referred the following bills:
1. A bill to authorize the receiver of public monies west of the Tennessee river to appoint a deputy, and for other purposes.
2. A bill to amend an act imposing a duty on sales at auction in the county of Jefferson, for the benefit of the Louisville Hospital, approved December 17, 1821.
3. A bill further to regulate the fees of the clerks of courts in this Commonwealth. And,
4. A bill for the benefit of the securities of Alfred Stone, late deputy sheriff of Bath county.

Reported the said bills without amendment. The first and second were ordered to be engrossed and read a third time:

And the question being taken on engrossing the third and fourth bills, and reading the same a third time, it was decided in the negative, and so the said bills were rejected.

And thereupon the rule of the House, constitutional provision and third reading of the second bill having been 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. Guthrie carry the said bill to the Senate and request their concurrence

Mr. Beatty from the committee for courts of justice, made the following report, viz:

2 C
The committee for courts of justice have had under consideration the following resolutions, referred to them, to-wit:

1. "Resolved, That the committee of courts of justice be instructed to enquire whether, in the event the sheriffs of this Commonwealth refuse to execute bonds for the collection of the county levy, the county courts have power to appoint collectors for that purpose, and if not, to report a bill vesting the county courts with such power." Your committee are of opinion the county courts have the requisite power, and therefore, that no legislation on that subject is necessary.

2. Also a resolution directing them to enquire into the expediency of so amending the occupant laws, as to secure to settlers upon land "without any title legal or equitable, deducible of record, believing them to be vacant," pay for such improvements. Your committee are of opinion, it would be inexpedient to pass any act for the purposes contemplated by this resolution.

3. Also, "Resolved, That the committee of courts of justice be instructed to report a bill to extend the law appointing district attorneys for this Commonwealth." The committee report, that a bill from the Senate, now before the House, will fulfill the purposes of this resolution.

4. "Resolved, That said committee be instructed to enquire into the propriety of so amending the penal laws of this Commonwealth, as to cause convicts from the Penitentiary, to be imprisoned during life, for the second offence, and that they report by bill or otherwise." Your committee are of opinion it would be inexpedient to change our penal laws, as proposed by the resolution.

Which being twice read, was concurred in.

Mr. B. Harrison, from the committee on internal improvements, made the following report, viz:

The committee for internal improvements, have had under consideration, sundry matters referred to them, and have come to the following report thereupon, viz:

Resolved, That the petition of sundry citizens of Nicholas and Bourbon counties, praying that the county court of Nicholas may be permitted to alter the road from Millersburg to the mouth of Big Sandy, is reasonable.

Resolved, That the petition of sundry citizens of the counties of Pulaski, Whitley and Knox, praying that a law may pass appropriating $1,500 to open the road described in said petition, be rejected.

Which being twice read, was concurred in.

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

Mr. Marshall, from the select committee to whom was referred an engrossed bill entitled, an act to regulate the duties and pow-
ers of the trustees of towns in this Commonwealth, reported the
same with an amendment.
Which being twice read, was concurred in.
And the said bill, as amended, ordered to be engrossed and
read a third time.
And thereupon the rule of the House, constitutional provision,
and third reading of the said bill having been 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. Marshall carry the said bill to the Senate
and request their concurrence.
The following bills were reported from the several committees
appointed to prepare and bring in the same, viz:
By Mr. Blackburn, from the committee of propositions and
grievances—1. A bill establishing an additional precinct in
Campbell county. Also,
  2. A bill for the benefit of Jane Tate. Also,
  3. A bill to remove the seat of justice of Hickman county.
By Mr. Beatty from the committee of courts of justice—4. A
bill to amend the several acts concerning lunatics and idiots.
Also—5. A bill to amend an act vesting power in the circuit
courts in this Commonwealth, to direct the sale of infants’ real
estate in certain cases. Also,
  6. A bill to prevent justices from becoming securities in cer-
tain cases. Also,
  7. A bill for the benefit of the independent banks.
By Mr. Barbee, from the committee of religion—8. A bill for
the divorce of R. Tomlinson and others.
By Mr. B. Harrison, from the committee of internal improve-
Also—10. A bill to authorize the Governor to employ an en-
ingineer to survey the Kentucky river, and for other purposes.
By Mr. Yantis—11. A bill fixing the ratio and apportioning
the representation for the ensuing four years.
By Mr. B. Harrison—12. A bill to incorporate the Salt river
Bridge Company.
By Mr. Ward—13. A bill to authorize the Secretary of State
purchase 75 copies of the Digest.
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, constitutional provision,
and second reading of the 1st, 4th, 6th, 7th, 8th, 9th, 11th and
13th bills having been dispensed with; the 1st, 4th and 8th were or-
dered to be engrossed and read a third time; the 6th, 7th and 13th
were committed to the committee for courts of justice; the 9th
to a select committee of Messrs. Wingate, Dougherty, L. Sanders and Moore; and the 11th to a committee of the whole House for this day.

And thereupon the rule of the House, constitutional provision, and third reading of the first, fourth and eighth bills having been dispensed with, and the same being engrossed.

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

Ordered, That Mr. Southgate carry the said bills to the Senate, and request their concurrence.

Mr. Breckinridge from the select committee appointed for that purpose, reported a bill for the benefit of John Byrne, which was received and read the first time.

And the question being taken on reading the said bill a second time, it was decided in the negative, and so the said bill was rejected.

Mr. Harald from the select committee to whom was referred a bill to authorize the register of the land office to issue land warrants in certain cases, reported the same with an amendment;

Which being twice read was concurred in, in the following words:

Strike out the whole of the original bill after the enacting clause, and in lieu thereof insert.

That where any person or persons have heretofore paid into the treasury of this Commonwealth, any sum or sums of money upon certificates granted by commissioners, and county courts, for lands which were covered by or included in the boundary of any military or other older and superior claim or title, it shall be lawful for the register of the land office, and he is hereby directed to issue warrants to said person or persons, to the amount of money so paid upon any commissioner or county court certificate claims, which said warrants, may be located upon any unappropriated land lying within the boundary of the county, in which their original claim was located, or where any new county may have been erected since said location, then in that county in which said prior location may now lie.

Provided however, That the register shall not be authorized to issue any warrant under the provisions of this act, unless the applicant for said warrant shall produce to him the certificate of the clerk of some court of record having jurisdiction, showing that the land which had been located by said applicant had actually been lost, or taken from him by some military or other claim, by the judgment or decree of such court, and the clerks of any courts where such adjudications may have been had, is hereby authorized and directed to grant such certificate or a copy of the
record, if required by any person or persons, or their heirs, whose land may have been lost by said adjudication.

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

The yeas and nays being required thereon by Messrs. B. Harrison and Harald, were as follows, viz:


Mr. Beatty from the select committee to whom was referred a bill to improve the road between Shelbyville and Louisville, reported the same with an amendment;

It was then moved and seconded, to commit the said bill to the committee on internal improvements, with the following instructions: To report a bill to repeal the act incorporating the Maysville and Lexington Turnpike Company, and also to report an amendment to the original bill reported by the committee of internal improvements, appropriating dollars, for the purpose of turnpik ing the road from Lexington to Maysville.

It was then moved and seconded to lay the said bill and amendments on the table, until the first day of June next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hanson and Beatty, were as follows, viz:


NAYS—Mr. Speaker, Messrs. Barker, Beatty, Blackburn, A. Boyd, Breck, Bruce, Buford, Combs, Daniel, Davenport, Dough-
The question was then taken on committing the said bill with the instructions aforesaid, to the committee on internal improvements.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Beatty and Combs, were as follows, viz:


NAYS—Messrs. Barker, Beatty, Bibb, Blackburn, Breck, Buford, Combs, Conner, Daniel, Dowling, Evans, Ewing, Ford, Forrest, George, Guthrie, Haggan, Hall, R. C. Hall, Hanson, B. Harrison, Helm, Harald, Hughes, Ingels, Joyes, Lindsay, Marshall, Miner, Moore, Morris, Munford, Reid, N. P. Sanders, Simpson, Smith, Southgate, True, West, Williams, A. Wilson and Yantis—42.

A message was received from the Senate, announcing the passage of bills which originated in this House of the following titles:

An act for the benefit of the sheriff of Scott county.

An act for the benefit of David and Elizabeth E. Jones. And,

An act to authorize the inhabitants of the town of Brownsville, in the county of Edmonson, to elect trustees, and for other purposes, with amendments to the latter bill.

And then the House adjourned.

FRIDAY, JANUARY 16, 1828.

A message from the Senate by Mr. M'Connell:

Mr. Speaker: The Senate have passed a bill entitled, an act to amend and reduce into one the execution laws of this State, in which bill 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. Yantis in the chair: after some time spent therein, the Speaker resumed the chair, and Mr. Yantis reported, that the committee had, according to order, had under consideration, "a bill to fix the ratio, and apportion the representation for the ensuing four years," and had made some progress therein, but not having time to go through the same, had instructed him to ask for leave to sit again.

Which was granted.

A message from the Senate by Mr. Taylor:

Mr. Speaker: The Senate have passed a bill which originated in this House, entitled, an act for the benefit of Francis Vanseolik.

And then he withdrew.

The Speaker laid before the House the annual report of the President and Directors of the Louisville and Portland Canal Company, which is in the following words:

Third Annual Report of the President and Directors of the Louisville and Portland Canal Company.

The President and Directors of the Louisville and Portland Canal Company, having in the fulfilment of their duty to present to the Stockholders a statement of the proceedings of the board for the past year, now proceed to lay before them a statement of the accounts, and of the progress made in the prosecution of their undertaking.

It affords the board much satisfaction to state, that the three instalments on the Stock of the Company, called for the past year, have been punctually paid.

By the treasurer's account it will be seen that the balance on hand on the 1st January, 1827, was $48,014 86.

There has been received from Stockholders, during the past year, $137,094 00

And that he has paid the orders of the board, during the same time, to the amount of $117,468 40

Leaving a balance of $67,640 46

now in deposit in the Branch Bank of the United States in Louisville, to the credit of the Louisville and Portland Canal Company.

The orders drawn by the board were for the following objects, viz: Payments made weekly to the contractors, on account of constructing the ca-
nal and providing materials for the same, $96,360 00

Advanced to them beyond the three fourths of the estimated value of work and materials, for which their notes have been taken, 14,000 00

Payments made for materials furnished, and services rendered on the canal, which were not included in the contract, 1,070 51

Incidental expenses, viz: postage, printing, Treasurer's commissions, office charges, members of the board for services, &c. &c. 3,237 39

David S. Bates, on account of his salary as Engineer, 2,800 00

$117,468 40

With a view to the future necessities of the navigation of the river, and for the purpose of making the work more substantial and permanent, some variations from the original plan have been suggested by the Engineer, and adopted by the board; these consist of an addition of twenty feet to the length of the line of locks, the substitution of stone mitre sills in lieu of wood, laying the foundations of the locks deeper than was originally contemplated, a chamber of forty feet between the guard lock and upper lift lock, and a base of mason work for the foundation of the pavement. These alterations, with other causes not foreseen, rendering it probable that a larger sum would be required for the completion of the work, than was previously expected, the board determined to dispose of part of the forfeited shares, when they should be applied for, without offering them in the market; and having had such an application, three hundred shares have been sold, making the number of shares now disposed of 4670, and leaving in the hands of the Company 1330 shares, to be retained by them, or disposed of, as the future exigencies of the Company may require.

Contrary to the expectations of the board, as expressed in their last report, the work has not approximated towards its final termination in the degree that was then anticipated. The causes of its delay could not be foreseen, or guarded against by the board, or the contractors. Shortly after the date of the last report, the most intense winter commenced that has ever been known in this section of country, which was succeeded by wet weather and high water; in consequence of which, the work was nearly suspended until the month of April. Large quantities of rain fell during the spring and summer, by which it was not infrequent that the excavations of one week, were washed into the canal by the rains of the succeeding week; the protracted period of
high water in the Ohio, kept the workmen from the rock excavation until August, while the unprecedented quantity of rain in the autumn, covered it again in October; in a word, a year so unfavorable for the prosecution of such a work has seldom or ever been known. In addition to the difficulties on account of the weather, the contractors have labored under that of inability to procure men; the extensive canals now constructing in the states of Ohio and Pennsylvania, employ all that were expected from that direction, and the inefficiency of the white laborers of this vicinity, was such as to add but little to the force previously provided by them. The small number of blacks employed the last season has fully convinced the contractors, that the best source to be relied on for laborers, is in the employment of negroes. Laborers have been deterred from engaging in this work from the widely and industriously circulated reports of the unhealthiness of the job; this objection, it is confidently believed, will be obviated the approaching season, as the experience of two years has proved, that no men have enjoyed better health, in general, than those employed on this canal; a few cases of sickness, among the men employed in removing the decayed vegetable matter deposited by the freshets of the last spring in the pit excavated in the rock near the upper end of the line, are the only exceptions to this remark. From the foregoing, and other causes, the force which the contractors have been enabled to procure the past year, has been much less than it was the previous season.

It has also been found that the quantity of excavation already performed, added to what remains to be done, exceeds the original estimate on which the contract was made, by about 50,000 yards of earth, and some additional rock; the estimates of work performed up to the close of 1826, and during the first part of the past year, had been much overrated, which by a more rigid system introduced by the board, has now been corrected, and it is believed that every necessary precaution has been adopted to keep the estimates within the amount of work performed and of materials furnished.

The present state of the work, according to the corrected report of the Engineers, is as follows:

Total quantity of earth excavation, estimated

| Estimated | 887,000 cubic yards |

Of which there was reported to have been done previous to January 1, 1827,

| Done Previous | 463,134 " " |

And from that time to this date there has been done,

| Done | 73,658 " " |

Total amount of earth excavated

| Total Excavation | 561,792 " " |
Leaving the amount of earth to be excavated, 125,208 cubic yards.

Whole amount of rock excavation, estimated, 131,000 " "

Of which there had been done previous to January 1, 1827, 10,139 " "
And during the year 1827, there has been excavated, 7,825 " "

Total amount of rock excavated, 17,964 " "

Leaving the amount of rock to be excavated, 113,036 " "

Estimated quantity of stone masonry, about 51,288 perches.

Of which there has been laid the past year, 14,788 perches in guard lock, and 1,500 in culverts, making together 16,288 " "

Leaving to be performed, about 35,000 " "

A large proportion of the rock excavation performed during the past year, was of the most difficult and expensive kind, being in the lock pits. Notwithstanding the lateness of the season at which the work was commenced on the locks, its progress has been satisfactory; the walls of the guard lock have been raised to about 30 feet in height, and 14,788 perches of stone have been laid therein; no work can be better done than the mason work of this lock, which, for strength, durability or architectural beauty, cannot be surpassed. All the stone which will be required, has been quarried and faced, and a great portion of it delivered.

Three culverts, containing about 1,500 perches of mason work, have been constructed for draining the water from behind the banks, the work of which is solid and well executed.

By the reports and estimates of the Engineers, it appears that the whole amount of work performed and materials furnished by the contractors, is $173,816 41, to which is added the sum of 34,927 50, invested in materials for carrying on the work, such as iron, lumber, steam boat, four keel boats, a steam mill for grinding lime, lime kilns, pumps, cattle, horses, carts, wagons, tools of all kinds, machinery, &c. &c. from which it appears that the sum of $208,743 91, is now invested in the work, of which the sum of $176,239 56, has been paid to the contractors.

With respect to the future progress of the work, the board are assured by the contractors, that such measures have been adopted as will enable them to complete it during the next sea-
son, unless prevented by some unforeseen misfortune. These assurances, the board have no reason to doubt, as a large force of slaves has been engaged, and various preparations for facilitating different portions of the labor, have been made, by means of which the progress of the work is expected to be much more rapid during the next season, than at any previous period.

The precautions adopted, and the judicious arrangements which experience has taught them to make, together with the large amount of funds invested in the work by the contractors, are sufficient pledges that the progress of the approaching season will be satisfactory.

For the purpose of enabling the stockholders to form an estimate of the present, and probable future importance of this work, there is subjoined hereto an abstract of the arrivals of steam boats at Shippingport, with the amount of their tonnage during the three past years, exhibiting an increase of the commerce of the Ohio, equal, if not superior to the most sanguine calculations that were made previous to the commencement of the canal. It is, however, proper to remark, that the year 1827 having been peculiarly favorable to steam boat navigation, the increase has been greater during that year than is to be expected in the ordinary course of events.

EDWD. SHIPPEN, President.
JAMES HUGHES, N. BERTHOUD,
JNO. P. FOOTE,
SIMEON S. GOODWIN.

Office of the Louisville and Portland Canal Company.

At a meeting of the Stockholders of the Louisville and Portland canal company, at their office in Louisville, Ky. January 7th, 1828, the report of the President and Directors was received, ordered to be recorded, and one hundred and twenty copies to be printed for the use of the stockholders.

The following persons were then elected President and Directors for the present year.

NICHOLAS BERTHOUD, President.
EDWARD SHIPPEN, JAMES HUGHES,
JOHN P. FOOTE,
SIMEON S. GOODWIN, COLEMAN ROGERS, Chairman.

(Extract from the minutes.)
S. S. GOODWIN, Secretary.
Abstract of arrivals at Shippingport from below during the year 1827.

Total number of steam boats employed 62—total tonnage 10,997.

<table>
<thead>
<tr>
<th>Arrival from</th>
<th>S. Boats</th>
<th>Tonnage</th>
<th>Trips</th>
<th>Total tonnage</th>
</tr>
</thead>
<tbody>
<tr>
<td>New-Orleans,</td>
<td>39</td>
<td>8,585</td>
<td>122</td>
<td>31,989</td>
</tr>
<tr>
<td>Nashville,</td>
<td>16</td>
<td>1,847</td>
<td>33</td>
<td>3,518</td>
</tr>
<tr>
<td>Florence,</td>
<td>8</td>
<td>740</td>
<td>25</td>
<td>2,310</td>
</tr>
<tr>
<td>St. Louis,</td>
<td>14</td>
<td>1,880</td>
<td>69</td>
<td>8,740</td>
</tr>
<tr>
<td>Trinity,</td>
<td>3</td>
<td>297</td>
<td>13</td>
<td>1,047</td>
</tr>
<tr>
<td>Terre Haute,</td>
<td>3</td>
<td>140</td>
<td>4</td>
<td>170</td>
</tr>
<tr>
<td>Franklin, Missouri</td>
<td>1</td>
<td>225</td>
<td>1</td>
<td>225</td>
</tr>
<tr>
<td></td>
<td></td>
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<td></td>
<td>267</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>47,999</td>
</tr>
</tbody>
</table>

Arrivals in 1826, 1825,

<table>
<thead>
<tr>
<th></th>
<th>S. Boats</th>
<th>Tonnage</th>
<th>Trips</th>
<th>Total tonnage</th>
</tr>
</thead>
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<tr>
<td></td>
<td>51</td>
<td>9,388</td>
<td>132</td>
<td>23,914</td>
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<tr>
<td></td>
<td>42</td>
<td>7,484</td>
<td>140</td>
<td>24,964</td>
</tr>
</tbody>
</table>

The increase of flat and keel boats is supposed to be about in proportion to that of steam boats, but of these it is impossible to obtain correct lists. The number of departures from Shippingport annually, is greater than that of arrivals, in consequence of the number of new boats that pass down, and are employed in the trade of the lower country.

The increase of steam boat navigation above the falls is about in the same proportion as that below.

And then the House adjourned.

SATURDAY, JANUARY 19, 1828.

Mr. Davis presented the petition of sundry citizens of the town of Mountsterling, praying that a law may pass to curtail the limits of said town.

Which petition was received, read, and referred to the committee of propositions and grievances.

Mr. Gaines presented the petition of sundry citizens of Boone county, praying that a law may pass to authorize the appointment of an additional justice of the peace for said county.

Which was received, read, and referred to the committee of propositions and grievances.

Mr. Duval, from the joint committee of enrollments, reported that the committee had examined enrolled bills of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of Francis Vanscoik.
An act for the benefit of David and Elizabeth E. Jones. And,
An act for the benefit of the sheriff of Scott county.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Duvall inform the Senate thereof.
Mr. Barbee, from the committee of religion, to whom was referred a bill for the benefit of Susan W. Owens, reported the same without amendment.
The said bill was then ordered to be engrossed and read a third time.
And thereupon the rule of the House, constitutional provision, and third reading of the said bill having been 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. Ward carry the said bill to the Senate, and request their concurrence.
Mr. Hardy, from the joint committee appointed to examine the Register's office, made the following report:

The joint committee of the Senate and House of Representatives, appointed to examine and report the state of the land office, have performed the duty required, and report as follows:
That they find transcribed from the Virginia land office, 273 bundles of surveys, neatly labelled, with an alphabet; also, fifteen bundles containing the caveat-ed and defective surveys, on which grants have issued; four bundles caveat-ed surveys, two bundles defective surveys, and one bundle of surveys misplaced from their proper bundle, all neatly labelled, and recorded in 11 volumes, well bound, with a complete alphabet; two bundles of warrants located and misplaced; one bundle copies of wills; 16 volumes, the record of grants issued on the aforesaid surveys, in good order, with a complete alphabet. The record of military warrants from the Virginia land office, in two volumes, with alphabets, and in good order. A list of Virginia treasury warrants in two volumes; the record of pre-emption warrants in one volume, containing the record of warrants under the proclamation of 1763, with alphabets, and in good order. Commissioners certificates granted in 1779 and 90, in three volumes, with alphabets, in good order. The sale books of non-resident's lands for the years 1800-1-2 and 4, have a new alphabet; (the books are somewhat worn.) The books in which the sales of 1803-6-7-8-9-10-11-12-13-14-15-16-17-18-19 and 20 are recorded, they find in good order, with alphabets; two volumes in which surveys have been registered since 1792, in good order. The said surveys are tied up in 144 bundles, neatly labelled, with an alphabet. The record of these surveys, together with the record of some grants, is in 11 volumes, with an alphabet, in good order. The grants issued on the aforesaid surveys, are in twenty volumes, to which there is
an alphabet, in good order. The surveys on headright claims are neatly registered in three volumes, with two alphabets, one of which is somewhat worn. The headright plats and certificates of surveys are filed in 311 bundles, neatly labelled, and recorded in 17 volumes, with two alphabets, in good order. The grants issued thereon, are recorded in 27 volumes, well bound, with two alphabets, in good order. The land warrants issued under the act of 1800, the surveys and grants on the same, as also the Tellico surveys and grants, are in two volumes, they are registered in one volume. The original surveys tied up in twelve bundles, neatly labelled, all in good order; 9 bundles certificates on which warrants have issued; 7 bundles certificates of sale of non-resident's lands, on which deeds have issued; one bundle Attorney General's opinions to the register; three bundles county court certificates; 2 bundles caveats since 1792; four bundles cavetats surveys since 1792, two bundles of surveys not registered for want of fees, since 1792; one bundle of defective surveys since 1792; thirty-four bundles of vouchers on which the late Kentucky land warrants have issued, all labelled and in good order; one volume containing the surveys under the proclamation of 1763, with an alphabet; two volumes of certificates granted in 1796, and three volumes in 1798, with alphabets; Anderson and Croghan's Military entry books in two volumes, with alphabets. The transcript of Lincoln entries, in two volumes, with an alphabet, in good order. May's entries (so-called) transcribed in five volumes with two alphabets, in good order; one volume of Green's deputy register of surveys made previous to June 1792; one volume relinquishments, in tolerable order; a list of Kentucky warrants issued under the act of 1814, and the subsequent acts in two volumes, and the record of said warrants in 9 volumes. The original surveys made on said warrants are tied up in 258 bundles, neatly labelled and recorded in 13 volumes well bound. The grants issued thereon recorded in 23 volumes, with two alphabets, in good order. Said surveys are neatly registered in three volumes, with two alphabets, in good order. Three volumes in which cavetats are recorded, with alphabets; 11 books of original entries from the county of Fayette, neatly transcribed, in four volumes, well bound, with an alphabet, in good order; agreeably to an act of Assembly, approved 5th January, 1824; one book of original entries from the county of Mercer, one from Bourbon and one from Nelson, have been returned by the surveyors of said counties, to the register's office; agreeably to the requisition of an act of Assembly, approved February 12th, 1820; all of which books of entries are in order fit to be used. The surveyor of Jefferson county has failed to return the original entries of that county to the register's office, as your committee have been informed by the register; one volume of Military grants for land west of the Tennessee river:
one volume in which the surveys of that land are registered; and one volume in which they are recorded. The surveys are neatly tied up in 6 bundles, each volume having a separate alphabet; one volume in which certificates of sale of land west of the Tennessee river are recorded; two volumes of grants issued thereon with alphabets, in good order; one volume of Henderson's field notes, (this book is not well bound;) one volume in which surveys of lands south of Walker's line, are recorded; two volumes of grants, one volume in which the same are registered, with alphabets, in good order. The surveys of these lands are tied up in 12 bundles, neatly labelled; one volume of the list of warrants south of Walker's line, one volume in which those warrants are recorded; one volume in which the surveys on forfeited lands, are registered; one volume, the record of surveys; one volume of grants on the same, with alphabets, in good order.

Your committee would here remark, that the alphabet to the headright volumes before spoken of as being somewhat worn, is also so much defaced, from common use, that your committee are of opinion that it ought to be transcribed.

The Register exhibited great promptitude in attending to and assisting us in the necessary examination of his office, and afforded every facility therein that could have been asked—all of which is respectfully submitted.

Your committee are satisfied, from the examination they have made, that the business in the land office has greatly increased, owing to the reduction of the price of land warrants, and the bringing into market the lands in the State of Tennessee, south of Walker's line: they are therefore of opinion that the salary as now reduced of that officer, is not adequate to the duties he has to perform. Given under our hands, this 8th day of January, 1828.

SAM. W. WHITE,  
RODES SMITH,  
FRANCIS LOCKETT,  
on the part of the Senate.  
JAS. G. HARDY,  
AMOS DAVIS,  
JAMES DOWNNING,  
H. GRIDER,  
on the part of the House of Representatives.

Which being received, was laid on the table.

Mr. Guthrie, from the committee for courts of justice, reported a bill regulating the terms of the Jefferson circuit court;  
Which was received and read the first time, and ordered to be read a second time.

And thereupon the rule of the House, constitutional provision,
and second and third readings of the said bill having been 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. Guthrie carry the said bill to the Senate, and request their concurrence.

A message from the Governor by Mr. Pickett, his Secretary.

Mr. Speaker: I am directed by the Governor, to lay before this House, a message in writing.

And then he withdrew.

A message was received from the Senate, announcing the passage of bills which originated in this House of the following titles:

An act to authorize the stockholders of the bank of Limestone to elect an agent to close the concerns of said bank.

An act for the benefit of the trustees of the Morgan Seminary, and for other purposes.

An act to appoint additional constables in certain counties.

And an act to amend an act entitled, an act to encourage the establishment of private schools.

With amendments to each.

Their concurrence in a resolution which originated in this House, fixing on a day for the election of public officers, with an amendment.

And the passage of bills of the following titles:

An act for the benefit of Isaac and Alfred Shelby.

An act permitting an individual to erect gates across public roads, under certain restrictions. And,

An act to amend an act entitled, an act to incorporate James-town, in Russell county, and for other purposes, approved January 23, 1827, and allowing an additional justice of the peace for Casey county.

Mr. Beatty moved to dispense with the usual business of the morning, with a view to take up for consideration an engrossed bill entitled an act to alter the mode of summoning venires and petit juries.

A division of the question was called for, and the question was first put on dispensing with the usual business of the morning, which was decided in the affirmative.

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

YEAS—Messrs. Barker, Baseman, Beatty, Bibb, Blackburn, A. Boyd, L. Boyd, Combs, Conner, Creel, Cunningham, Daventry, Downing, Evans, Ewing, George, Grider, R. C. Hall, Hanson, B. Harrison, Helm, Henderson, Harald, Ingels, Inglish, Lindsay, Litton, McBride, McConnell, Miner, Moore, Morris, Pat-
The question was then put on the second division of the question, viz: "taking up for consideration the bill aforesaid," which was decided in the affirmative.

The said bill was then read a third time, as follows, viz:

WHEREAS, the present mode of summoning juries operates unequally and oppressively upon the citizens of this Commonwealth,

Sec. 1. Be it therefore enacted by the General Assembly of the Commonwealth of Kentucky, That the sheriffs of the several counties, by themselves or their deputies shall, at least ten days before each common law term of the circuit courts of their respective counties, and not exceeding thirty days, summon thirty jurors to attend said court, who shall be discreet citizens of the county, possessing the qualifications required by the existing laws, except that they need not be housekeepers.

Sec. 2. Be it further enacted, That it shall be the duty of the several sheriffs to summon the said jurors from the various sections of the county, in such wise that no one juror shall reside within one mile of any other juror summoned at the same term; Provided, that nothing contained in this section shall prevent the several sheriffs from summoning a due proportion of jurors from the several towns according to their relative population to that of the county.

Sec. 3. Be it further enacted, That the several sheriffs shall make a return of the jurors thus summoned to the clerks of their respective circuit courts, at least three days before the sitting of the court to which they shall have been summoned; and thereupon, it shall be the duty of the clerk to write the name of each juror so returned, upon a small slip of paper, which shall be rolled up and deposited in a small box, to be provided by the clerk for that purpose with a sliding lid, which shall be sealed and deposited in a place of safety until the meeting of the next court.

Sec. 4. Be it further enacted, That on the second day of the term, if a court shall be formed, and if not, then on the first day on which it shall be formed, the jurors summoned as aforesaid shall be called and the absentees noted of record, and summonses awarded against them for failing to appear; and for such failure, they shall be subject to a fine of not less than five dollars.
nor more than ten dollars at the discretion of the court, unless they shall have a reasonable excuse for such failure.

Sec. 5. Be it further enacted, That when any indictment, or other case shall be called for trial, in which the defendant is entitled to a peremptory challenge of more than three jurors, the clerk under the direction of the court shall draw twelve names from the jury box, who shall compose the jury to try the case, unless some one, or more, shall be challenged for cause otherwise, and if any be refused, then the clerk shall draw as many more names, as with those received will complete the panel, and so on in succession, till the panel be completed, or all the names in the jury box be drawn, whichever may first happen: if all the names be drawn from the jury box, without completing the panel, then the balance of the jury shall be composed of bystanders to be summoned as heretofore.

Sec. 6. Be it further enacted, That in all other cases in which a jury may be required, the clerk shall draw from the jury box, eighteen names; which shall be written on two slips of paper in the order in which they are drawn, and one shall be handed to the attorney for each party, or to the plaintiff or defendant, as the case may be, where no attorney has been employed, each party shall have the privilege of striking three names from the list if they choose to do so, which shall then be returned to the clerk, and he shall thereupon set down on his minute book, the first twelve names not stricken out, or not challenged for cause, as a jury to try the cause on hand. And if challenges for cause renders it necessary to draw more names from the jury box, so many shall be drawn under the direction of the court, as may be necessary to complete the jury.

Sec. 7. Be it further enacted, That in all cases, when the jury shall be completed, the names of the jurors not on the panel shall be returned into the jury box, and the next jury that may be wanting shall be drawn from the remaining names, as in the first case, unless the first jury shall have returned with their verdict, in which event, their names shall also be returned into the jury box, and be drawn again as herein before directed.

Sec. 8. Be it further enacted, That if any of the jurors, summoned as directed in the first section of this act, shall fail to attend before the second jury be wanting, the sheriff, by order of the court, shall summon so many bystanders, or others as will complete the number of thirty; and those first summoned and who fail to attend, shall no longer be considered as jurors for that term, and shall receive no compensation for their attendance.

Sec. 9. Be it further enacted, That jurors summoned agreeable to the first and eighth sections of this act, shall be bound to attend every day during the term, except the first, until the common law business of the term, is completed, when they shall be
discharged, and shall receive for their services, for every day they attended the sum of fifty cents.

Sec. 10. Be it further enacted, That any juror who shall fail to attend at the hour of adjournment, any day during the term, without permission of the court, shall be subject to a fine of not less than one nor more than five dollars; which fine shall, by the clerk, be deducted from the amount to which such juror shall be entitled for previous services.

Sec. 11. Be it further enacted, That the court may, as often as is deemed necessary, direct so many by-standers to be summoned pro hac vice over and above the standing number of thirty, as may be required, but no such by-stander shall be compelled to serve on more than one jury during any one term, nor shall they be entitled to any compensation for such service. Provided however, That if any person summoned in a criminal case, shall be detained more than one day he shall be exempt for as many terms as shall be equal to the number of days he shall have been detained on said jury; but such juror shall not be entitled to any exemption from serving in proper rotation upon the standing juries for the whole term.

Sec. 12. Be it further enacted, That the clerk, within one month after the expiration of each term, shall furnish to each of the standing jurors, a certificate of the number of days he attended during the term, which shall be audited, and paid out of the public treasury, subject to the provisions contained in the tenth section of this act.

Sec. 13. Be it further enacted, That the standing jurors, who shall have served one term, shall be exempt from serving for at least three, and not exceeding nine succeeding terms; and the number of terms, during which they shall be exempt, shall be ascertained by an order, to be made on the record by the respective courts; and in making said order, the following rule shall be observed by the courts: that if the qualified voters of the county are less than eight hundred, the exemption shall be for three terms, between eight hundred and sixteen hundred, for six terms, and over sixteen hundred for nine terms.

Sec. 14. Be it further enacted, That if the sheriff or clerk shall fail in performing any of the duties assigned to them by this act, they may be fined for such failure, but it shall be no ground of objection to any juror, unless such objection be made before such juror be sworn, nor shall it be any objection to a verdict rendered by such juror.

Sec. 15. Be it further enacted, That it shall be the duty of the several circuit courts, so far as it can be done consistently with a due regard to justice, to prevent any other business from interfering with the progress of jury trials, until all the jury causes of the term are disposed of; and to that end the court shall have
power to cause all motions and other business in which a jury will not be wanting, to be docketed for such days of the term as will happen subsequent to those set apart for jury trials, and they shall not be taken up till the jury cases are all disposed of.

Sec. 16. Be it further enacted, That in lieu of the fee allowed to the sheriff by the existing laws for summoning a jury, he shall in each civil case be allowed the sum of fifty cents for each jury case that may be tried, to be charged to the plaintiff and taxed in the bill of costs against the defendant, if the plaintiff succeed in the suit, and this shall be a full compensation for summoning the jury and attending upon the same in court.

Sec. 17. Be it further enacted, That the clerk of each circuit court shall within thirty days after each term, make out a fee bill, in each case in which a verdict shall be rendered and a new trial not granted, against the party against whom the verdict was rendered, in the following form, in substance to wit: A B (naming the parties) to the Commonwealth of Kentucky, Dr. in jury fee in the suit wherein A B was plaintiff and C D was defendant, in which a verdict was rendered against you at the term of the circuit court in the year two dollars.

Sec. 18. Be it further enacted, That the clerk shall annually on or before the first day of April, make out three lists of said fee bills, one of which shall be safely preserved by the clerk; one shall be transmitted to the auditor of public accounts, and the third shall be placed in the hands of the sheriff of the county, together with the fee bills made out as aforesaid, which the said sheriff shall have authority to collect in the same manner as the other state revenues of the county, and shall be accountable in the same way and receive the same fee for collection, and shall also be entitled to and obtain credit for all delinquencies agreeably to the laws now in force in relation to the public revenues. When the clerk delivers to the sheriff the list as aforesaid, he shall take his receipt therefor, upon the duplicate retained by him and shall certify on the list transmitted to to the auditor, that it is a true copy of the one delivered to the sheriff for collection. Provided however, That when a party, against whom a fee bill shall issue as above provided for, shall reside out of the county where the cause is tried, it shall be the duty of the clerk to list the same for collection, with the sheriff of the county where the party shall reside, under the regulations contained above, and be allowed and accounted for as above directed; and provided also, that where the party against whom the verdict is rendered, shall be a non-resident, the fee bill shall be made out against and collected of the security for costs.

Sec. 19. Be it further enacted, That the Auditor of public accounts shall keep a separate and distinct account, of all expenses incurred in the payment of jurors, under the provisions of this
act; and shall also keep a separate and distinct account of all
sums received on fee bills, issued as herein before directed, and
also of all sums received for tax on law process, and shall report
the same annually to the legislature. And for any failure on the
part of any sheriff, to account for and pay into the Treasury any
sum collected by him under the provisions of this act, he or they
shall be proceeded against by the Auditor, in the same manner,
and shall be subject to the like penalties as for failing to account
for and pay into the Treasury, the state tax collected by him.

Sec. 20. Be it further enacted, That grand jurors, who shall
have served as such, shall not be liable to be summoned as petit
jurers during the same term.

Sec. 21. Be it further enacted, That the several courts shall
have power to discharge, either the whole of the standing juries,
or a part thereof, for any particular day or days on which they
may not be wanting, and in such case, the jurors thus discharged,
shall not be entitled to compensation for the time they shall be
so discharged.

Sec. 22. Be it further enacted, That the several courts shall
have the same power to render judgment per specially, in suits
brought by way of petition and summons, as they now have, in
cases in which a declaration is required, and they shall also have
power to render judgment for principal and interest, without the
intervention of a jury, (unless the defendant shall require one to
be empanelled,) upon notes for the payment of a certain sum in
Commonwealth's paper, and where an endorsement shall be
made, that paper will be received, according to the existing laws
on that subject.

Sec. 23. Be it further enacted, That so much of the several acts
of Assembly, as directs venires to be summoned in criminal cases,
and of all other acts coming within the purview of this act, shall
be, and the same are hereby repealed: Provided, That nothing
herein shall be so construed as to apply to suits brought by per-
sons who sue as paupers.

Sec. 24. Be it further enacted, That this act shall commence
and be in force from and after the first day of August next.

Sec. 25. Be it further enacted, That all collectors of public re-
venue, throughout this Commonwealth, shall be, and are hereby
required to receive any certificate of a clerk, to any juryman,
under the provisions of this act, in payment of revenue at its no-
minal value.

It was then moved and seconded to re-commit said bill to the
committee for courts of justice, with instructions to report as a
substitute therefor the following bill:

Sec. 1. Be it enacted by the General Assembly of the Commo-
wealth of Kentucky, That hereafter, if any sheriff shall summon
or empanel as a petit juror or venire man, any person who is
not qualified by law to serve as such, he shall be subject to a fine
of not less than five nor more than twenty dollars, for every petit
juror or venire man thus improperly summoned or empanelled;
to be imposed by motion to court, for the benefit of any person
moving therefor.

Sec. 2. Be it further enacted, That in all jury trials, in which a
verdict shall be rendered, there shall be taxed in the bill of costs
the sum of dollars, to be collected of the unsuccessful party,
and equally distributed among the jurors who tried the cause:
each juror receiving from the clerk of the court a certificate of a
similar character with that now given to witnesses, stating on its
face the amount which said juror is entitled to, and recoverable
in the same way, from the unsuccessful party in the cause.

And the question being taken thereon, it was decided in the
negative.

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


The following engrossed clause was then added to said bill, by
way of rider, viz:

Be it further enacted, That all collectors of public revenue
throughout this Commonwealth, shall be, and are hereby required
to receive any certificate of a clerk to any jurymen, under
the provisions of this act, in payment of revenue, at its nominal
value.

The question was then taken on the passage of said bill, which
was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Griffin
and Beatty, were as follows:

YEAS—Messrs. Barker, Beatty, Bibb, Blackburn, A. Boyd, L.
Boyd, Colglazier, Combs, Conner, Creel, Cunningham, A. Da­vis, Downing, Evans, Ewing, Gaines, Grider, Guthrie, R. C.
Hall, Hanson, B. Harrison, C. L. Harrison, Helm, Henderson,
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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: after some time spent therein, the Speaker resumed the chair, and Mr. Yantis reported, that the committee had, according to order, had under consideration, "a bill to fix the ratio, and apportion the representation for the ensuing four years," and had made some further progress therein, but not having time to go through the same, had instructed him to ask for leave to sit again.

Which was granted.

Mr. Hanson moved the following resolution, viz:

Resolved, That the committee of courts of justice be instructed to enquire whether the office of judge in the tenth judicial district has become vacant by his failure to reside therein, and whether any, and if any, what measures are necessary and proper in relation to the subject.

Which being twice read, was adopted.

And then the House adjourned.

MONDAY, JANUARY 21, 1828.

Mr. Inglish presented the petition of sundry citizens of Grayson county, praying that a law may pass to authorize the appointment of commissioners to view and report to the legislature the condition of Casey creek, in said county, with a view to its navigation, and cause the obstructions to the navigation thereof to be removed.

Which was received, read and referred to the committee of claims.

A message was received from the Senate, announcing the passage of bills which originated in this House of the following titles:

An act to establish election precincts in certain counties.
An act to incorporate the Clay and Jefferson seminaries.
An act to amend an act entitled, an act incorporating the Hartford Manufacturing Company. And,
An act to change the August terms of the Henry, Ohio and Hardin county courts.
With amendments to each.
And the passage of bills of the following titles:
An act to punish shooting or stabbing in sudden affrays.
An act to authorize the county court of Logan to appoint commissioners to settle with Spencer Curd, as commissioner appointed by law to sell part of the real estate of Nathaniel Drake, deceased.
An act to extend the powers of the trustees of New-Castle.
An act supplementary to an act entitled, an act for the benefit of Thomas Smith and others, approved the 31st of Dec. 1827.
An act more effectually to guard the right of suffrage, and for other purposes.
And their disagreement to bills which originated in this House of the following titles:
An act for the benefit of Hugh McWilliams. And,
An act restoring Eliza Boyd to the privileges of a feme sole.
On motion—The committee of the whole House was discharged from the further consideration of a bill to fix the ratio and apportion the representation for the ensuing years.
It was then moved and seconded to lay the said bill on the table.
And the question being taken thereon, it was decided in the negative.
The yeas and nays being required thereon by Messrs. A. Wilson and Coffman, were as follows, viz:
YEAS—Messrs. Barker, Beatty, Breck, Breckinridge, Colglazier, Conner, Cunningham, Davenport, Evans, Ewing, Gaines, George, Griffin, Grider, Hazlett, Helm, Henderson, Hughes, Lindsay, M'Connell, Miner, Moore, Montague, Powers, Reid, Sallee, Simpson, Sweepe, Turner, Watkins, A. Wilson, Woodland and Yantis—33.
It was then moved and seconded to detach "Laurell" from the counties of Knox and Harlan, (they by the provisions of the bill being united for the purpose of sending one representative.)
And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Hanson and Litton, were as follows, viz:


It was then moved and seconded to attach the county of "Laurel" to the county of "Whitley," for the purpose of sending one representative.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cunningham and Litton, were as follows:


It was then moved and seconded to attach the county of Laurel to the county of Madison.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Breck and Yantis, were as follows, viz:

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It was then moved and seconded to attach the said county of "Laurel" to the county of "Rockcastle."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Breckinridge and Beatty, were as follows:


Mr. Barbee, from the majority on the vote by which the county of "Laurel," was detached from the counties of "Knox and Harlan," moved a reconsideration of said vote.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Breckinridge and Barbee, were as follows:

YEAS—Mr. Speaker, Messrs. Barbee, Barker, Bibb, Bishop, A. Boyd, Breck, Coffman, Creel, Daniel, W. M. Davis, Dougherty, Duvall, Ford, Forrest, George, Grider, Guthrie, Haggin, Hall, M. W. Hall, R. C. Hall, Hardy, C. L. Harrison, Inglish,


The question was then taken on striking "Laurel" from the counties of Knox and Harlan.

And the question being taken thereon, it was decided in the negative—the House being equally divided.

The yeas and nays being required thereon by Messrs. Hanson and Conner, were as follows, viz:


Mr. Beatty moved to amend said bill "by adding Graves to Callaway and M'Cracken, and Hickman to Livingston, and give one to Lincoln."

It was then moved and seconded, to lay the said bill and amendment on the table, until the first day of June next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Griffin and Beatty, were as follows:

YEAS—Messrs. Blackburn, Breckinridge, Buford, Conner, Cunningham, A. Davis, Davenport, Downing, Evans, Ewing, Ford, Gaines, Griffin, Grider, Hanson, B. Harrison, Hazlerigg, Helm, Harald, Ingels, Lindsay, M'Bride, M'Connell, Miner, Moore, Montague, Patrick, Powers, Reid, Sallee, Simpson,


The question was then taken on adopting the amendment aforesaid, which was decided in the negative.

The yeas and nays being required thereon by Messrs. Beatty and A. Wilson, were as follows:


Mr. Rucker then moved to amend the first section of said bill, by striking out the whole thereof after the enacting clause, and to insert in lieu thereof the following, viz:

The county of Adair one; Allen one; Anderson one; Barren one; Bullitt one; Bourbon two; Bath one; Barren two; Breckinridge one; Boone one; Butler one; Campbell one; Caldwell one; Cumberland one; Christian one; Clarke two; Calloway one; Casey one; Clay one; Daviess one; Edmonson one; Estill one; Fleming two; Franklin one; Fayette three; Floyd one; Garrard two; Green two; Greenup one; Gallatin one; Graves, Hickman and M'Cracken one; Grant one; Grayson one; Harrison two; Hardin and Meade two; Hart one; Henderson one; Hopkins one; Henry two; Harlan, Knox and Laurel one; Jefferson three; Jessamine one; Lincoln one; Lawrence one; Lewis one; Livingston one; Logan one; Mason two; Morgan and Pike one; Monroe one; Mercer three; Madison two; Montgomery one; Muhlenburg one; Nelson two; Nicholas two; Oldham one; Ohio one; Owen one; Pendleton one; Pulaski one; Rockcastle
one; Russell one; Shelby three; Scott two; Simpson one; Spencer one; Trigg one; Todd one; Union one; Warren two; Woodford one; Whitley one; Washington three; Wayne one.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. English and Rucker, were as follows, viz.


It was then moved and seconded farther to amend said bill, by striking out "one representative from Washington, and giving a separate representation to Meade county."

And then the House adjourned.

TUESDAY, JANUARY 22, 1828.

Mr. Colglazier presented the petition of Joseph W. Rudd, praying further indulgence for the payment of a debt due the Bank of the Commonwealth.

Which was received and read; and the question being taken on referring the same to the proper committee, it was decided in the negative, and so the said petition was rejected.

By Mr. Blackburn, from the committee of propositions and grievances, to whom was referred an engrossed bill entitled, "an act to add a part of Caldwell to Trigg county," reported the same without amendment.

The said bill was then read the third time, as follows:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That all that part of Caldwell county, within the following bounds, to wit: Beginning at the mouth of Hurricane creek; thence a straight line to Edward Owens' old place; thence a continuation of said line, to the Tennessee river; thence up said river, to the present Trigg county line; thence with said line to the beginning—shall be and the same is hereby added to the county of Trigg.

Sec. 2. Be it further enacted, That the surveyor of Trigg coun-
ty is hereby directed to run and mark said line, at the charge of said county.

Sec. 3. Be it further enacted, That all money now due for revenue, or otherwise, now in the hands of any officer of Caldwell county, for collection, may be collected by him as though this law had not passed.

Mr. Rucker then moved to attach to said bill the following engrossed clause, by way of rider, viz:

Be it further enacted, That what is called the Colley settlement and Holloway Colley, Esq. shall, (in running the said line from the mouth of Hurricane,) be left in the county of Caldwell.

And the question being taken on adopting the said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Rucker and L. Boyd, were as follows, viz:


The question was then taken on the passage of the said bill, and it was decided in the negative; and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Rucker and L. Boyd, were as follows, to wit:


NAYS—Messrs. Bishop, Buford, Coffman, Cunningham, Daniel, A. Davis, W. M. Davis, Downing, Duvall, Ford, Gaine, George, Griffin, Guthrie, Hall, M. W. Hall, R. C. Hall, B. Harrison, Helm, Harald, Ingels, Inglis, Joyce, Lindsay, Marshall, M'Connell, McMilian, Parish, Patrick, Patterson, Powers, Ray, Riffe, Rucker, Sallee, N. P. Sanders, Smith, Southgate, Spald-
ing, Stone, Swope, Ward, Watts, West, White, Wilkerson, Williams, Wingate and Woodland—49.

Mr. Beatty from the committee for courts of justice, to whom was referred a bill to expedite the trial of civil actions, reported the same with an amendment.

Which being twice read, was concurred in.

And the said bill, as amended, ordered to be engrossed and read a third time to day.

The said bill having been engrossed, was read a third time.

It was then moved and seconded to attach to said bill the following engrossed clause, by way of rider, viz:

Be it further enacted, That in all cases in which a defendant or defendants shall file a general plea, under the provisions of this act, it shall be the duty of the said defendant or defendants, to annex to his plea a notice, containing a summary statement of the grounds upon which he means to rely in his defence. And it shall not be lawful for the defendant or defendants to introduce evidence in relation to any matters not substantially embraced by said notice.

And the question being taken on adopting the said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Davenport and Henderson, were as follows:


The said bill having been amended by engrossed clauses, by way of rider:

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

The yeas and nays being required thereon by Messrs. A. Davis and Hanson, were as follows, to-wit:

YEAS—Mr. Speaker, Messrs. Barbee, Barker, Bibb, Blackburn, A. Boyd, L. Boyd, Breck, Bruce, Colman, Colglazier, Conner, Cree, Cunningham, Daniel, A. Davis, W. M. Davis, Dav-
Ordered, That Mr. Hanson carry the said bill to the Senate and request their concurrence.

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

1. A bill to add an additional justice of the peace to the county of Boone.
2. A bill to amend an act approved February 4, 1815, in relation to justices of the peace.
3. A bill further to prescribe the duties of sheriffs.

By Mr. Breck, from the committee of ways and means—4. A bill for the benefit of John Jones, late sheriff of Jefferson 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, constitutional provision, and second reading of the first, second and third bills having been dispensed with, the first and second were ordered to be engrossed and read a third time, and the third was committed to the committee for courts of justice.

And thereupon the rule of the House, constitutional provision, and third reading of the first bill having been 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. Gaines carry the said bill to the Senate, and request their concurrence.

It was then moved and seconded, at half past 2 o'clock, P. M. that the House do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Lindsay and English, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Barbee, Blackburn, Buford, Daniel, Davenport, Dougherty, Downing, Ford, George, Guthrie, Hall, Harald, Joyes, McMillan, Parish, Patterson, Ray, Riffe,


It was then moved and seconded that the House take a recess for one hour.

And the question being taken thereon, it was decided in the negative.

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


A message from the Governor by Mr. Pickett, his Secretary.

Mr. Speaker: The Governor has approved and signed enrolled bills which originated in the House of Representatives of the following titles:

An act to alter the time of holding the Anderson county court, and for other purposes.

An act for the benefit of John C. Rogers, sheriff of Ohio county.

An act to legalize the proceedings of the Grant county court, at an extra term of said court.

An act for the benefit of Frances Vanscoik.

An act for the benefit of David and Elizabeth E. Jones.

An act for the benefit of the sheriff of Scott county.

And then he withdrew.

Ordered: That Mr. Duvall inform the Senate thereof.

And then the House adjourned.

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A message was received from the Senate, announcing their disagreement to bills which originated in this House of the following titles:

An act for the benefit of Amelia Kerly. And,
An act to restore Mary Drysdale to the privileges of a feme sole.

And that the Senate had received official information that the Governor had signed an enrolled bill which originated in the Senate, entitled,

An act changing the time of holding the Anderson and Laurel circuit courts, and for other purposes. And,

A resolution for appointing a joint committee to examine the charges preferred against J. H. Holeman, public printer.

Mr. Hall, from the committee of claims, made the following report, viz:

The committee of claims have, according to order, had under consideration sundry petitions to them referred, and have come to resolutions thereon, to-wit:

The petition of sundry citizens of Knox county, praying that a law may pass, providing for the support and maintenance of Mary Walden, a poor blind woman in said county—are of opinion that the application should have been made to the county court.

Resolved, therefore, That the said petition be rejected.

The petition of Walters Elam, jailor of Simpson county, praying remuneration for keeping and maintaining a certain negro slave, named Ned, a runaway, in Simpson jail, one hundred and seventy days. The petitioner's redress should have been by the sale of the negro.

Resolved, therefore, That the said petition be rejected.

Which being twice read was concurred in.

Mr. Yantis, from the select committee appointed to investigate the charges preferred against Minor Winn, a justice of the peace of Harrison county, made a report.

Which was received, read, and laid on the table.

Mr. B. Harrison from the committee on internal improvements, to whom was referred a bill to improve the road between Shelbyville and Louisville, reported the same with an amendment.

Which being twice read, was concurred in.

Ordered, That the said bill, as amended, be re-committed to the committee on internal improvements.

Mr. Davis, (of Ohio,) from the committee appointed to examine the Transylvania University, made the following report:

The committee appointed by the House of Representatives,
to examine the situation of Transylvania University, at Lexington, have performed that duty, and beg leave to offer the following report in relation thereto:

Your committee find the report of the trustees of that institution a correct response of its situation and means. They have investigated the conduct of the trustees in its management, and believe they have acted with a view to promote its prosperity: but they find that great dissatisfaction has prevailed in the public mind in relation to this institution and its concerns. For the purpose of giving satisfaction to the public, to give confidence, and to unite the great body of the people in support of this once celebrated institution of learning, your committee therefore recommend a new election of trustees; and in the furtherance of that object, they further recommend the passage of the following bill.

All which is respectfully submitted.

WM. M. DAVIS,
J. L. HELM,
H. GRIDER,
JAS. GUTHRIE,
W. B. BLACKBURN.

Mr. Davis, from the same committee, reported a bill further to regulate the Transylvania University.

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

It was then moved and seconded that 150 copies of said bill be printed, for the use of the Legislature.

And the question being taken thereon, it was decided in the affirmative.

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


And thereupon the rule of the House, constitutional provision, and second reading of said bill having been dispensed with;
It was then moved and seconded, to lay the said bill on the table, until the first day of June next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Coffman and Inglis, were as follows:


The said bill was then committed to the committee for courts of justice.

Mr. Barbee, from the joint committee appointed to examine into the charges preferred against Jacob H. Holeman, the public printer, made a report, which was received and read. An amendment being offered to said report,

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

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

By Mr. M. W. Hall, from the committee of claims—1. A bill for the appropriation of Money.

By Mr. Breck—2. A bill to provide for the erection of a bridge across Rockcastle river, upon the turnpike and wilderness road.

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, constitutional provision, and second reading of the said bills having been dispensed with, the first was committed to the committee of claims, and the second to a select committee, consisting of Messrs. Yantis, Spalding, Smith, Breck, Hanson, N. Sanders, Riffe, George, Rucker and Creel.

The House then took up for consideration, "a bill to fix the ratio and apportion the representation for the ensuing four years."

The motion to strike out "one representative from Washington county, and to give a separate representation to Meade county," was renewed.
A division of the question was called for, and the question was put "on striking out one representative from Washington," which was decided in the negative.

The yeas and nays being required thereon, by Messrs. Ray and Helm, were as follows:


It was then moved and seconded to add the counties of Graves, Hickman and M'Cracken to the county of Calloway, to entitle those counties to one representative, and to give Union one representative.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Spalding and L. Boyd, were as follows, to-wit:


NAYS—Mr. Speaker, Messrs. Barbee, Baseman, Bibb, Blackburn, A. Boyd, L. Boyd, Breck, Breckinridge, Bruce, Coffman, Colglazier, Combs, Conner, Creech, Cunningham, Davenport, Dougherty, Downing, Evans, Ford, Forrest, Gaines, George, Griffin, Grider, Guthrie, Hall, R. C. Hall, Hanson, Hardy, Hughes, Ingels, Joyes, Lindsay, Litton, Marshall, M'Connell, M'Millan, Miner, Moore, Montague, Parish, Patrick, Reid, Rife, Roberts, Rucker, L. Sanders, Simpson, Smith, Southgate, Swayne, Thomas, True, Turner, Ward, Watkins, Watts, West, White, Williams, A. Wilson, D. W. Wilson, Wingate and Yantis—65.

It was then moved and seconded to strike out one representative from Logan, and give one to Union county.

A division of the question was called for, and the question was put on "striking out one representative from Logan," which was decided in the negative.
The yeas and nays being required thereon by Messrs. Spalding and Bibb, were as follows, viz:


It was then moved and seconded to strike out one representative from Nicholas, and give an additional representative to Montgomery county.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. A. Davis and Wilkerson, were as follows, viz:


Mr. Spalding then moved to amend the said bill as follows, to-wit:

Take one from Washington and give to Union; take one from Jefferson and give to Meade; take one from Madison and give to Lincoln; take one from Mercer and give to Butler; take one from Fayette and give to Woodford; take one from Bourbon and give to Montgomery; take one from Shelby and give one to Morgan.
And the question being taken thereon, it was decided in the negative.

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


Mr. Skiles, from the majority on the vote by which the foregoing amendment was rejected, moved for a reconsideration of the said vote.

And the question being taken on reconsidering the vote aforesaid, it was decided in the negative.

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


NAYS—Mr. Speaker, Messrs. Barbee, Barker, Baseman, Beatty, A. Boyd, Breck, Breckinridge, Colglazier, Combs, Creel, Cunningham, Ewing, Ford, Forrest, Gaines, Grider, Guthrie, Hall, M. W. Hall, R. C. Hall, Hanson, Hardy, C. L. Harrison, Harald, Hughes, Inglish, Joyes, Lindsay, Litton, Marshall, M'Millan, Miner, Moore, Parish, Reid, Sallee, Simpson, Smith, Southgate, True, Turner, Watkins, Watts, West, White, Williams and Wingate—48.

Mr. A. Davis then moved to strike one from the county of Bourbon, and give another representative to the county of Montgomery.

The Speaker declared the proposed amendment out of order, inasmuch as the same proposition had been decided by a vote of the House, on the proposition to amend, offered by Mr. Spalding, and rejected.
From which decision of the Chair, Mr. Davis made an appeal to the House.

The question was then put, "is the decision of the Chair correct," which was decided in the affirmative.

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


Mr. Hazlerigg then moved to strike one from Nicholas, and give Morgan county one representative.

A division of the question was called for, and the question was put on "striking out one representative from Nicholas," which was decided in the negative.

The yeas and nays being required thereon by Messrs. Hazlerigg and R. Hall, were as follows, viz:


It was then moved and seconded, at 35 minutes past 7 o'clock, P. M. that the House now adjourn.

And the question being taken thereon, it was decided in the negative.
The yeas and nays being required thereon by Messrs. Watkins and Spalding, were as follows:


NAYS—Mr. Speaker, Messrs. Beatty, Bibb, Bishop, A. Boyd, L. Boyd, Breck, Bruce, Colglazier, Combs, Creel, Cunningham, Duvall, Evans, Ewing, Ford, Forrest, Grider, Guthrie, Hall, M. W. Hall, R. C. Hall, Hardy, B. Harrison, C. L. Harrison, Hughes, Inglis, Lindsay, Litton, Marshall, M'Millan, Miner, Moore, Montague, Munford, Patterson, Powers, Ray, Reid, Roberts, Sallee, N. P. Sanders, L. Sanders, Simpson, Skiles, Smith, Swope, Thomas, Turner, Williams and Wingate—51.

Mr. Spalding then moved to amend the bill, so as to add Graves to Calloway, and M'Cracken and Hickman to Livingston, and give one representative to Union.

A division of the question was called for, and the question was put on adding Graves to Calloway, and M'Cracken and Hickman to Livingston, which was decided in the negative.

The yeas and nays being required thereon by Messrs. Spalding and Hughes, were as follows:


And then the House adjourned.

THURSDAY, JANUARY 24, 1828.

Mr. Wingate presented the petition of sundry citizens of Franklin county, praying that a law may pass, to authorize the appointment of an additional constable for said county.

Mr. Hanson presented the petition of part of the representa-
ties of Matthew Patton deceased, praying that certain sales and conveyances of real estate, belonging to said representatives by the executor of said Matthew Patton, may be legalized, and that he be authorized to make conveyances to the purchasers, for such real estate as has been sold to them, and not conveyed.

Which petitions were severally received, read and referred; the first to a select committee of Messrs. Wingate, L. Sanders and Downing: and the second to the committee for courts of justice.

A message was received from the Senate, announcing their disagreement to bills which originated in this House of the following titles:

An act for the benefit of William and Martha Whitworth; And An act to amend an act entitled, an act, to incorporate the Cumberland College at Princeton.

The House took up for consideration "a bill to fix the ratio, and apportion the representation for the ensuing four years."

Mr. Inglish then moved to amend said bill as follows:

Amend the bill so as to strike one from Madison, and add one to Montgomery; take one from Washington and give one to Edmonson; take one from Jefferson and give one to Union; take one from Fayette and give one to Christian; take one from Bourbon and give it to Meade; take one from Mercer and add one to Woodford.

It was then moved and seconded to postpone the said amendment indefinitely.

The Speaker declared the motion to postpone an amendment indefinitely, out of order, from which decision of the chair, Mr. Breckenridge appealed to the House.

The question was then put is the decision of the chair correct? which was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Breckenridge and Breck, were as follows:


NAYS—Messrs. Breck, Breckenridge, Ford, George, Hanson, Joyes, Lindsay, Marshall, M'Connell, Miner, Moore, Reid, South-

A division of the question was called for, on said amendment, and the question was accordingly put, on striking out one representative from Madison, which was decided in the negative.

The yeas and nays being required thereon by Messrs. Breck and Turner were as follows, viz:


The question was then taken on striking out one representative from Washington and giving one to Edmonson.

And the question being taken thereon it was decided in the negative.

The yeas and nays being required thereon by Messrs. Waters and Forrest, were as follows, viz:


NAYS—Mr. Speaker, Messrs. Barker, Baseman, Beatty, Bibb, A. Boyd, L. Boyd, Breck, Breeckinridge, Bruce, Calglazier, Combs, Conner, Creel, Cunningham, Daniel, Dougherty, Downing, Duvall, Ewing, Ford, Forrest, George, Griffin, Guthrie, Haggan, Hall, R. C. Hall, Hanson, C. L. Harrison, Hughes, Ingels, Joyes, Lindsay, Litton, Marshall, M’Millan, Miner, Moore, Montague, Munford, Parish, Patrick, Patterson, Reid, Riffle, Skiles, Smith, Southgate, Swope, True, Turner, Ward, Waters, Watkins, Watts, West, White, Williams, D. W. Wilson, Wingate and Yantis—82.

The question was then taken on striking out one from Jefferson and giving one to Union; taking one from Fayette and giving one to Christian; taking one from Bourbon and giving one to Meade.
Which was decided in the negative.

The question was then taken on taking one representative from Mercer and giving an additional one to Woodford.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Blackburn and Buford, were as follows, viz:


It was then moved and seconded, to amend said bill by striking one from Mercer and adding one to Lincoln county.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. A. Wilson and Williams, were as follows, viz:


It was then moved and seconded to amend said bill by striking one representative from Madison and adding one to Pulaski county.

And the question being taken thereon it was decided in the negative.

The yeas and nays being required thereon by Messrs. Griffin and A. Wilson, were as follows, viz:


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It was then moved and seconded to amend said bill by striking out one representative from Nicholas and giving one to the county of Lawrence.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hazlerigg and West, were as follows:


It was then moved and seconded to amend said bill by striking out one representative from Logan and giving one to Edmondson county.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Grider and Harald, were as follows:


It was then moved and seconded to amend the said bill, by transposing the words Union and Henderson, so as to make the bill read “Henderson and Union one.”

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. M'Bride and Spalding, were as follows, to-wit:

YEAS—Messrs. Barker, Beatty, Bibb, Bishop, Blackburn, Breck, Colglazier, Combs, Cunningham, A. Davis, W. M. Davis, Davenport, Downing, Ewing, Ford, Gaines, George, W. M. Hall, Hanson, Hardy, Helm, Henderson, Harald, Lindsay, Marshall, M'Bride, M'Connell, Miner, Moore, Munford, Reid, Riffe, Sallee, Simpson, Skiles, Southgate, Swope, True, Turner, Waters, Watkins, A. Wilson, Woodland and Yantis—44.


It was then moved and seconded, to add Grant to Pendleton, for the purpose of sending one representative; and give one representative to Union county.

And the question being taken thereon, it was decided in the negative.

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


NAYS—Mr. Speaker, Messrs. Barker, Beatty, Bibb, Blackburn, Breck, Breckinridge, Bruce, Coffman, Colglazier, Combs, Conner, Creel, Cunningham, A. Davis, Davenport, Dougherty, Downing, Duval, Ewing, Ford, Forrest, Gaines, George, Gri-

It was then moved and seconded to lay the said bill on the table.

And the question being taken thereon, it was decided in the negative.

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


Mr. Davenport then moved to amend said bill, by striking out the first section thereof, and to insert in lieu thereof the following:

That the ratio for the ensuing four years, shall be eight hundred and thirty-four votes for each representative; and the representation for that period shall be, and the same is hereby apportioned amongst the several counties in this Commonwealth, for the House of Representatives, in the following manner, to wit: the county of Adair shall be entitled to one Representative; Allen one; Anderson one; Bourbon three; Bath one; Barren two; Bullitt one; Breckinridge one; Bracken one; Boone one; Butler and Edmonson one; Clay and Perry one; Caldwell one; Clarke one; Campbell one; Christian two; Cumberland one; Casey one; Calloway, Graves and Hickman one; Daviess one; Estill one; Fayette three; Floyd and Pike one; Fleming two; Franklin one; Grayson one; Greenup one; Garrard two; Green two; Gallatin one; Grant one; Hardin and Meade two; Harrison two; Henry two;
Hopkins one; Knox and Harlan one; Hart one; Jefferson three; Jessamine one; Lincoln two; Logan two; Livingston and McCracken one; Lewis one; Lawrence and Morgan one; Madison three; Mason two; Mercer two; Mahlenburg one; Montgomery two; Monroe one; Nelson two; Nicholas one; Ohio one; Owen one; Oldham one; Pendleton one; Pulaski one; Rockcastle one; Russell one; Scott two; Shelby three; Simpson one; Spencer one; Trigg one; Todd one; Henderson and Union one; Woodford two; Warren two; Wayne one; Washington two; Whitley and Laurel one.

A division of the question was called for, and the question was put, on striking out the first section of the bill, which was decided in the negative.

The yeas and nays being required thereon by Messrs. Davenport and Blackburn, were as follows, viz:

YEAS—Messrs. Barker; Beatty, Bishop, Blackburn, Breckinridge, Buford, Comer, Cunningham, A. Davis, Davenport, Downing, Evans, Ewing, Gaines, George, Griffin, M. W. Hall, Hanson, B. Harrison, Hazelrigg, Helm, Harald, Ingham, Lindsay, McBride, M'Connell, Miner, Moore, Munford, Patrick, Powers, Sailee, Secret, Simpson, Southgate, Swope, True, Watkins, Wilkerson, A. Wilson, Woodland and Yantis—42.


And then the House adjourned.

FRIDAY, JANUARY 25, 1828.

Leave was given to bring in the following bills:

On the motion of Mr. Ward—1. A bill for the benefit of the children of Robert Taylor.

On the motion of Mr. N. Sanders—2. A bill to legalize the proceedings of the Bullitt county court. And,

On the motion of Mr. Combs—3. A bill to incorporate the Lexington and Frankfort rail road company.

The committee for courts of justice were directed to prepare and bring in the 1st; Messrs. N. Sanders, Combs, Baseeman and Spalding the 2d; and the committee for internal improvements the 3d.

On motion—Ordered, That the amendment proposed by the
Senate to a bill which originated in this House entitled, "An act to authorize the stockholders of the Bank of Limestone to elect an agent to close the concerns of said bank," be referred to the committee for courts of justice.

Mr. Breckinridge read and laid on the table the following resolution:

Resolved by the General Assembly of the Commonwealth of Kentucky, That they will, on Wednesday, the 30th inst. proceed by a joint vote of both houses, to the election of a Treasurer, Public Printer, a President and Directors of the Bank of Kentucky, President and Directors of the Bank of the Commonwealth and its Branches, and trustees for the Transylvania University.

And thereupon the rule of the House being dispensed with, the said resolution was taken up, twice read, and adopted.

Ordered, That Mr. Breckinridge carry the said resolution to the Senate, and request their concurrence.

It was then moved and seconded that the further business of the morning be postponed, with a view to take up for consideration, a resolution fixing on a day for the final adjournment of the General Assembly.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Ewing and Cunningham, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Bibb, Bishop, Breck, Combs, Conner, Cunningham, Evans, Ewing, Ford, George, Griffin, Gridder, Guthrie, Hall, Hanson, C. L. Harrison, Hughes, Ingels, Lindsey, Marshall, Moore, Parish, Patrick, Patterson, Sallee, N. P. Sanders, Secrest, Skiles, Spalding, Stone, Swope, Thomas, Turner, Ward, Watkins, White, Wilkerson, Williams, A. Wilson, D. W. Wilson and Woodland—42.


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

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 the citizens of Shippingport,
praying for the passage of a law in conformity to a bill attached to said petition be rejected.

Resolved, That the petition of a part of the citizens of the county of Breckinridge, praying for the erection of a new county out of parts of the counties of Breckinridge, Ohio and Daviess, be rejected.

Resolved, That the petition of Peter Younger, praying the legislature to pass an act to prohibit William Huffman from conveying a tract of land therein described, be rejected.

Which being twice read, was concurred in.

A message was received from the Senate, announcing their disagreement to bills which originated in this House of the following titles:

An act for the benefit of Michael Huffacre.
An act for the benefit of Judith Sibley and others. And,
An act to enable the executors of Thomas Ely to carry into effect his will.

The passage of a bill which originated in this House entitled, An act for the benefit of Polly Burnett and children.
And the passage of a bill entitled, An act for the benefit of Matthew H. Jouitt's heirs; and,
An act appointing commissioners to view and mark a state road from Frankfort to the Tennessee line, in the direction of Georgia and Alabama.

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

By Mr. Blackburn, from the committee of propositions and grievances—1. A bill for the benefit of Nancy Vaughan and Lydia Rayne.
2. A bill to allow an additional justice of the peace and constable in the county of Gallatin.

By Mr. Beatty, from the committee of courts of justice—3. A bill for the benefit of the heirs of Thomas Gooch, deceased.
4. A bill to change the venue in the case of Randall W. Smith.

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, constitutional provision, and second and third readings of the first and third bills having been dispensed with, and the same being engrossed;

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

Ordered, That Mr. A. Wilson carry the said bills to the Senate and request their concurrence.

Mr. Beatty, from the committee to whom was referred, a bill to authorize the Secretary of State to purchase 75 copies of the digest, reported the same with an amendment.

Which being twice read, was concurred in.
And the said bill, as amended, ordered to be engrossed and read a third time to-morrow.

Mr. Beatty, from the same committee, to whom was referred, a bill to prevent justices of the peace from becoming securities in certain cases, reported the same with an amendment, in lieu of the bill.

Which being twice read, was concurred in.

The House resumed the consideration of a bill to fix the ratio and apportion the representation for the ensuing four years.

Mr. Grider moved to reconsider the last vote taken yesterday, on striking out "the first section of the bill."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Blackburn and Davenport, were as follows, viz:


The second section of the bill fixing the senatorial districts being under consideration, was read as follows:

Sec. 2. Be it further enacted, That for the purpose of apportioning the representation, this state shall be and the same is hereby laid off into thirty eight Senatorial Districts, as follows, to-wit: The counties of Adair, Casey and Russell shall compose the first; Cumberland and Monroe the second; Barren and Edmonson the third; Allen and Warren the fourth; Logan and Simpson the fifth; Butler, Grayson and Muhlenburg the sixth; Hopkins, Henderson and Union the seventh; Calloway, Hickman, Graves, McCracken, Livingston and Caldwell the eighth; Christian, Trigg and Todd the ninth; Ohio, Daviess and Breckinridge the tenth; Green and Hart the eleventh; Hardin, Bullitt and Meade the twelfth; Jefferson the thirteenth; Henry and Oldham the fourteenth; Shelby the fifteenth; Washington the sixteenth; Mercer the seventeenth; Garrard the eighteenth;
Lincoln, Rockcastle and Laurel the nineteenth; Madison the twentieth; Pulaski and Wayne the twenty-first; Knox, Clay, Harlan, Perry and Whitley the twenty-second; Nelson and Spencer the twenty-third; Boone and Campbell the twenty-fourth; Grant, Pendleton and Gallatin the twenty-fifth; Franklin, Owen and Anderson the twenty-sixth; Scott the twenty-seventh; Harrison the twenty-eighths; Breckinridge and Nicholas the twenty-ninth; Bourbon the thirtieth; Mason the thirty-first; Greenup, Lewis and Lawrence the thirty-second; Fleming the thirty-third; Montgomery and Estill the thirty-fourth; Clark the thirty-fifth; Woodford and Jessamine the thirty-sixth; Bath, Morgan, Floyd and Pike the thirty-seventh; and Fayette the thirty-eighth.

It was then moved and seconded to strike out the county of Bullitt from the counties of Hardin and Meade, (they being united according to the provisions of the bill, into one Senatorial District,) and to add the same to the county of Jefferson, for that purpose.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Helm and L. Sanders, were as follows:


Mr. Stone then moved to amend the said section as follows: Clark and Estill to compose the 35th Senatorial District; Montgomery and Bath to compose the 34th; Morgan, Floyd, Pike and Perry the 37th; Laurel, Knox, Whitley, Harlan and Clay, the 22d.

And the question being taken on adopting the proposed amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Stone and Conner, were as follows, to wit:

YEAS—Mr. Speaker, Messrs. Barber, Bruce, Daniel, Forrest, Griffin, Guthrie, Haggin, Hall, M. W. Hall, C. L. Harrison, Hazlerigg, Inglis, Joyes, McMillan, Munford, Ray, N. P. Sand-
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Mr. M. Hall then moved to amend the said section as follows:

Strike out Edmondson county from the Senatorial District composed of the counties of Barren and Edmondson, and to add the same to the counties of Grayson, Butler and Muhlenburg.

And the question being taken thereon it was decided in the negative.

The yeas and nays being required thereon by Messrs. Inglish and Hall, were as follows, viz:


It was then moved and seconded to strike out the second section of said bill and to insert in lieu thereof the second section of the bill from the Senate.

A division of the question was called for, and the question was put on striking out the second section of the bill, which was decided in the negative.

The yeas and nays being required thereon by Messrs. A. Wilson and Swope, were as follows, viz:

Mr. Blackburn then moved to amend said bill, by striking out the whole thereof, after the enacting clause, and to insert in lieu thereof the following:

That the act to fix the ratio and apportion the representation for the ensuing four years, approved December 29th, 1823, shall be and the same is renewed and continued in force for the ensuing four years; and the qualified voters in the counties which have been formed since the passage of said act, shall vote with the several counties from which they have been severally taken.

The Speaker declared the said amendment out of order, inasmuch as it conflicted with the provisions of the 1st and 2d sections of the bill, which the House upon a division of the question had refused to strike out, and which the chair declared to be equivalent to a direct vote of agreement.

From the foregoing decision of the Chair, Mr. Blackburn appealed to the House.

The question was then put is the decision of the chair correct? which was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Blackburn and Sallee, were as follows, viz:


The said bill was then laid on the table.

A message was received from the Senate, announcing their
concurrency in a resolution from this House fixing on a day for the election of public officers.

A bill from the Senate entitled, an act to fix the ratio and apportion the representation for the ensuing four years, was read the first time, and ordered to be read a second time.

And thereupon the rule of the House and constitutional provision having been dispensed with, the said bill was read a second time, as follows, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the ratio for the ensuing four years, shall be eight hundred and thirty-four voters for each representative; and the representation for that period, shall be, and the same is hereby, appointed among the several counties of the Commonwealth, for the House of Representatives, in the following manner to-wit: the counties of Hickman, Graves and M'Cracken one, Calloway one; Livingston one; Caldwell one; Trigg one; Christian one; Todd one; Logan two; Union and Henderson one; Hopkins one; Muhlenburg one; Butler and Edmonson one; Simpson one; Warren two; Allen one; Barren two; Monroe one; Cumberland one; Russell one; Adair one; Casey one; Wayne one; Daviess one; Ohio one; Breckenridge one; Grayson one; Hart one; Hardin and Meade two; Green two; Bullitt one; Jefferson three; Oldham one; Henry two; Shelby three; Spencer one; Nelson two; Anderson one; Washington two; Mercer three; Lincoln two; Rockcastle one; Pulaski one; Laurel and Whitley one; Garrard two; Madison three; Knox and Harlan one; Clay and Perry one; Woodford one; Pike and Floyd one; Lawrence and Morgan one; Greenup one; Lewis one; Mason two; Bracken one; Campbell one; Boone one; Gallatin one; Owen one; Franklin one; Scott two; Harrison two; Nicholas one; Bourbon three; Fayette three; Jessamine one; Clark two; Estill one; Montgomery two; Bath one; Fleming two; Pendleton one and Grant one.

Sec. 2. For the purpose of apportioning the representation in the Senate this state shall be, and the same is hereby laid off into thirty-eight Senatorial Districts as follows, to-wit: The counties of Gallatin, Grant and Pendleton shall compose the first; Franklin, Owsley and Anderson the second; Boone and Campbell the third; Nicholas and Bracken the fourth; Mason the fifth; Fleming sixth; Bourbon seventh; Fayette eighth; Woodford and Jessamine ninth; Scott the tenth; Harrison the eleventh; Clark twelfth; Montgomery and Estill the thirteenth; Floyd, Bath, Pike and Morgan fourteenth; Greenup, Lewis and Lawrence fifteenth; Breckenridge, Daviess and Ohio sixteenth; Grayson, Butler and Muhlenburg seventeenth; Hardin and Meade eighteenth; Jefferson and Bullitt nineteenth; Oldham and Henry twentieth; Shelby twenty-first; Nelson and Spencer twenty-second; Green and Hart twenty-third; Mercer twenty-fourth; Lincoln and Rockcastle twenty-fifth; Garrard twenty-sixth; Madison twenty-seventh; Pulaski and Wayne twenty-eighth; Knox, Harlan, Perry, Whitley, Laurel and Clay twenty-ninth; Washington thirtieth; Casey, Adair and Russell thirty-first; Cumberland and Monroe thirty-second; Barren and Edmonson thirty-third; Warren and Allen thirty-fourth; Logan and Simpson thirty-fifth; Hopkins, Henderson and Union.
Sec. 3. In order to ascertain the polls, when two or more counties compose a Senatorial District, or districts to elect a representative, the sheriffs of such counties shall meet at the court house first named, in such district either in choosing a Senator or representative, to compare the polls on the first Monday after the commencement of the election, and having ascertained by faithful comparison and addition, the amount of their respective polls, and shall make return of the person elected in the manner prescribed by law. Provided however, that when a writ of election may be issued, by either branch of the General Assembly, or by the Governor, a sooner day may be ordered in such writ, for comparing the polls, if it shall be deemed expedient.

Sec. 4. If any new county shall be established, before the next enumeration and apportionment of representation, it shall be considered as a part or parts, of the county or counties, from which it was taken for the purpose of representation.

It was then moved and seconded to amend said bill, by striking out the whole of said bill, after the enacting clause, and to insert in lieu thereof the following:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the ratio for the ensuing four years shall be eight hundred and thirty-four voters for each representative; and the representation for that period shall be, and the same is hereby apportioned amongst the several counties in this Commonwealth, for the House of Representatives in the following manner, to wit: the county of Adair shall be entitled to one representative, Allen one, Anderson one, Bourbon three, Bath one, Barren two, Bullitt one, Breckinridge one, Bracken one, Boone one, Butler and Edmonson one, Clay and Perry one, Caldwell one, Clark two, Campbell one, Christian one, Cumberland one, Casey one, Calloway one, Daviess one, Estill one, Fayette three, Floyd and Pike one, Fleming two, Franklin one, Grayson one, Greenup one, Garrard two, Green two, Gallatin one, Grant one, Hardin and Meade two, Harrison two, Henry two, Hopkins one, Hickman, Graves and McCracken one, Harlan, Laurel and Knox one, Hart one, Jefferson three, Jessamine one, Lincoln one, Logan two, Livingston one, Lewis one, Lawrence and Morgan one, Madison three, Mason two, Mercer three, Muhlenburg one, Montgomery one, Monroe, one Nelson two, Nicholas two, Ohio one, Owen one, Oldham one, Pendleton one, Pulaski one, Rockcastle one, Russell one, Scott two, Shelby three, Simpson one, Spencer one, Trigg one, Todd one, Union and Henderson one, Woodford one, Warren two, Wayne one, Washington three and Whitley one.

Sec. 2. Be it further enacted, That for the purpose of apportioning the representation in the Senate, this state shall be, and the same is hereby laid off into thirty-eight Senatorial Districts as follows, to wit: the counties of Adair, Casey and Russell shall compose the first, Cumberland and Monroe the second, Barren and Edmonson the third, Allen and Warren the fourth, Logan and Simpson the fifth, Butler, Grayson and Muhlenburg the sixth, Hopkins, Henderson and Union the seventh,
Sec. 3. Be it further enacted, That in order to ascertain the polls where two or more counties compose a Senatorial District, or districts to elect a representative, the sheriffs of such counties shall meet at the court house first named in such district, either in choosing a Senator or representative, to compare the polls on the first Monday after the commencement of the election, and having ascertained by faithful comparison and addition, the amount of their respective polls, and shall make return of the persons elected in the manner prescribed by law. Provided however, that when a writ of election, may be issued by either branch of the General Assembly, or by the Governor, an earlier day may be ordered in such writ for comparing the polls, if it should be deemed expedient.

Sec. 4. Be it further enacted, That if any new county shall be established before the next enumeration and apportionment of representation, it shall be considered as a part or parts of the county or counties, from which it was taken, for the purpose of representation.

Sec. 5. Be it further enacted, That whenever it may so happen by death or otherwise, that there is no sheriff to attend the several elections, that it shall be lawful for the Judges appointed, to conduct said elections, to appoint a proper person to superintend said elections, and be governed by the same rules and regulations, that sheriffs now are by law.

A division of the question was called for, and the question was first put on striking out the whole of said bill, after the enacting clause, which was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Blackburn and Yantis, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Barbee, Baseeman, Bibb, A. Boyd, L. Boyd, Breck, Bruce, Buford, Coffman, Colglazier, Creel, Daniel, W. M. Davis, Dougherty, Downing, Durall, Forrest, Guthrie, Haggin, Hall, M. W. Hall, R. C. Hall, Hardy, B. Harrison, C. L. Harrison, Harald, Hughes, Inglish, Joyes, Litton,


Mr. Guthrie then moved to commit the said bill to a select committee for the purpose of amendment.

And the question being taken thereon, it was decided in the negative.

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


Mr. Guthrie then moved to commit the said bill to a select committee for the purpose of amendment.

And the question being taken thereon, it was decided in the negative.

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


NAYS—Messrs. Barker, Baseeman, Beatty, Bibb, Bishop, Blackburn, Breck, Buford, Colglazier, Combs, Conner, Cunningham, A. Davis, Davenport, Downing, Duval, Evans, Ewing, Ford, Gaines, George, Grider, M. W. Hall, Hanson, Helm, Hen-
Mr. Davernport then moved to amend said bill by inserting in the first section of said bill the following:

That the ratio for the ensuing four years, shall be eight hundred and thirty four votes for each representative; and the representation for that period shall be, and the same is hereby apportioned amongst the several counties in this Commonwealth, for the House of Representatives, in the following manner, to wit: the county of Adair shall be entitled to one Representative; Allen one; Anderson one; Bourbon three; Bath one; Barren two; Bullitt one; Breckinridge one; Bracken one; Boone one; Butler and Edmonson one; Clay and Perry one; Caldwell one; Clarke two; Campbell one; Christian two; Cumberland one; Casey one; Calloway, Graves and Hickman one; Daviess one; Estill one; Fayette three; Floyd and Pike one; Fleming two; Franklin one; Grayson one; Greenup one; Garrard two; Green two; Gallatin one; Grant one; Hardin and Meade two; Harrison two; Henry two; Hopkins one; Knox and Harlan one; Hart one; Jefferson three; Jessamine one; Lincoln two; Logan two; Livingston and M'Cracken one; Lewis one; Lawrence and Morgan one; Madison three; Mason two; Mercer two; Muhlenburg one; Montgomery two; Monroe one; Nelson two; Nicholas one; Ohio one; Owen one; Oldham one; Pendleton one; Pulaski one; Rockcastle one; Russell one; Scott two; Shelby three; Simpson one; Spencer one; Trigg one; Todd one; Henderson and Union one; Woodford two; Warren two; Wayne one; Washington two; Whitley and Laurel one.

It was then moved and seconded at 15 minutes after 5 o'clock, P. M. that this House do now adjourn.

And the question being taken thereon it was decided in the negative.

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


**NAYS—** Messrs. Baseman, Beatty, Bibb, Blackburn, Breck, Colglazier, Combs, Conner, Cunningham, A. Davis, Davenport, Davall, Evans, Ewing, Ford, Gaines, George, Grider, M. W. Hall,
Hanson, Hardy, C. L. Harrison, Hazlerigg, Helm, Henderson, Ingels, Inglis, Lindsay, Marshall, M'Bride, M'Connell, Miner, Moore, Montague, Munford, Patrick, Patterson, Powers, Ray, Reid, Sallee, Simpson, Skiles, Southgate, Swope, True, Turner, Watkins, Wilkerson, A. Wilson, D. W. Wilson, Wingate, Woodland and Yantis—54.

It was again moved and seconded, at half past 5 o'clock, P. M., that this House do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Sallee and Spalding, were as follows, viz:


It was then moved and seconded to amend said amendment, by striking out "one representative from Christian, and to give Meade a separate representative."

A division of the question was called for, and the question was put on striking out "one from Christian," which was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hazlerigg and Spalding, were as follows:


NAYS—Messrs. Barker, Beatty, Bibb, Blackburn, Breck, Buford, Colglazier, Combs, Conner, Cunningham, A. Davis, Davenport, Evans, Ewing, Ford, Gaines, George, Grider, Hanson,

It was then moved and seconded at 10 minutes after 6 o'clock, P. M. that this House do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Davenport and Blackburn, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Barbee, Baseman, Bishop, A. Boyd, Bruce, Creel, Daniel, W. M. Davis, Dougherty, Downing, Duvall, Forrest, Griffin, Guthrie, Haggin, R. C. Hall, Hardy, B. Harrison, C. L. Harrison, Hazlerigg, Harald, English, Joyes, Litton, M'Millan, Parish, Patterson, Riff, Roberts, Rucker, L. Sanders, Secrest, Smith, Spalding, Stone, Thomas, Watts, West and White—40.


The question was then taken on giving "the county of Meade one representative."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Helm and Ray, were as follows:


Mr. Hughes, from the majority, then moved a re-consideration
of the vote by which the bill from the Senate was stricken out after the enacting clause.

It was then moved and seconded at half past 6 o'clock, P. M., that this House do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. B. Harrison and Inglish, were as follows:


And the House was then adjourned.

SATURDAY, JANUARY 26, 1823.

Mr. Duvall, from the joint committee of enrollments, reported that the committee had examined an enrolled bill entitled an act for the benefit of Polly Burnet and children, and a resolution fixing on a day for the election of public officers.

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Duvall inform the Senate thereof.

Ordered, That an engrossed bill entitled, an act to incorporate the Lexington railroad company, and an engrossed bill entitled an act to prevent future confliiction in claims to land, be recommitted; the former to the committee on internal improvements, and the latter to the committee for courts of justice.

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

By Mr. Beatty, from the committee for courts of justice—1. A bill to authorize clerks of courts to take recognizances in certain cases.

2. A bill to change the venue in the case of Daniel Curtwright, John Curtwright, and Benjamin T. Thornton.

By Mr. B. Harrison, from the committee on internal improvements—3. A bill to incorporate the Lexington and Frankfort turnpike or railroad company.
By Mr. Smith, from the committee on the militia—4. A bill to amend the militia laws. And,
By Mr. Montague—5. A bill for the benefit of the heirs of Jas. Neely, deceased.
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, constitutional provision, and second reading of the 1st, 3d, 4th and 5th bills having been dispensed with, and the 3d having been amended, the 1st and 3d bills were ordered to be engrossed and read a third time, and the 4th was committed to a select committee of Messrs. Hardy, Stone and Sallee, and 5th to the committee for courts of justice.
And thereupon the rule of the House, constitutional provision, and third reading of the first and third bills having been dispensed with, and the same being engrossed;
Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.
The yeas and nays being required on the passage of the third bill by Messrs. Secrest and Combs, were as follows, to-wit:


Ordered, That Mr. Combs carry the said bills to the Senate, and request their concurrence.
A message was received from the Senate, announcing the passage of bills which originated in this House of the following titles:

An act to alter the mode of taking in the lists of taxable property.
An act to legalize the proceedings of the trustees of the towns of Russellville and Madisonville.
An act to change the boundary line of the town of Henderson.
An act to authorize clerks of courts to take recognizances in certain cases.
An act allowing an additional justice of the peace in Todd county.

An act to alter the time of holding the Hart circuit court, and to extend the term of the Todd circuit court.

And the passage of bills of the following titles:

An act appropriating money to the opening the State road from Prestonsburg to the Virginia State line.

An act to authorize the draining of certain ponds in Jefferson county.

The House then resumed the consideration of a bill from the Senate entitled, an act to fix the ratio and apportion the representation for the ensuing four years, and the amendment offered on yesterday thereto by Mr. Davenport.

It was then moved and seconded to attach the member struck out from the county of Christian to the county of Union, for the purpose of giving the latter county a separate representative.

And the question being taken thereon it was decided in the negative.

The yeas and nays being required thereon by Messrs. Spalding and L. Boyd, were as follows, viz:


It was then moved and seconded to give the member struck off from Christian to the counties of Graves, Hickman and McCracken, for the purpose of sending one representative.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Davenport and L. Boyd, were as follows, to-wit:

YEAS—Mr. Speaker, Messrs. Barbee, Barker, Beatty, Bibb, Blackburn, A. Boyd, L. Boyd, Breck, Buford, Coinman, Colglazier, Combs, Conner, Cunningham, A. Davis, Davenport, Dougherty, Evans, Ewing, Ford, Forrest, Gaines, George, Grider, Guthrie, Hall, M. W.


It was then moved and seconded to strike one member from the county of Bourbon, and give an additional member to the county of Nicholas.

A division of the question was called for, and the question was taken on “striking one member from the county of Bourbon,” which was decided in the affirmative.

The yeas and nays being required thereon by Messrs. R. Hall and Marshall, were as follows, viz:


NAYS—Mr. Speaker, Messrs. Barker, Beatty, Bibb, Blackburn, A. Boyd, L. Boyd, Breck, Colglazier, Combs, Conner, Cunningham, Davenport, Evans, Ewing, Ford, Gaines, George, Grider, B. Harrison, Helm, Ingels, Lindsay, Marshall, M. Connell, Miner, Moore, Montague, Munford, Patrick, Powers, Reid, Sallee, Simpson, Skiles, Swope, True, Turner, Watkins, A. Wilson, Woodland and Yantis—42.

The question was then taken on adding the member so stricken from Bourbon to the county of Nicholas, which was decided in the affirmative.

The yeas and nays being required thereon by Messrs. R. Hall and West, were as follows, viz:


NAYS—Mr. Speaker, Messrs. Beatty, Blackburn, A. Boyd,
Breck, Colglazier, Combs, Conner, Cunningham, Davenport, Evans, Ewing, Ford, Gaines, George, Grider, Helm, Ingels, Joyes, Lindsay, Marshall, M'Connell, Miner, Moore, Montague, Reid, Sallee, Simpson, Skiles, Swope, True, Turner, Watkins, A. Wilson, Woodland and Yantis—36.

It was then moved and seconded to strike one member from the county of Madison, and give a member to the county of Meade.

A division of the question was called for, and the question was taken on “striking one member for the county of Madison,” which was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Helm and Breck, were as follows, viz:


NAYS—Mr. Speaker, Messrs. Barker, Beatty, Bibb, Bishop, Blackburn, L. Boyd, Breck, Colglazier, Combs, Cunningham, Davenport, Evans, Ewing, Ford, George, Grider, Guthrie, Hall, Henderson, Ingels, Joyes, Lindsay, Marshall, M'Connell, Miner, Moore, Patrick, Reid, Sallee, Skiles, Swope, True, Turner, Watkins, A. Wilson, Wingate, Woodland and Yantis—39.

The question was then taken on giving the member so stricken from Madison to the county of Meade, so as to entitle Meade county to one representative—which was decided in the negative.

The yeas and nays being required thereon by Messrs. Helm and Coffman, were as follows, viz:


NAYS—Mr. Speaker, Messrs. Barker, Beatty, Blackburn, Breck, Bruce, Colglazier, Combs, Conner, Cunningham, Davenport, Dougherty, Evans, Ford, Forrest, Gaines, George, Grider, M. W. Hall, B. Harrison, Hazlerigg, Hughes, Ingels, Lindsay, Litton, Marshall, M'Connell, Miner, Munford, Patrick, Powers, Reid, Sallee, Skiles, Smith, Swope, True, Turner, Watkins, Williams, A. Wilson, Wingate, Woodland and Yantis—44.

A motion to give the member stricken from Madison to Union
having been negatived, it was then moved and seconded to give the member so stricken from Madison county to the county of Laurel, so as to entitle Laurel county to one representative—which was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Joyes and Yantis, were as follows, viz:


It was then moved and seconded to strike one member from the county of Jefferson, and give a member to the county of Meade.

A division of the question was called for, and the question was taken on striking one member from the county of Jefferson—which was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Joyes and Coffman, were as follows, viz:


The question was then taken on giving the member thus stricken from the county of Jefferson to the county of Meade—which was decided in the affirmative.

It was then moved and seconded to strike out one member from
the county of Shelby, and give one member to the county of Henderson.

A division of the question was called for, and the question was taken on striking one member from the county of Shelby—which was decided in the negative.

The yeas and nays being required thereon by Messrs. Ford and Reid, were as follows, viz:


It was then moved and seconded to strike one member from the county of Montgomery, and give one to Morgan county.

A division of the question was called for.

It was then moved and seconded, at 10 minutes past 3 o'clock, P. M. that the House do now adjourn—which was decided in the negative.

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


Mr. Skiles then moved that the previous question be taken on the adoption of the amendment as amended offered on yesterday by Mr. Davenport.
The question was then taken, shall the main question be now put? which was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Skiles and Ewing, were as follows, viz:


NAYS—Messrs. Barbee, Blackburn, Breck, Bruce, Evans, Ford, Forrest, Griffin, Hazlerigg, Harald, Inglis, Joyes, Lindsay, Litton, M'Millan, Montague, Munford, Parish, Reid, Roberts, Rocker, L. Sanders, Secrest, Simpson, Smith, Spalding, Thomas, Watts and White—29.

The question was then accordingly taken on the adoption of the amendment offered by Mr. Davenport, as amended—which was decided in the negative.

The yeas and nays being required thereon by Messrs. Hazlerigg and A. Davis, were as follows:


Mr. Ray, from the majority on the vote by which the amendment yesterday offered as a substitute for the bill from the Senate was rejected, moved for a reconsideration of that vote.

And the question being taken thereon, it was decided in the affirmative.

A message was received from the Senate, announcing the passage of bills which originated in this House of the following titles:

An act for the benefit of the heirs of William Barker, deceased.
An act to extend the town of Joesville, at the mouth of Clover creek, in Breckinridge county, and for other purposes.
An act for the benefit of the Hart county seminary.
An act for the benefit of Thomas M. Smith, and to authorize the trustees of the Simpson county seminary to sell their donation lands.
An act for the benefit of the heirs of Tobias Moredock, dec'd.
An act establishing an election precinct in Campbell county.
An act for the benefit of Jesse Jackson, sheriff of Muhlenburg county.
With an amendment to the latter bill.
And then the House adjourned.

MONDAY, JANUARY 28, 1828.

Mr. Hughes, from the joint committee of enrollments, reported that the committee had examined sundry enrolled bills which originated in this House, of the following titles, to-wit:
An act for the benefit of the heirs of Tobias Moredock, dec'd.
An act for the benefit of Thomas M. Smith, and to authorize the trustees of the Simpson county Seminary to sell her donation lands.
An act allowing an additional justice of the peace in Todd county.
An act for the benefit of the Hart county Seminary.
An act to change the boundary line of the town of Henderson.
An act establishing an additional precinct in Campbell county.
An act to authorize clerks of courts to take recognizances in certain cases.
An act to extend the town of Joesville, at the mouth of Clover creek, in Breckinridge county, and for other purposes.
An act for the benefit of the heirs of William Barker, deceased.
An act to legalize the proceedings of the trustees of the towns of Russellville and Madisonville.
An act to alter the mode of taking in the lists of taxable property.
An act to alter the time of holding the Hart circuit court, and to extend the term of the Todd circuit court. And,
An act for the benefit of Matthew H. Jouett's heirs.
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Hughes inform the Senate thereof.

Mr. Williams moved the following resolution, viz:
Resolved, That a committee be appointed for the purpose of examining the commissioners' books from Mercer county.
Which being twice read, was adopted; and Messrs. B. Harri-
son, Blackburn, M. W. Hall, White, Davis, (of Ohio,) Guthrie and Combs, appointed a committee pursuant thereto.

A bill from the Senate entitled, an act for the benefit of the heirs of Matthew H. Jouitt, deceased, was read the first time, and ordered to be read a second time.

And thereupon the rule of the House, constitutional provision, and second and third readings of the said bill having been dispensed with;

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

Ordered, That Mr. Hazlerigg inform the Senate thereof.

A message was received from the Senate, announcing the passage of a bill which originated in this House, entitled,

An act further to regulate the town of Shepherdsville;

And the passage of a bill by the Senate, entitled,

An act concerning the Bank of Kentucky.

The latter bill was then taken up and read the first time, and ordered to be read a second time.

And thereupon the rule of the House and constitutional provision having been dispensed with, the said bill was read a second time.

It was then moved and seconded to amend the second section of said bill by striking out eight hundred dollars, being the amount fixed therein for the prospective annual salary of the President of said Bank, and to insert in lieu thereof six hundred dollars.

A division of the question was called for, and the question was put on striking out eight hundred dollars, which was decided in the negative.

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


The first section of said bill was then read as follows, viz:

Sec. 1. Be it enacted by the General Assembly of the Common
That from and after the passage of this act, there shall be only four directors of the corporation styled "The President and Directors of the Bank of Kentucky;" two of whom shall be elected by the General Assembly, and the other two shall be elected by the stockholders of said corporation, in the same manner and subject to the same rules and regulations which have heretofore governed in the election of Directors of said institution. Provided however, That in all elections on the part of the state and stockholders, none but a stockholder, who has held his stock at least three calendar months before the election, shall be eligible to the office of President or Directors. The President of the corporation and the Directors so chosen shall have and possess all the powers which the President and Directors now have. And the President and any two of the Directors, or in case of the death or resignation of the President, any three of the Directors shall constitute a quorum of the board for the transaction of business.

It was then moved and seconded to amend said section by striking out the words "of President or," in the proviso of said section.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. L. Sanders and English, were as follows, viz:


NAYS—Mr. Speaker, Messrs. Barbee, Barker, Baseon, Beatty, Bibh, Bishop, Blackburn, A. Boyd, Breck, Coffman, Collazier, Combs, Conner, Cunningham, Davenport, Evans, Ewing, Ford, Gaines, George, Grider, M. W. Hall, Hardy, B. Harrison, Helm, Hughes, Ingels, Joyes, Lindsay, M'Bride, M'Connell, Miner, Moore, Morris, Patrick, Reid, Sallee, Simpson, Skiles, Swope, True, Turner, Waters, Watkins, A. Wilson, Woodland and Yantis—48.

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

A bill from the Senate entitled, an act to amend and reduce into one the execution laws of this State, was read the first time, and ordered to be read a second time.

Mr. B. Harrison presented the petition of Catharine Fox, praying compensation for keeping and maintaining her idiot son for several years past.
Which was received, read and referred to the committee of claims.

Mr. Helm, from the committee of courts of justice, to whom was referred a bill further to prescribe the duties of sheriffs, reported the same with an amendment;
Which being twice read, was disagreed to.

The said bill was then ordered to 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, viz:

By Mr. Wingate, from the committee of propositions and grievances—1. A bill to authorize the citizens of Middletown, in Jefferson county, to elect trustees, and for other purposes: and,
2—A bill to reduce the limits of the town of Mountsterling.

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, constitutional provision, and second reading of the said bills having been dispensed with, the former was re-committed to the committee of propositions and grievances, and the second was ordered to be engrossed and read a third time.

And thereupon the rule of the House, constitutional provision and third reading of the second bill having been 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. Davis carry the said bill to the Senate, and request their concurrence.

Ordered, That a bill forming a new judicial district, and a bill to amend the law concerning chancery proceedings, with the amendments proposed to each, be re-committed: The former to a select committee of Messrs. Davenport, Rucker, A. Boyd, L. Boyd, Spalding, McBrade, Bishop, Hughes, Collman, W. Davis, and Ewing; and the latter to a select committee of Messrs. A. Davis, Combs, Marshall, Helm, B. Harrison, Bibb, Beatty, Hanson and Skiles.

A message was received from the Senate, announcing their disagreement to a bill which originated in this House entitled,

An act to add a part of Gallatin county to the county of Owen.

The passage of bills which originated in this House of the following titles:
An act to establish an inspection of tobacco at Raleigh, in Union county.
An act to open a State road from Elizabethtown by way of Litchfield, Hartford and Madisonville, to Princeton, in Caldwell county.
An act to authorize the administrators of William C. Davis.
JOUfu'-1 AL
OF THE oeceased, to carry into execution a parol contract made by said
Davls in his life-time, with Edward S. Hall, for five or six acres
of land.

An act to authorize the appointment of additional justices of
the peace in certain counties, and for other purposes. And,
An act to establish election precincts in certain counties.
With amendments to the two latter bills.
And the passage of bills of the following titles:
An act to amend an act further to regulate the Christian Acad-
emy, approved January 17, 1817. And,
An act to provide for changing the venue in the case of Alex-
ander Cowings and wife.

The amendments proposed by the Senate to bills which origi-
nated in this House of the following titles, were twice read and
concurred in, viz:
An act to authorize the inhabitants of the town of Brownsville,
in the county of Edmonson to elect trustees.
An act for the benefit of the trustees of the Morgan Seminary,
and for other purposes.
An act to amend an act entitled an act to encourage the estab.
lishment of private schools.
An act to amend an act incorporating the Hartford Manufac-
turing Company.
An act to incorporate the Clay and Jefferson Seminaries.
An act to authorize the appointment of additional justices of
the peace in certain counties, and for other purposes.

Ordered, That Mr. Beatty inform the Senate thereof.

The House took up the amendments proposed by the Senate
to a bill which originated in this house entitled an act to appoint
additional constables in certain counties.

Which being severally twice read, the first was disagreed to,
and the second concurred in.

Ordered, That Mr. B. Harrison inform the Senate thereof.

Ordered, That the amendments proposed by the Senate to a
bill which originated in this House entitled, an act to change the
August terms of the Henry, Ohio and Hardin county courts, be
committed to a select committee of Messrs. Beatty, Breck, Con-
ner and Bruce.

The House took up the amendments proposed by the Senate
to a bill which originated in this House entitled, an act for the
benefit of Jesse Jackson, Sheriff of Muhlenburg county.

Which being twice read, was concurred in, with an amend-
ment.

Ordered, That Mr. Beatty inform the Senate thereof, and re-
quest their concurrence in said amendment.

The House took up the amendments proposed by the Senate
to a bill which originated in this House entitled an act to establish election precincts in certain counties.

The first amendment proposed by the Senate to said bill, was read as follows:

Strike out the two sections of said bill (each marked § 8.), in the following words:

§ 8. Be it further enacted, That all that part of the county of Hardin county, included in the following bounds, to-wit: Beginning on the Rolling fork at Ethrington's ferry, and running with the road leading from Elizabethtown to Robert Johnson's, on the headwaters of Middle creek; thence down Middle creek to Nolan; thence down Nolan, to where the road leading from Elizabethtown to Nashville crosses the same; thence with said road, to Hart county line; thence with said line to Green county line; thence with the same to the great road leading from Hodgenville to Greensborough; thence with said road to John Hursts yard; thence a straight line to William Elllotts, living on the little south fork of Nolan; thence a straight line to Samuel Smith, living on the rolling fork; thence down the same to the beginning, shall be, and the same is hereby erected into an election precinct in said county of Hardin, and the qualified voters in said precinct shall meet at the house of Lewis Brown in Hodgenville, in said precinct, for the purpose of voting at all legal elections.

Sec. 8. Be it further enacted, That the county court of Hardin, at the time they appoint a clerk and judges, to preside at the election to be held at their court house, shall also appoint a clerk and judges to preside at the election to be held at said precinct in said county, and it shall be the duty of the sheriff of said county to attend by himself or deputy, and conduct the election to be held at said precinct, which election shall be governed by the same rules and regulations as are now prescribed by law.

The question was then taken on concurring in the said amendment of the Senate, which was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Ray and Helm; were as follows, viz:


NAVS—Messrs. Barbee, Bruce, Creel, Dougherty, Downing, Forrest, Griffin, R. C. Hall, R. Harrison, Helm, English, Mar

The remaining amendments proposed by the Senate to said bill were then read and concurred in, with an amendment to the Senate's second amendment.

Ordered, That Mr. Colghazier inform the Senate thereof, and request their concurrence in said amendment.

The House took up the amendments proposed by the Senate, to a bill which originated in this House, entitled an act to establish election precincts in certain counties; which being twice read, was concurred in with an amendment.

Ordered, That Mr. Forrest inform the Senate thereof, and request their concurrence in said amendment.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this House, upon concurring in those proposed by the Senate to bills which originated in this House of the following titles:

An act for the benefit of Jesse Jackson, sheriff of Muhlenburg county. And

An act to establish election precincts in certain counties.

The passage of a bill entitled an act more effectually to guard the seventh section of the tenth article of the constitution from violation; and the adoption of a resolution for burning a part of the notes of the Bank of the Commonwealth of Kentucky.

An engrossed bill entitled an act to establish a ferry from Covington across the Ohio river to Cincinnati was read a third time as follows, to-wit:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall and may be lawful for the trustees of the town of Covington to apply to the county court of Campbell county by petition or otherwise, for the purpose of establishing a ferry across the Ohio river, from the said town of Covington, at any place that a majority of the trustees of the said town may designate, between the upper edge of Garrard street and the lower edge of Greenup street; provided, the said county court shall deem it to the interest of the citizens of Campbell county; and provided also, that before any application shall be made to said court, notice shall be given at least ten days to Samuel Kennedy, the present owner of the ferry in said town.

Sec. 2. Be it further enacted, That in the event the said county court of Campbell county shall establish said ferry, the same shall be vested in the trustees of said town, and their successors in office; to be by them managed and controlled, subject to the same laws and regulations as other ferries across the Ohio river, except so far as may be otherwise provided for by this act.

Sec. 3. Be it further enacted, That if the county court shall es-
establish said ferry, it shall be the duty of the president or chairman of the board of trustees of said town, to give bond with good and sufficient security, in the same manner and under the like penalty as now required by law from the ferrymen in this Commonwealth; and every person or persons injured by a breach or breaches of the condition of said bond, may prosecute any suit or suits before any court having competent jurisdiction.

Sec. 4. Be it further enacted, That the nett proceeds and profits arising from said ferry, shall be applied by the trustees of said town, first in improving, grading and paving the landings and wharves of said ferry; secondly in improving, grading and turnpiking the Willow run hill, on the road from Covington to Georgetown, and any other part of said road which, in the opinion of said trustees, may be most beneficial to the public interest, and to such other useful and public improvements as the trustees of said town may deem expedient or proper.

Sec. 5. Be it further enacted, That the said trustees and their successors in office shall have power, from time to time, if they shall deem it advisable, to lease said ferry for any term not exceeding twelve months at any one time; taking bond, with security, for the faithful performance of his or their duty, payable to the trustees of said town and their successors in office; and upon a breach of the condition thereof, they shall be entitled to their action before any court having competent jurisdiction.

Sec. 6. Be it further enacted, That it shall be the duty of the said trustees, at least once in each year, to lay before the county court of Campbell county a correct statement of the amount of money by them received and expended; and should the said trustees fail or refuse to render such statement, they may be compelled by attachment or other compulsory process; and it shall be the duty of the said trustees to enter into bond, with security, to be approved of by said court, for the faithful appropriation of the money arising from said ferry.

Sec. 7. Be it further enacted, That nothing in this act shall be so construed as to divest any person or persons of any vested rights in any ferry privilege heretofore established by law in said town; reserving to the trustees of said town and to all other person or persons concerned, the privilege of appealing from the decision of said county court to the court of appeals.

Sec. 8. Be it further enacted, That it shall and may be lawful for the trustees of Newport to apply to the county court of Campbell county, for the purpose of establishing an additional ferry from said town of Newport to the city of Cincinnati, subject to the same rules, provisos and reservations contained in the foregoing sections; and in the event the said ferry should be established, the proceeds arising therefrom may be applied under the
direction of said trustees, within the town, in the same manner as is herein provided for in the 4th section of this act.

And the question being taken on the passage of said bill, it was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Hazlerigg and Gaines, were as follows, viz:


An engrossed bill entitled an act to remove the seat of justice of Oldham county, was read a third time.

And the question being taken on the passage of said bill, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Joyces and D. Wilson, were as follows, viz:


Ordered, That Mr. Joyces carry the said bill to the Senate, and request their concurrence.

A message from the Senate by Mr. Hughes.

Mr. Speaker: The Senate recede from their first amendment.
proposed to a bill which originated in this House, entitled an act to appoint additional constables in certain counties; and they concur in the amendment proposed by this House, upon concurring in the second amendment proposed by the Senate to a bill which originated in this House entitled, an act to establish election precincts in certain counties.

And then he withdrew.

The following engrossed bills were severally read a third time:
1. An act to amend the law in relation to costs.
2. An act to establish a state road from Brandenburg, on the Ohio river, to Bowling green.
3. An act to provide for the election of Electors of President and Vice President.
4. An act providing for the establishment of common schools, throughout the Commonwealth.
5. An act to amend an act approved February 4, 1815, in relation to justices of the peace.
6. An act appropriating fines and forfeitures for lessening the county levies of certain counties.
7. An act to reduce the price of land north of Walker's line.

And—8. An act to authorize the receiver of public moneys west of the Tennessee river to appoint a deputy.

Resolved, That the 1st, 2d, 5th, 6th, 7th and 8th bills do pass, and that the titles thereof be as aforesaid.

Ordered, That Mr. Sanders carry the said bills to the Senate, and request their concurrence.

Ordered, That the third bill be re-committed to the committee for courts of justice, and the 4th to a select committee of Messrs. Breck, Yantis, M. Hall, D. Wilson, L. Sanders and Smith.

And then the House adjourned.

TUESDAY, JANUARY 29, 1828.

Mr. B. Harrison, presented the petition of the trustees of the Salem Academy, praying that a law may pass to authorize the sale of the lands belonging to said academy. And,

Mr. Haggin presented the petition of William Holman, praying that a law may pass to authorize the appointment of commissioners to settle his accounts as former agent of the penitentiary.

Which petitions were received, read and referred: the first to a select committee of Messrs. B. Harrison, Simpson, C. L. Harrison and Guthrie; and the second to a select committee of Messrs. Haggin, W. Davis, Bruce, Duvall and L. Boyd.

Mr. Guthrie presented the annual report of the treasurer of the Shelbyville and Louisville turnpike road company, which was received, and is in the following words:

A report of the Treasurer of the Shelbyville and Louisville
turnpike road company, shewing the amount of stock originally subscribed; the amount of forfeited stock; the amount of stock fully paid; the amount of stock on which full payment has not been made; the cash account on stock, books and gate account; all of which is most respectfully submitted to the honorable the legislature of the state of Kentucky.

### Capital Stock

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<tr>
<td>This amount in the treasury on the 1st. of Oct. 1826</td>
<td>1,393.71</td>
<td>3,614.76</td>
</tr>
<tr>
<td>This amount rec'd. on account of tolls for the year ending on 1st. Oct. 1827</td>
<td>2,342.10</td>
<td>2,753.03</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$3,735.81</strong></td>
<td><strong>6,367.79</strong></td>
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<tr>
<th>Description</th>
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<tr>
<td>This amount paid principally for continuing the road east of Middletown</td>
<td>1,137.36</td>
<td>5,617.55</td>
</tr>
<tr>
<td>This amount in treasury on the 1st. of Oct. 1827</td>
<td>2,598.45</td>
<td>750.24</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$3,735.81</strong></td>
<td><strong>6,367.79</strong></td>
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_GEO. C. GWATHMEY, Treasurer._

_Louisville, Jan. 25, 1823._

Mr. Wingate, from the committee of propositions and grievances, to whom was referred a bill to authorise the citizens of Middletown in Jefferson county, to elect trustees and for other purposes, reported the same with an amendment. Which being twice read was concurred in.

And the said bill as amended, ordered to be engrossed and read a third time.
And thereupon the rule of the House, constitutional provision and third reading of said bill having been 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. Harrison carry the said bill to the Senate and request their concurrence.

Mr. Beatty, from the committee for courts of justice, to whom was referred a bill to prevent justices of the peace from becoming securities in certain cases, reported the same without amendment.

It was then moved and seconded to lay the said bill on the table until the first day of June next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Davenport and Inglish, were as follows, viz:


The said bill was then laid on the table for the present.

Mr. Beatty, from the same committee, to whom was referred a bill further to regulate the Transylvania University, reported the same with amendments.

It was then moved and seconded, to lay the said bill and amendments on the table until the first day of June next.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Inglish and Coffman, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Barbee, Baseman, Bishop, A. Boyd, Bruce, Coffman, Colglazier, Conner, Creel, Cunningham, A. Davis, Dougherty, Duvall, Evans, Forrest, George, Graham, Griffin, Guthrie, Hail, M. W. Hall, R. C. Hall, Hanson, Hardy, B. Harrison, Helm, Harald, Hughes, Ingels, Inglish, Lindsay, 2 N
A bill from the Senate entitled, "an act concerning the Bank of Kentucky," was read a third time and committed to a select committee of Messrs. Ward, Forrest, Guthrie and Beatty.

Mr. Ward asked and obtained leave, and thereupon presented a bill to authorize the insertion of advertisements in the newspaper called The People's Friend, printed in Russellville.

Which was received and read the first time and ordered to be read a second time.

And thereupon the rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with, the (same having been amended,) and the same being engrossed.

Resolved, That the said bill do pass, and that the title thereof be amended to read, "an act to authorize the insertion of advertisements in certain newspapers."

Ordered, That Mr. Ward carry the said bill to the Senate and request their concurrence.

A message was received from the Senate, announcing the passage of a bill from the House, entitled,

An act regulating the terms of the Jefferson circuit court.

And the passage of bills of the following titles:

An act concerning the turnpike and wilderness road.

An act for the relief of securities in individual contracts.

An act for the benefit of Joseph Paxton.

An act for the benefit of Augustin Clayton.

An act for the benefit of James Patton.

An act to regulate civil proceedings against certain communities, having property in common.

An act more effectually to guard the occupant of land.

An act providing for the appointment of an Engineer to survey the Kentucky, Licking and Green rivers.

Mr. Beatty, from the committee for courts of justice, to whom was referred the amendments proposed by the Senate to a bill which originated in this House, entitled "an act to authorize the stockholders of the bank of Limestone to elect an agent to close
the concerns of said bank, reported the same with an amendment;
Which being twice read, was concurred in.
Ordered, That Mr. Beatty inform the Senate thereof, and request their concurrence in said amendment.
Mr. W. Davis, from the select committee appointed to examine the Lunatic Asylum at Lexington, made the following report:
The committee appointed by the House of Representatives, to examine the situation of the Lunatic Asylum at Lexington, beg leave to offer the following report in relation thereto.
A part of your committee, during the recess, repaired to Lexington, and personally inspected the ground, buildings and interior arrangements of this philanthropic institution, and have seen the comfortable provisions which have been made under the authority of the legislature, for the benefit of its unfortunate inhabitants. It is with emotions of pride and pleasure that we look upon the liberality and humanity of our predecessors, who established and endowed such an institution. It was a hallowed work in which all parties might well unite; and its founders and supporters have received as they deserved, a rich reward in the immense benefits which have resulted from it. The immediate consequence, in a pecuniary point of view, was a saving of several thousand dollars per annum. But that advantage is the least of its results. The afflicted class of our citizens for whose benefit it was erected, has been brought under the care of humane and careful attendants, who restrain their wanderings, strive to excite to healthful action the deranged powers of the mind, and administer to the wants of their animal nature.
Great praise is due to the president and board of commissioners, the venerable superintendent, the assistant and matron, for their assiduous care and attention to the laborious and painful duties of their several offices; and for the cleanliness and neatness observable in the interior of the building, in despite of the difficulties they have to encounter from the disagreeable situation of the patients themselves, under their care; and by the skill of the visiting physician, a considerable proportion of the sufferers have been restored to their friends, to society and to themselves; a benefit which infinitely overbalances all the other advantages of the institution, and evinces irresistibly the wisdom and humanity which adopted the change in the system for their support and maintenance.
Your committee found the public ground upon which the buildings are situated, uninclosed by any permanent fence, and were informed by the board of commissioners, that it was very desirable, for the purpose of preventing escapes, and for the greater facilities of exercise for the patients, to have the grounds
enclosed in a suitable manner with brick or stone; they therefore offer to the consideration of the House, the following bill, all which is respectfully submitted.

WM. M. DAVIS.
J. L. HELM.
H. GRIDER.
W. E. BLACKBURN,

Mr. Davis, from the same committee, reported a bill concerning the Lunatic Asylum.

Which was received and read the first time and ordered to be read a second time.

And thereupon the rule of the House, constitutional provision, and second reading of the said bill having been dispensed with, the same was ordered to be engrossed and read a third time tomorrow.

Mr. Ward, from the select committee to whom was referred, a bill from the Senate entitled, “an act concerning the bank of Kentucky,” reported the same with an amendment;

Which being twice read, was concurred in.

The question was then taken on the passage of said bill as amended, which was decided in the affirmative.

Ordered, That Mr. Ward inform the Senate thereof, and request their concurrence in said amendment.

A bill from the Senate entitled, “an act to amend an act further to regulate the Christian academy,” approved January 17, 1817;

Was read the first time and ordered to be read a second time.

And thereupon the rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with;

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

Ordered, That Mr. Davenport inform the Senate thereof.

And then the House adjourned.

WEDNESDAY, JANUARY 30, 1828.

Mr. Duvall, from the joint committee of enrollments, reported that the committee had examined sundry enrolled bills of the following titles, to-wit:

An act to amend an act entitled, “an act to encourage the establishment of private schools.”

An act for the benefit of the trustees of the Morgan seminary, and for other purposes.

An act to appoint additional constables in certain counties.

An act to authorize the administrators of William C. Davis, deceased, to carry into execution a parol contract, made by said
Davis in his lifetime, with Edward S. Hall, for five or six acres of land.

An act to incorporate the Clay and Jefferson seminaries.
An act to authorize the inhabitants of the town of Brownsville in the county of Edmonson to elect trustees.
An act further to regulate the town of Shepherdsville.
An act to amend an act incorporating the Hartford Manufacturing Company.
An act to authorize the appointment of additional justices of the peace in certain counties, and for other purposes.
An act to establish election precincts in certain counties.
An act to establish an inspection of tobacco at Raleigh, in Union county.
An act for the benefit of certain sheriffs.
An act to establish election precincts in certain counties. And, An act concerning the Bank of Kentucky.
And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Duvall inform the Senate thereof.

Mr. Blackburn presented the petition of sundry citizens of Woodford county, praying the appropriation of a sum of money to be applied to the improvement of the road leading from Buckley's ferry, in said county, to Lexington.

Mr. Smith presented the petition of sundry citizens of Rockcastle county, praying that a law may pass authorizing the keeper of the turnpike and wilderness road to make compensation to Champ Mullens, of said county, for making improvements on said road.

Which petitions were severally received, read and referred: the first to the committee on internal improvements, and the second to a select committee of Messrs. Smith, Breck, Yantis and George.

A message from the Governor by Mr. Pickett, his Secretary:

Mr. Speaker: The Governor has approved and signed enrolled bills which originated in the House of Representatives, of the following titles:

An act for the benefit of Polly Burnett and children.
An act to authorize clerks of courts to take recognizances in certain cases.
An act to extend the limits of the town of Joesville to the mouth of Clover creek, in Breckinridge county, and for other purposes.
An act to change the boundary line of the town of Henderson.
An act for the benefit of the heirs of Tobias Morehead.
An act for the benefit of the heirs of Wm. Barker, deceased.
An act to legalize the proceedings of the trustees of the towns of Russellville and Madisonville.
An act establishing an additional precinct in Campbell county.
An act for the benefit of Thomas M. Smith, and to authorize the trustees of the Simpson county Seminary to sell her donation lands.

An act to alter the time of holding the Hart circuit court, and to extend the term of the Todd circuit court.

An act to alter the mode of taking in the lists of taxable property.

An act allowing an additional justice of the peace in Todd county.

An act for the benefit of the Hart county Seminary.

And a resolution entitled, a resolution fixing on a day for the election of public officers.

And then he withdrew.

Ordered, That Mr. Duvall inform the Senate thereof.

Mr. Beatty, from the committee for courts of justice, to whom was referred a bill to prevent future confictions in claims to land, a bill for the benefit of the heirs of James Neely, deceased, and a bill to provide for the election of Electors of President and Vice President, reported the same with amendments to each:

Which being severally twice read, were concurred in.

And the said bills, as amended, ordered to be engrossed and read a third time.

And thereupon the rule of the House, constitutional provision, and third readings of the two latter bills having been dispensed with, and the same being engrossed;

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

The yeas and nays being required on the passage of the latter bill, by Messrs. M'Millan and Yantis, were as follows, viz:


NAYS—Mr. Speaker, Messrs. Barber, Baseman, Bishop, A. Boyd, Creel, Daniel, Duvall, Forrest, M. W. Hall, Hardy, Helm, Lindsay, Minor, Moore, Munford, Parish, Ray, Rucker, Spalding, Waters, White, A. Wilson and Woodland—24.

Ordered, That Mr. Smith carry the said bill to the Senate, and request their concurrence.
Mr. Beatty, from the same committee, made the following report:

The committee for courts of justice have had under consideration the petition of Matthew D. Heene and others, and have come to the following resolution thereupon, viz:  

Resolved, That the prayer of the said petitioner ought not to be granted.

They have also had under consideration the petition of Joseph S. Norris and Robert Lindsay, the object of which is to be relieved from their liability as securities to John C. Buckner, a sub-agent of the Penitentiary, upon the grounds of hardship and poverty. Your committee are of opinion this is a subject not properly cognizable by the committee for courts of justice, and therefore ask to be discharged from the further consideration thereof.  

Your committee have also had under consideration a resolution directing them to enquire into the progress made in the publication of the decisions of the Court of Appeals, and whether any further legislation was necessary on that subject. For the purpose of obtaining the information desired, the chairman of your committee addressed a letter to Mr. Monroe, embracing the several points of enquiry, contained in the resolution, to which an answer was returned, which is referred to as a part of this report. Accompanying his letter, Mr. Monroe furnished the committee, for their inspection, with an unbound volume of his reports, bringing down the decisions of the Court of Appeals to the fall term 1826, inclusive, together with an index to the letter D. The work appears to be well executed, and your committee are of opinion that no further legislation upon the subject is necessary.  

Which being twice read, was concurred in.

Frankfort, January 18th, 1828.

Sir:—I cheerfully furnish the committee with the information requested by your note of yesterday.  

One volume of the reports of the decisions of the Court of Appeals, containing the cases decided in the years 1825 and 1826, is now nearly completed. I had expected to have had it finished long before this time. It will certainly be bound and the copies taken by the government delivered in full time to be distributed with the journals of the present session of the legislature. I furnish a copy for your examination. Another volume has been commenced, and about one third of the printing done, which will contain the cases determined in the month of January, and the spring term of the last year. The cases decided at the term which closed a few days ago, will constitute another volume, which the printers I employ have promised to commence also, in about a month. It is expected the reports will be up with the decisions of the court before the end of the present year.
As to the enquiry whether any further legislation on this subject be necessary, on which you have been pleased to invite suggestions from me—I am not satisfied of the necessity or expediency of any change in the present laws, which it would become me to originate, and which would probably be adopted at the present session.

Please accept the sincere assurance of my high respect.

THOS. B. MONROE.

Hon. A. BEATTY, Chairman of the Com. of Courts of Justice.

Mr. Beatty, from the same committee, reported a bill prescribing the mode of proceeding against civil officers, for issuing illegal fee bills; and a bill to authorize clerks of courts to administer oaths in vacation in certain cases.

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

And thereupon the rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed;

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

Ordered, That Mr. Beatty carry the said bills to the Senate, and request their concurrence.

Mr. B. Harrison, from the committee on internal improvements, to whom was referred an engrossed bill entitled an act to incorporate the Lexington rail road company, reported the same with an amendment.

Which being twice read, was adopted.

And the said bill, as amended, ordered to be re-engrossed, and again read a third time to-morrow.

A message was received from the Senate, announcing their concurrence in an amendment of this House to a bill which originated in the Senate, entitled,

An act concerning the Bank of Kentucky.

And the passage of bills which originated in this House entitled

An act for the benefit of Susan W. Owen.

An act authorizing the sale of certain streets in the town of Russellville.

An act for the benefit of John Gibson. And,

An act to regulate the duties and powers of trustees of towns in this Commonwealth.

The latter with an amendment.

And that the Senate have received official information that the Governor has approved and signed bills which originated in the Senate of the following titles:

An act for the benefit of Matthew H. J Elliott's heirs; and,

An act concerning the Bank of Kentucky.
The House then proceeded to the election of public officers; and after receiving and interchanging nominations with the Senate for Treasurer, Public Printer, a President and two Directors on the part of the State for the Bank of Kentucky; a President and twelve Directors for the Bank of the Commonwealth, and a President and Directors for each of the Branch Banks of said Bank, taking several votes thereon, and having a comparison of said votes by a joint committee of both Houses, the following persons were reported and accordingly declared duly elected to the several offices for which they had been nominated, for the present year:

For Treasurer, . . . . James Davidson.
For Public Printer, . . . . Jacob H. Holeman.
For President of the Bank of Kentucky—Peter Dudley.
For Directors of said Bank—John Brown and Daniel Weisiger.
For President of the Bank of the Commonwealth—Joseph Smith.

For President and Directors of the Branch Banks of the Commonwealth, the following gentlemen, viz:


Winchester Branch—James Anderson, President; Lewis Grigsby, Charles C. Moore, Ben. H. Buckner, Jas. B. Barr; Willis Young, Henry T. Duncan, Howard Williams and Benj. Stranghan, Directors.

Lexington Branch—Charles Humphreys, President; Thomas H. Pindle, David Megowan, Daniel M. Payne, Andrew McCleure, George Boswell, Elijah Craig, David Thompson, Samuel H. B. Clarkson, Directors.


Greensburg Branch—Peter B. Atwood, President; Elijah Creel, Joseph Alkin, Samuel Brents, James Lasly, Ignatius Hara, N.
Mr. Duvall, from the joint committee of enrollments reported that the committee had examined enrolled bills of the following titles, and had found the same truly enrolled, viz:

An act to amend an act, further to regulate the Christian academy, approved January 17, 1827.

An act to open a state road from Elizabethtown by way of Litchfield, Hartford and Madisonville to Princeton in Caldwell county. And,

An act regulating the terms of the Jefferson circuit court.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Duvall inform the Senate thereof.

On the motion of Mr. Riffe—Ordered, That leave be given to bring in a bill further to regulate the payment of the debt due the bank of the Commonwealth of Kentucky; and that Messrs. Riffe, Haggin, Helm, Inglish, Rucker, Bulford and Yantis, be appointed a committee to prepare and bring in the same.

Mr. Yantis, from the select committee to whom was referred, a bill to provide for the erection of a bridge across Rockcastle river, on the turnpike and wilderness road, reported the same with an amendment.

Which being twice read was concurred in.
Jan. 31.] HOUSE OF REPRESENTATIVES. 307

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

The amendments proposed by the Senate, to a bill which originated in this House entitled, "an act to change the August terms of the Henry, Ohio and Hardin county courts," were reported from the committee for courts of justice without amendment, and concurred in.

Ordered, That Mr. Beatty inform the Senate thereof.

The House took up the resolution laid on the table, on the fixing on a day for the final adjournment of the General Assembly; which being twice read and amended by striking out Tuesday the 22d instant, and inserting Friday the 8th day of February, was adopted.

Ordered, That Mr. Lindsay carry the said resolution to the Senate, and request their concurrence.

The House proceeded to the election of trustees of the Transylvania University, and after receiving and interchanging nominations with the Senate for those officers, taking a vote, and comparing the joint vote, the following persons were reported and declared duly elected, viz:


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

By Mr. Turner—1. A bill to legalize the proceedings of the Madison and Bullitt county courts. And,

By Mr. L. Sanders—2. A bill to repeal so much of an act entitled, "an act to regulate endorsements on executions," approved, December 25th, 1820, as relates to the collection of officers fees.

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, constitutional provision, and second reading of the said bills having been dispensed with, the first was ordered to be engrossed and read a third time; and the second was committed to the committee for courts of justice.

And thereupon the rule of the House, constitutional provision and third reading of the first bill having been dispensed with, and the same being engrossed.

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

Ordered, That Mr. Turner carry the said bill to the Senate, and request their concurrence.
The following bills were severally read a second time, and ordered to be engrossed and read a third time.

1. A bill giving further time to certain officers to renew their bonds.

2. A bill to amend the several acts more effectually to suppress the practice of duelling.

And thereupon the rule of the House, constitutional provision and third reading of the first bill having been 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. Hazlerigg carry the said bill to the Senate and request their concurrence.

On motion—Ordered, That the committee of the whole House be discharged from the further consideration of the resolutions offered by Mr. Beatty on the 19th December, and that the same be placed in the orders of the day.

Mr. Guthrie moved the following resolution:

Resolved, That the committee of internal improvements be instructed to report the bill for completing the Shelbyville and Louisville turnpike, with a provision that the fund shall not be drawn by the president and managers, until the fund shall be par furred, or until said president and managers shall give the bond required in said act, with a stipulation to account for the fund as par: and also report the adopted and proposed amendments to said bill by way of original bills.

Which being twice read, was adopted.

A bill from the Senate entitled, "an act further to regulate the Cumberland hospital," was read the first time and ordered to be read a second time.

And thereupon the rule of the House, constitutional provision and second reading of the said bill having been dispensed with, the same was committed to the committee of ways and means.

It was then moved and seconded, to take up the resolutions laid on the table by Mr. Breckenridge, on the instant, relative to the late presidential election.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Breckenridge and Cunningham, were as follows, viz:


NAYS—Mr. Speaker, Messrs. Barbee, Barker, Baseman, Bibb, Bishop, A. Boyd, Buford, Collman, Colglazier, Creel, A.
A message was received from the Senate, announcing the passage of bills of the following titles:

- An act for the benefit of Sidney P. Clay and wife.
- An act for the benefit of D. Trabue and others. And,
- An act for the benefit of the heirs of Peter Tichenor and Hatzell Jennings, deceased.

And the passage of bills which originated in this House, of the following titles:

- An act to declare Beaver creek a navigable stream.
- An act for the benefit of Robert Patterson.
- An act to add an additional justice of the peace to the county of Boone. And,
- An act to amend an act, imposing a duty on sales at auction, in the county of Jefferson, for the benefit of the Louisville hospital, approved, December 17, 1821, with amendments to the two latter bills.

The said amendments were then taken up and twice read; the amendment to the first bill was disagreed to, and those to the second concurred in.

Ordered, That Mr. Gaines inform the Senate thereof.

The amendments proposed by the Senate, to a bill which originated in this House entitled, "an act to regulate the powers and duties of trustees of towns, in this commonwealth," were twice read and concurred in.

Ordered, That Mr. Grider inform the Senate thereof.

The House then resumed the consideration of a bill from the Senate entitled, an act fixing the ratio and apportioning the representation for the ensuing four years.

The question before the House when the bill was last under consideration, was upon adopting the substitute formerly rejected, in lieu of the bill from the Senate, and the previous question called thereon.

The question was then put—"Shall the main question be now put?" which was decided in the affirmative.

The main question, viz: "adopting the substitute in lieu of the bill from the Senate," was accordingly put, and the question taken on adopting said substitute, which was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Davenport and Inglish, were as follows, viz:

NAYS—Messrs. Barker, Beatty, Bishop, Blackburn, Breck, Breckinridge, Conner, Cunningham, A. Davis, Davenport, Evans, Ewing, Ford, Gaines, George, Grider, Hanson, B. Harrison, Helm, Henderson, Lindsay, M'Bride, M'Connell, Miner, Moore, Morris, Munford, Patrick, Powers, Ried, Sallee, Southgate, Swope, True, Turner, Watkins, Wilkerson, A. Wilson, Woodland, and Yantis—40.

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

And thereupon the rule of the House, constitutional provision, and third reading of the said bill having been dispensed with;

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

Ordered, That Mr. Combs inform the Senate thereof, and request their concurrence in said amendment.

The yeas and nays being required on the passage of said bill by Messrs. Lindsay and Blackburn, were as follows, to-wit:


NAYS—Messrs. Barker, Beatty, Bishop, Blackburn, Breckinridge, Conner, Cunningham, A. Davis, Davenport, Evans, Ewing, Ford, Gaines, George, Grider, Hanson, B. Harrison, Helm, Henderson, Harald, Lindsay, M'Bride, M'Connell, Miner, Moore, Morris, Munford, Patrick, Powers, Ray, Reid, Sallee, Simpson, Skiles, Southgate, Spalding, Swope, Thomas, True, Turner, Watkins, Wilkerson, A. Wilson, and Woodland—44.

The House then took up for consideration a bill to encourage agriculture and the mechanic arts.

It was then moved and seconded to lay the said bill on the table until the first day of June next.
And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Breckinridge and L. Sanders, were as follows, viz:


Mr. Graham then moved to attach to said bill the following as an additional section, viz:

Be it further enacted, That the sum of five hundred dollars, Commonwealth's paper, be appropriated to each and every county in this Commonwealth, for the same purpose.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Davenport and Breckinridge, were as follows, viz:


The said bill was then amended to read as follows, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That this State shall be divided in three ag-
ricultural districts, as follows: The counties of Hickman, Graves, Calloway, McCracken, Trigg, Caldwell, Livingston, Union, Hopkins, Christian, Todd, Muhlenburgh, Henderson, Logan, Butler, Simpson, Warren, Allen, Barren, Monroe, Hart, Grayson, Ohio, Daviess, Edmonson, Cumberland, Russell, Adair, Breckinridge and Wayne, shall compose the first district; the counties of Hardin, Meade, Greene, Pulaski, Casey, Nelson, Bullitt, Jefferson, Oldham, Henry, Shelby, Spencer, Washington, Lincoln, Rockcastle, Clay, Knox, Whitley, Harlan, Anderson and Laurel, shall compose the second district; and the counties of Gallatin, Owen, Scott, Woodford, Franklin, Fayette, Jessamine, Clarke, Bourbon, Nicholas, Harrison, Pendleton, Grant, Boone, Campbell, Bracken, Mason, Lewis, Fleming, Bath, Montgomery, Garrard, Greenup, Lawrence, Pike, Morgan, Perry, Floyd, Madison, Estill and Mercer, shall compose the third district.

Sec. 2. Be it further enacted, That whenever any portion of the citizens of the aforesaid agricultural districts, shall form themselves into a society for the purpose of improving the agricultural productions, the various kinds of stock, and the mechanical arts, in their respective districts, or any one of them, there shall be appropriated from the public treasury, a sum of money equal to any sum contributed by the members of the aforesaid agricultural societies: provided, that neither of said societies, shall receive a greater sum than $500 from the public treasury in any one year.

Sec. 3. Be it further enacted, That the societies contemplated by the second section of this act, shall hold their annual meetings at the following places, to-wit: that in the first agricultural district, in or near Bowlinggreen; that in the second agricultural district, in or near Bardstown; and that in the third agricultural district in or near Lexington.

Sec. 4. Be it further enacted, That the Auditor of Public Accounts is hereby directed annually to issue his warrants on the treasury, in favor of the Presidents of the said societies, for their use, for a sum equal to that which the treasurers of the said societies shall certify to the auditor, has been actually paid into their hands respectively, by individuals, for the benefit of the societies; subject, however, to the provisions contained in the second section of this act.

Sec. 5. Be it further enacted, That said societies shall make such appropriation of the money hereby granted them by the Commonwealth, as shall, in the opinion of the respective societies be best calculated to improve the condition of agriculture and the mechanical arts, and the rearing of stock in their several districts: Provided, That said societies shall not, in their collective capacities, have any connexion with the sports of the turf.

The question was then taken on engrossing said bill, and read-
ing the same a third time, which was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Conner and Stone, were as follows, viz:


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

1. An act to authorize the Secretary of State to purchase seventy-five copies of the digest.
2. An act further to prescribe the duties of sheriffs.
3. An act concerning the Lunatic Asylum.
4. An act to incorporate the Lexington Rail Road Company.

The first was re-committed to a select committee of Messrs. Yantis, Grider, Roberts and Watkins.

Resolved, That the second, third and fourth bills do pass; that the titles of the second and third be as aforesaid, and that of the fourth be amended by adding thereto the words "and Turnpike Company."

The yeas and nays being required on the passage of the third bill by Messrs. Inglish and W. M. Davis, were as follows, viz:


Ordered, That Mr. Combs carry the said bills to the Senate, and request their concurrence.

An engrossed bill entitled, an act to prevent future conflict in claims to land, was read a third time, as follows:

Whereas the various claims to lands in this Commonwealth derived from the State of Kentucky, have been attended with peculiar difficulties and uncertainties, and have produced heretofore and may produce hereafter great disputes and tedious, uncertain and expensive litigations, to the great disquiet of the good people of this Commonwealth: and it is well known that the surveys of waste lands were made under great difficulties, from the peculiar natural impediments in one great section of the state to durable landmarks, whereby the good people have experienced great embarrassments, in ascertaining the actual boundaries of the surveys executed by the lawfully authorized surveyors acting under authority of law, and many such may in future arise: And whereas it is of great concern to the quiet and happiness of society, that the tenure of landed estates in this Commonwealth should be fixed and stable, as a general uncertainty and litigation of the lands in any county, tends to demoralize society: For prevention whereof, it is the true policy of this State to confirm existing interests, and to regulate all future surveys, so as to prevent disputes and secure actual settlers and improvers, so far forth as may be, without shifting the standard of previously vested rights and interests: Therefore,

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That no survey or grant shall hereafter be made upon any right or interest hereafter derived from this Commonwealth, so as to include any lands improved, or cultivated, or enclosed, or in the use, possession or occupation of any person whosoever, under color of title derivable from record, until the party intending to take up such land, shall have given three full calendar months notice to such occupier, claimant, possessor or cultivator, and to the claimant in fee thereof also, if such occupant claims only as tenant, and not in his own right, of his intention to take up, enter, survey, or appropriate the same; describing in such notice particularly, the land supposed to be vacant, and why and wherefore he supposes such land to be vacant; which notice shall be so special and precise as to enable the occupier, holder, cultivator or claimant in fee, as the case may be, to enter, survey and take up the same, to the use of the person so using, occupying, cultivating or claiming in fee, according to the nature of the case, during all which time, the pre-emptive right shall belong to the claimant under whom such possession is held and enjoyed.

Sec. 2. Be it further enacted, That it shall not be lawful hereaf
ter to take up and appropriate any slips or parcels of land, not exceeding fifty acres, which are surrounded by two or more surveys, owned by any one person now or hereafter settled on the same; nor to disturb the reputed or supposed boundaries of surveys, settled, cultivated or occupied, improved or tenanted, in any part of the tract or tracts, on account of any surplus variation of course or distances, until such party intending to take, survey or appropriate such land, shall have given three calendar months' notice of such his intention. Provided however, the person so owning, occupying or claiming such surveys, may appropriate such slips or surplus, without giving notice.

Sec. 3. Be it further enacted, That in case such occupier, possessor, cultivator, improver, patentee, grantee or owner of the improvement or survey, so referred to in the notice, shall not within the said three months, cause a survey thereof to be made with a view to obtain a patent, then and in that case it shall be lawful for the person who gave the notice as aforesaid, upon producing a certificate from the clerk of due proof of such notice before the county court wherein the land lies, to survey and take up the land described in such notice, and proceed therewith according to law; subject, however, to the just right and claim of the person or persons so notified, his, her or their assigns, without prejudice, by reason of such notice, and all such notices shall be recorded and certified by the clerk of the county wherein the land lies.

Sec. 5. Be it further enacted, That nothing in this act contained shall be construed so as to alter the rule of decision between individual private rights conflicting and vested before the passage of this act.

And the question being taken on the passage of the said bill, it was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Smith and Bibb, were as follows, viz:


And then the House adjourned.
FRIDAY, FEBRUARY 1, 1823.

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

An act for the benefit of John Gibson.

An act authorizing the sale of certain streets in the town of Russellville.

An act for the benefit of Susan W. Owen.

An act for the benefit of Robert Patterson.

An act to change the August terms of the Henry, Ohio, and Hardin county courts, and the time of holding the Lewis circuit court.

An act to declare Beaver creek a navigable stream.

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Stone inform the Senate thereof.

Mr. M. Hall moved the following resolution:

Resolved, That the standing order of adjournment of this House during the balance of the session, be nine o'clock, P.M.

Mr. A. Boyd, from the joint committee appointed to examine the penitentiary, made a report, which was received, read and referred to the committee of claims.

Mr. Beatty, from the committee for courts of justice, to whom was referred a bill to establish Seminaries of Learning in the counties of Graves, Calloway, Hickman and McCracken, reported the same with an amendment.

Which being twice read was concurred in.

And the said bill, as amended, ordered to be engrossed and read a third time.

And thereupon the rule of the House, constitutional provision, and third reading of said bill having been 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. L. Boyd carry the said bill to the Senate and request their concurrence.

Mr. Beatty, from the same committee, to whom was referred a bill to repeal so much of an act entitled an act to regulate endorsements on executions, approved December 25th, 1820, as relates to the collection of officers fees, reported the same with an amendment.

Which being twice read, was concurred in.

It was then moved and seconded to lay the said bill on the table.

And the question being taken thereon, it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Bishop and L. Sanders, were as follows, to-wit:

YEAS—Mr. Speaker, Messrs. Barker, Beatty, Bibb, Blackburn, A. Boyd, L. Boyd, Breck, Breckenridge, Colglazier, Combs, Conner, Creel, Cunningham, W. M. Davis, Davenport, Dougherty, Evans, Ford, Gaines, George, Griffin, Grider, Guthrie, Hall, Hanson, Helm, Henderson, Harald, Ingels, Inglish, Lindsay, Litton, M'Bridge, M'Connell, M'Millan, Miner, Moore, Morris, Patrick, Patterson, Powers, Reid, Riffe, Rucker, Sallee, Simpson, Smith, Swope, Turner, Waters, Watkins, A. Wilson, Woodland, and Yantis—55.


Mr. Spalding, from the committee of privileges and elections made the following report, viz:

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, to-wit:

from the county of Adair and part of Russell, Simeon Creel and William D. Parish; from the county of Allen, Walter Thomas; from the county of Bath, Samuel Stone; from the county of Barren, Michael W. Hall and James G. Hardy; from the county of Boone, John P. Gaines; from the county of Bourbon, Thomas A. Marshall, Nimrod L. Lindsay and Boone Ingels; from the county of Bracken, John Colglazier; from the county of Breckenridge, Ansnel Watkins; from the county of Bullitt, Nathaniel P. Sanders; from the county of Butler, John Harald; from the county of Caldwell, James W. Rucker; from the county of Casey, Christopher Riffe; from the county of Campbell, William W. Southgate; from the county of Christian, William Davenport; from the county of Cumberland, George Swope; from the county of Clarke, Samuel Hanson and Isaac Cunningham; from the counties of Clay and Perry, Alexander Patrick; from the county of Daviess, John Roberts, from the county of Estill, et al; Woodland; from the county of Fayette, Robert J. Breckenridge, James True, and Leslie Combs; from the county of Fleming, Edward H. Powers and Joseph Secrest; from the counties of Floyd and Pike, Thomas W. Graham; from the county of Franklin and part of Anderson, Lewis Sanders and James Downing;
from the county of Gallatin, Robert S. Dougherty; from the county of Garrard, John Vansitt and Robert McConnell; from the county of Grant, Nathaniel Henderson; from the county of Grayson and part of Edmonson, William Inglish; from the county of Green, Samuel White and Elias Barbee; from the county of Greenup, William Conner; from the counties of Hardin and Meade, John C. Ray and John L. Helm; from the counties of Harlan, Knox and Laurel, Robert George; from the county of Harrison, John O. Base- man and Joseph Patterson; from the county of Hart and part of Edmonson, Richard L. Munford; from the county of Henderson, Daniel M'Brude; from the county of Henry, Henry Moore and John Miner; from the counties of Hickman, Graves, Calloway and McCracken, Lynn Boyd; from the county of Hopkins, James Bishop; from the counties of Jefferson and Oldham, James Guthrie, Charles L. Harrison and John Joyce; from the county of Jessamine, Harrison Daniel; from the county of Lewis, John Bruce; from the county of Lincoln, Adam Wilson; from the county of Livingston, Joseph Hughes; from the county of Logan, John B. Bibb; from the county of Madison, Joseph Turner, Daniel Breck and John Speed Smith; from the county of Mason, Adam Beatty and David Morris; from the county of Mercer, Joel P. Williams, Terah T. Haggin and Thomas Hule; from the county of Monroe, James M'Millan; from the county of Montgomery, Amos Davis and William Wilkerson; from the counties of Morgan and Lawrence, Thomas F. Hazlerig; from the county of Muhlen- burg, John F. Coleman; from the county of Nelson, Jonathan Simpson and Burr Harrison; from the county of Nicholas, Thomas West and Robert C. Hall; from the county of Ohio, William H. Davis; from the county of Owen, Cyrus Wingate; from the county of Pendleton, John H. Barker; from the county of Polaski, John Griffin and John Evans; from the county of Rock- castle, William Smith; from the county of Scott, Robert J. Ward and John Duvall; from the county of Shelby, James Ford, Alexander Reid and David W. Wilson; from the county of Simpson, Henry B. Montague; from the county of Todd, Thompson M. Ewing; from the county of Trigg, Abraham Boyd; from the county of Union, William Spalding; from the county of Warren and part of Edmonson, James R. Skiles and Henry Gilder; from the county of Washington, Richard Forrest, Thomas H. Waters and John S. Watts; from the county of Wayne, Moses Sallee; from the county of Whitley, Burton Litton; from the county of Woodford, William B. Blackburn and John Buford.

WILLIAM SPALDING. ROBT. C. HALL. JAS. BISHOP. ROBT. M'CONNELL. THOMAS W. GRAHAM.

WILLIAM SPALDING. ROBT. C. HALL. JAS. BISHOP. ROBT. M'CONNELL. THOMAS W. GRAHAM.

J. SIMPSON. JAMES DOWNNING. WM. CONNER. ROBT. GEORGE. JAMES FORD.
Mr. Breck, from the committee of ways and means, to whom was referred a bill from the Senate entitled, "an act further to regulate the Cumberland hospital," reported the same without amendment.

The said bill was then ordered to be read a third time.

And thereupon the rule of the House, constitutional provision, and third reading of the said bill having been dispensed with;

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

Ordered, That Mr. Hughes inform the Senate thereof.

Mr. M. Hall from the select committee appointed for that purpose, reported a bill appointing commissioners to examine and report the propriety of declaring Caney creek a navigable stream.

Which was received and read the first time;

And the question being taken on reading the said bill a second time, it was decided in the negative, and so the said bill was rejected.

Mr. Guthrie, from the committee on internal improvements, to whom was referred a bill to improve the road between Shelbyville and Louisville, reported the same with an amendment.

Which being twice read was concurred in.

An engrossed bill entitled, "an act to provide for the erection of a bridge across Rockcastle river, upon the turnpike and wilderness road," was read a third time as follows, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That a sum not exceeding twenty-five hundred dollars, be and the same is hereby appropriated, for the purpose of erecting a bridge across Rockcastle river, where the wilderness road leading from Richmond to Cumberland gap, crosses said river.

Sec. 2. Be it further enacted, That Daniel Bates, of Clay county, and Robert Harris, of Madison county, be appointed commissioners to devise the plan and mode, and to contract for and superintend the erection of said bridge, and that said commissioners be and they are hereby authorized to let out the building of said bridge to the lowest bidder, to be executed upon such plan and in such manner as they may direct, or to contract for its erection in any other way, which in their opinion will be more expedient.

Sec. 3. Be it further enacted, That when said bridge shall be erected, upon such plan and in such manner, as said commissioners may direct, and the same shall be approved and accepted by them, it shall be the duty of said commissioners to certify to the Auditor of public accounts, the expense thereof, and what individual or individuals, are entitled to receive the same; and upon the presentation of the certificate of said commissioners as aforesaid, to the Auditor of public accounts, it shall be his duty and
he is hereby directed to draw his warrant upon the Treasurer for the amount so certified, provided the same shall not exceed the aforesaid sum of twenty-five hundred dollars, in notes on the bank of the Commonwealth.

Sec. 4. **Be it further enacted**, That said commissioners shall be allowed one dollar and fifty cents per day, in notes of the Bank of the Commonwealth, for each day that they may be necessarily engaged in the execution of the trust committed to them by this act, and their several accounts when sworn to before a justice of the peace, shall, upon presentation to the Auditor of public accounts, authorize him to draw his warrant or warrants upon the Treasurer for the amount thereof.

Sec. 5. **Be it further enacted**, That it shall be the duty of said commissioners to make out and return, to the next session of the legislature, a detailed report of their proceedings under this act.

Sec. 6. **Be it further enacted**, That a sum not exceeding twenty-five hundred dollars be and is hereby appropriated, for the purpose of erecting a bridge across Rockcastle river, where the wilderness road leading from the Crab Orchard in Lincoln county, to Cumberland gap, crosses said river.

Sec. 7. **Be it further enacted**, That Lot Pittman and James Tyrell be appointed commissioners to devise the plan and mode, for a strong and durable bridge, and to contract for, and superintend the erection of said bridge.

Sec. 8. **Be it further enacted**, That said bridge shall be erected under the same rules and regulations as prescribed in this act for building the bridge across Rockcastle river, on the road leading from Richmond to Cumberland Gap, and the commissioners and other officers shall be governed accordingly.

And the question being taken thereon, it was decided in the negative—the House being equally divided.

The yeas and nays being required thereon by Messrs. Griffin and Turner, were as follows, viz:


NAYS—Messrs. Darbee, Baseman, Bishop, Blackburn, L. Boyd, Breckenridge, Colman, Colglazier, Covel, Daniel, Davenport, Downing, Evans, Ewing, Forrest, Griffin, Grider, M. W. Hall, Hardy, Hazlerigg, Helm, Harrell, Ingham, M'Brady, M'Miller, Miner, Montague, Munford, Parish, Patterson, Powers, Ray, Roberts, Sullee, N. P. Sanders, Secretary, Simpson, Skiles, Spald-
ing, Swope, Thomas, Waters, White, Wilkerson, A. Wilson, Wingo and Woodland.—47.

A message was received from the Senate, announcing the passage of a bill entitled, "an act to authorize the county court of Gallatin to appoint inspectors of tobacco," their concurrence in the amendment proposed by this House, upon concurring in the seventh amendment proposed by the Senate to a bill which originated in this House, entitled, "an act to authorize the stockholders of the bank of Limestone to elect an agent to close the concerns of said bank;" and that the Senate recede from the amendment proposed to a bill from this House entitled, "an act to add an additional justice to the county of Boone," and their concurrence in some and disagreement to others of the amendments proposed by this House to a bill from the Senate to fix the ratio and apportion the representation for the ensuing four years.

The report of the Senate on the subject of the latter bill was taken up and read as follows, viz:

In Senate, February 1.

Resolved, That the Senate do agree to the amendments proposed by the House of Representatives, to every part of "an act to fix the ratio and apportion the representation for the ensuing four years," except the following particulars and in those particulars do disagree, to-wit:

1st. The amendment which took one representative from the county of Lincoln and added one to the county of Washington.
2d. The amendment which took one from the county of Montgomery and added one to the county of Nicholas.
3d. The amendment which took the county of Laurel from Whitey and added it to the counties of Knox and Harlan.
4th. The amendment which took the county of Bullitt from the county of Jefferson, and added it to the counties of Hardin and Meade.
5th. The amendment which took Laurel from the counties of Knox, Clay, Harlan, Perry and Whitey, and added it to the counties of Lincoln and Rockcastle.
6th. The amendment which transposes the county of Union and places it before Henderson.

It was then moved and seconded, that this House recede from their amendment proposed to the bill from the Senate, which proposes to strike out one representative from Lincoln, and to give an additional one to Washington, in lieu of the provision contained in the bill from the Senate which gives Lincoln two and Washington two representatives in the House of Representatives.

And the question being taken on receding from the said amendment of this House, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Forrest and Waters were as follows, viz:

Q
Resolved, That this House insist on their said amendment.

It was then moved and seconded that this House insist on their second amendment proposed to the bill from the Senate, which proposes to strike out one from Montgomery and give an additional member to Nicholas, in lieu of the provision in the bill from the Senate which proposes to give Montgomery two and Nicholas one representative in the House of Representatives.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wilkerson and A. Davis were as follows, viz:


It was then moved and seconded that this House receive from their third amendment proposed to the bill from the Senate, which proposes to add Laurel county to the counties of Knox and Harlan, for the purpose of sending one representative, in lieu of the provision of the Senate's bill, which proposes to add
House of Representatives.

Feb. 1.

Lauré to Whitley county, for the purpose of sending one representative.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Litton and Inglish, were as follows, viz:


It was then moved and seconded, that this House insist on their fourth amendment proposed to the bill from the Senate, which proposes to add Bullitt to the counties of Hardin and Meade for the purpose of electing one Senator, in lieu of the provision in the bill from the Senate, which proposes to add Bullitt to Jefferson county for the purpose of electing one Senator.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Helm and Guthrie, were as follows, viz:


It was then moved and seconded, that this House insist on their
fifth amendment proposed to the bill from the Senate, which proposes to take Laurel county from the Senatorial district composed of the counties of Knox, Clay, Harlan, Perry and Whitley, and adds it to the counties of Lincoln and Rockcastle.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Smith and A. Wilson, were as follows, viz:


Resolved, That this House recede from their sixth amendment.

Ordered, That Mr. Yantis inform the Senate thereof.

It was then moved and seconded, at ten minutes after five o'clock, P. M. that the House do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Henderson and Sallee, were as follows, viz:


And the House then adjourned.
Mr. B. Harrison presented the petition of sundry citizens of Nelson county, praying that a law may pass to authorize the appointment of an additional constable for said county.

Which was received, read and referred to a select committee of Messrs. Harrison, Simpson and Roberts.

Mr. Hall, from the committee of claims, to whom was referred a bill for the appropriation of money, reported the same with amendments.

Ordered, That the said bill, with the amendments, be committed to a committee of the whole house for Tuesday next.

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

1. A bill for the benefit of Catharine Fox.
2. A bill for the benefit of the Keeper of the Penitentiary.

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, constitutional provision and second and third readings of the last bill having been dispensed with, and the same being engrossed;

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

Ordered, That Mr. L. Sanders carry the said bill to the Senate, and request their concurrence.

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

An act to authorize the stockholders of the late independent banks to elect agents to close the concerns of said banks, and for other purposes.

An act further to regulate the Cumberland Hospital. And, An act to regulate the powers and duties of trustees of towns in this Commonwealth.

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Stone inform the Senate thereof.

Mr. B. Harrison from the committee on internal improvements reported a bill for turupiking the road from Maysville to Lexington.

Which was received, and read the first time, and ordered to be read a second time.
And thereupon the rule of the House, constitutional provision, and second reading of the said bill having been dispensed with, it was then moved and seconded to lay the said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Skiles and West, were as follows, viz:

YEAS—Messrs. Barbee, Bibb, Bishop, L. Boyd, Breck, Coffman, Conner, Creel, Cunningham, W. M. Davis, Davenport, Evans, Griffin, Grider, Hale, M. W. Hall, Hanson, Hardy, Henderson, Hughes, Inglis, Lindsay, Litton, M'Brice, M'Connell, Montague, Munford, Parish, Patterson, Powers, Roberts, Sallee, Simpson, Smith, Spalding, Swope, Thomas, Turner, Watkins, White, A. Wilson, Woodland and Yantis—43.


The second section of said bill was then read as follows:

Sec. 2. Be it further enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of dollars, is hereby appropriated to turnpike said road, and the Governor of this Commonwealth is authorized and requested to negotiate a loan with the President and Directors of the Bank of the Commonwealth of Kentucky, for the sum above mentioned, and to pay over the same to the commissioners aforesaid, from time to time, as they may apply for the same.

It was then moved and seconded to expunge from said section the words printed in italics.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Breckinridge and Beatty, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Breckinridge, Bruce, Combs, Cunningham, Daniel, Gaines, George, Grider, Hanson, Lindsay, Marshall, M'Brice, M'Connell, Miner, Powers, N. P. Sanders, Skiles, True, and Waters—20.

NAYS—Messrs. Barbee, Baseman, Beatty, Bibb, Bishop, Blackburn, A. Boyd, L. Boyd, Buford, Coffman, Colglazier, Conner, Creel, A. Davis, W. M. Davis, Davenport, Dougherty, Downing, Duvall, Evans, Ford, Forrest, Graham, Griffin, Hale, M. W. Hall, R. C. Hall, Hardy, B. Harrison, C. L. Harrison, Hazlerigg, Helm, Henderson, Harald,

The amendment proposed by the Senate to change the title of a bill which originated in this House, entitled, an act to amend an act entitled an act imposing a duty on sales at auction in the county of Jefferson, for the benefit of the Louisville Hospital, approved December 17, 1821—was twice read and disagreed to.

Ordered, That Mr. C. L. Harrison inform the Senate thereof.

An engrossed bill entitled, an act to amend the several acts more effectually to suppress the practice of duelling, was read a third time.

And the question being taken on the passage of said bill, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Manford and Hanson, were as follows, viz:


NAYS—Mr. Speaker, Messrs. Barbee, Baseman, L. Boyd, Breckinridge, Bruce, Creel, Daniel, Dougherty, Forrest, George, Grider, M. W. Hall, Hanson, Henderson, Hughes, Litton, M'Eride, M'Millan, Miner, Moore, Montague, Munford, Parish, Patrick, Batterson, Powers, Reid, Rucker, Sallee, N. P. Sanders, Secrest, Simpson, Spalding, Stone, Swope, Thomas, White, Wilkerson, Wingate and Woodland—41.

Ordered, That Mr. Gaines carry the said bill to the Senate and request their concurrence.

A bill for the benefit of John Allen and others, was ordered to be engrossed and read a third time.

And thereupon the rule of the House, constitutional provision, and third reading of the said bill having been 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. Breckinridge carry the said bill to the Senate, and request their concurrence.

The following bills were severally read a second time:

1. A bill to amend the act authorizing the county courts to appoint inspectors of Salt.
2. A bill to allow an additional justice of the peace and constable in the county of Gallatin.
3. A bill to authorize the sale of a part of the public square in the town of Mount-Vernon in Rockcastle county.
4. A bill to declare trade water river a navigable stream.
5. A bill for the benefit of the heirs of David Dickerson deceased.
6. A bill for the benefit of Beverly Brown.
7. A bill for the benefit of the Rittenhouse academy in Georgetown.
8. A bill for the benefit of Peter Curtner.
9. A bill to provide counsel to go to Washington City to defend the validity of the seven years limitation law.
10. A bill for the benefit of Richard Barnett.
11. A bill for the benefit of Elizabeth Lemon.
12. A bill for the benefit of John Deverin.
13. A bill to authorize the clerk of the county of Union to transcribe certain records in said office.
14. A bill making a further appropriation for the rebuilding of the Capitol, and for other purposes.
15. A bill for the benefit of securities.
16. A bill to improve the navigation of Rough creek.
17. A bill for the benefit of John Faughn.
18. A bill further to regulate the Court of Appeals.
19. A bill to authorize certain county courts to appoint viewers to view a way for a road from Richmond in Madison county, to the Green river Salt works.

The 1st, 2d, 3d, 4th, 5th, 6th, 8th, 10th, 11th, 12th, 14th, 16th, 17th and 19th were severally ordered to be engrossed and read a third time: the 7th was committed to the committee of propositions and grievances: the 9th and 15th to the committee for courts of justice: the 18th to a select committee of Messrs. Smith, Grider and B. Harrison: the 20th to a select committee of Messrs. Litton, M. W. Hall and Hardy.

And the question being taken on engrossing the 13th bill and reading the same a third time, it was decided in the negative, and so the said bill was rejected.

And thereupon the rule of the House, constitutional provision, and third reading of 1st, 2d, 8th, 10th, 11th, 12th, 16th, 17th and 19th bills having been dispensed with, and the same being engrossed.

Resolved, That the said bills do pass; that the titles of the 1st, 3th, 11th, 12th, 16th, 17th and 19th bills be as aforesaid; that of the second be amended to read, an act to add additional constables to certain counties, and that of the 10th by adding thereto the words "and others."

The yeas and nays being required on the passage of the 12th bill by Messrs. Simpson and Sallee, were as follows, viz:
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The yeas and nays being required on the passage of the 16th bill, by Messrs. Waters and Helm, were as follows, viz:


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

It was then moved and seconded that this House take up for consideration a resolution for burning a part of the notes of the Bank of the Commonwealth of Kentucky.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Skiles and Breckinridge, were as follows, viz:


A bill from the Senate entitled, an act for the benefit of Daniel Trabue and others, was read the first time, and ordered to be read a second time.

And thereupon the rule of the House, constitutional provision 2 R
and second and third readings of said bill having been dispensed with, and the same having been amended;

Resolved, That the said bill, as amended, do pass.

Ordered, That Mr. Litton inform the Senate thereof, and request their concurrence in said amendment.

It was then moved and seconded, at 25 minutes after 5 o'clock, P. M. that this House do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

The yea and nay being required thereon by Messrs. Sallee and — were as follows, viz:


And the House then adjourned.

MONDAY, FEBRUARY 4, 1828.

Mr. Southgate read and laid on the table the following resolution:

WHEREAS it is represented to this General Assembly, that many of the good people of this Commonwealth are, from time to time, seriously afflicted with the disease commonly called the milk sickness; and whereas it is believed that if the true cause of the malady could be discovered, many, if not all might be saved from its ravages:

Be it therefore Resolved, That the sum of $500 shall be, and the same is hereby offered to any person or persons who shall satisfy the Medical Faculty of Transylvania University, that he or they have discovered the true cause of said disease; which sum shall be paid to the person or persons so making the discovery, upon the certificate of said Faculty, out of any money in the Treasury not otherwise appropriated.

And thereupon the rule of the House having been dispensed with, the said resolution was taken up and twice read: It was then moved and seconded to fill the blank in said resolution with $500:

And the question being taken thereon, it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Ray and N. Sanders, were as follows, viz:


The question was then taken on adopting the said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. N. Sanders and Southgate, were as follows, viz:


Ordered, That Mr. Southgate carry the said resolution to the Senate and request their concurrence.

Mr. Breck from the select committee to whom was referred, an engrossed bill entitled, an act providing for the establishment of common schools throughout the Commonwealth, reported the same with an amendment;

Which being twice read, was concurring in, and the said bill as amended, ordered to be re-engrossed and read again a third time to-morrow.

Mr. Davenport from the select committee to whom was referred, a bill forming a new judicial district, reported the same with an amendment.

The said bill and amendment were then read as follows, viz:

_A bill to add the sixteenth judicial district._

Sec. 1. Be it enacted by the General Assembly of the Commo
wealth of Kentucky, That there shall be added an additional judicial district, which shall be styled the sixteenth judicial district, which shall consist of the counties of Caldwell, Livingston, Union, Calloway, Graves, Hickman and McCracken, and that a circuit judge and Commonwealth's attorney shall be appointed for said district, who shall possess the same powers and receive the same emoluments, that are now allowed by law to other circuit judges and Commonwealth's attorneys.

Sec. 2. Be it further enacted, That the Caldwell circuit court shall commence on the third Mondays in March, June and September, and continue twelve juridical days (except the June term) which shall be six juridical days, if the business shall require it.

That the Livingston circuit court shall commence on the first Mondays in March, June and September, and continue six juridical days, if the business shall require it.

That the Union circuit court shall commence on the second Mondays in March, June and September, and continue six juridical days (except the June term) which shall be twelve juridical days, if the business shall require it.

That the Calloway circuit court shall commence on the first Mondays in April, July and October, and continue six juridical days, if the business shall require it.

That the Graves circuit court shall commence on the second Mondays in April, July and October, and continue three juridical days, if the business shall require it.

That the Hickman circuit court shall commence on the Friday succeeding the second Mondays in April, July and October, and continue four juridical days, if the business shall require it.

That the McCracken circuit court shall commence on the Thursday succeeding the third Monday in April, July and October, and continue three juridical days, if the business shall require it.

Be it further enacted, That the county of Hopkins and the county of Henderson, shall be added to and compose a part of the seventh judicial district. The Hopkins circuit court shall commence on the first Mondays in March, June and September, and continue six juridical days, if the business shall require it.

The Henderson circuit court shall commence on the second Mondays in March, June and September, and continue six juridical days, if the business shall require it.

That the Christian circuit court shall commence on the first Mondays in April, July and October, and continue eighteen juridical days, if the business shall require it.

That the Trigg circuit court shall commence on the fourth Mondays in April, July and October, and continue six juridical days, if the business shall require it.
The circuit judges shall hold the courts in the several counties by this act attached to their respective districts; and all process, writs, recognizances and subpoenas, made returnable to the courts in the counties aforesaid, as now directed by law, but the times for holding which, are changed by the preceding sections of this act, shall be, and the same are hereby made returnable to the courts in the counties respectively directed to be held in the foregoing sections.

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That there shall be established an additional judicial district, which shall be styled the sixteenth judicial district, composed of the counties of Union, Livingston, Calloway, Graves, Hickman and McCracken, and that a circuit judge and Commonwealth’s attorney shall be appointed for said district, who shall possess the same powers and receive the same emoluments that are now allowed by law, to other circuit judges and Commonwealth’s attorneys of this state.

Sec. 2. Be it further enacted. That the circuit courts in the several counties aforesaid, shall commence and be holden as heretofore fixed by law.

Sec. 3. Be it further enacted. That the judges shall hold the courts in the several counties by this act attached to their respective districts; and all process, writs, recognizances and subpoenas, made returnable to the courts in the counties aforesaid, as now directed by law.

Sec. 4. Be it further enacted, That so much of an act entitled, “an act to establish the county of Calloway,” approved November 30, 1822, as authorizes the appointment of two assistant judges in the counties of Hickman and Calloway, and all laws heretofore passed authorizing the appointment of assistant judges in the counties of Graves and McCracken be, and the same is hereby repealed.

The question was then taken on adopting the said amendment in lieu of the original bill, which was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rucker and Rav, were as follows, viz:

YEAS—Messrs. Barbee, Barker, Beatty, Bibb, A. Boyd, L. Boyd, Brock, Breckinridge, Coffman, Conner, Creel, Cunningham, A. Davis, W. M. Davis, Davenport, Evans, Ewing, Ford, Gaines, Grider, Guthrie, Hale, M. W. Hall, R. C. Hall, Hanson, C. L. Harrison, Helm, Henderson, Hughes, Ingels, Inglis, Lindsay, Litton, M’Bride, Miner, Morris, Munford, Patrick, Patterson, Powers, Reid, Sallee, Simpson, Skiles, Smith, Southgate, Swope, Thomas, True, Turner, Waters, A. Wilson, Woodard and Yantis—54.

NAYS—Mr. Speaker, Messrs. Baseman, Bishop, Bruce, Colglazier, Daniel, Downing, Forrest, George, Graham, Griffin, B.

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

The said bill having been engrossed, was read a third time.

And the question being taken on the passage thereof, it was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Ray and L. Boyd, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Barker, Baseman, Bibb, A. Boyd, L. Boyd, Bruce, Coffman, Creel, Daniel, W. M. Davis, Davenport, Downing, Ewing, Grider, Guthrie, Hale, R. C. Hall, Hanson, Hardy, B. Harrison, C. L. Harrison, Helm, Hughes, Ingels, Inglis, M'Brice, Miner, Patterson, N. P. Sanders, L. Sanders, Simpson, Skiles, Spalding, Thomas, Ward, Watts, West, White and Wingate—40.


It was then moved and seconded to take up for consideration the report of the select committee appointed to investigate the charges preferred against Minor Winn, a justice of the peace for Harrison county.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Patterson and Yantis, were as follows, viz:

YEAS—Messrs. Barbee, Beatty, Bruce, Colglazier, Downing, Forrest, Gaines, George, Graham, Griffin, Hardy, B. Harrison, Hughes, Inglis, M'Millan, Miner, Munford, Parish, Patrick, Patterson, Riffle, Roberts, Rucker, L. Sanders, Secrest, Simpson, Smith, Spalding, Thomas, Watts, White, Wilkerson, Williams and Wingate—34.

Mr. Stone from the select committee to whom was referred, a bill to amend the militia law, reported the same with the following amendment in lieu of the original bill; which was twice read and concurred in, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the seventh section of an act entitled, "an act to amend the militia law," approved January 17, 1821, be, and the same is hereby repealed, and the former act or part of an act, repealed by that section, is hereby revived and declared in full force.

Sec. 2. Be it further enacted, That the act entitled, "an act to regulate the militia correspondence of this Commonwealth," approved 22d January, 1827, be, and the same is hereby repealed.

Sec. 3. Be it further enacted, That the annual court of assessments of fines, in the several regiments in this Commonwealth, shall hereafter be held on the last Monday in October in each year, instead of the last Monday in November, as now directed by law.

Mr. Hanson from the majority by which the aforesaid amendment was adopted, moved a reconsideration of said vote.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hanson and Stone, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Barker, A. Boyd, Breck, Coffman, Colglazier, Conner, Cunningham, Evans, Ford, Forrest, Griffin, Grider, M. W. Hall, Hanson, B. Harrison, Henderson, Ingels, Lindsay, Litton, McBride, Miner, Morris, Munford, Parish, Patrick, Powers, Ray, Reid, Rucker, N. P. Sanders, Skiles, True, Turner, Walters, Watkins, Watts, A. Wilson, Wingate and Wooland—40.


The said bill was then recommitted to the committee on the militia and Messrs. Hanson, Marshall, Lindsay and Yantis were added to said committee.

Mr. Southgate from the select committee to whom was referred, a bill to amend the law in relation to clerks of courts in this Commonwealth, reported the same with an amendment.

Which being twice read, was disagreed to.

The said bill was then amended to read as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Ken-
That all laws authorizing clerks of courts in this Commonwealth to draw from the public treasury money for ex-officio services, be, and the same are hereby repealed.

The question was then taken on engrossing the said bill, and reading the same a third time, which was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Colglazier and Swope, were as follows:

**YEAS—** Mr. Speaker, Messrs. Barbee, Barker, Baseman, Bibb, A. Boyd, Breckinridge, Bruce, Colglazier, Creel, Daniel, Davenport, Ewing, Ford, Forrest, Gaines, Griffin, Hanson, Hardy, Ingels, English, Joyes, Lindsay, McMillan, Miner, Morris, Patterson, Ray, Rucker, Sallee, N. P. Sanders, L. Sanders, Secrest, Simpson, Skiles, Southgate, Spalding, True, Turner, Watts and White—44.


Mr. Yantis, from the select committee to whom was referred a bill to declare Eagle creek a navigable stream, reported the same without amendment.

The said bill was then ordered to be engrossed and read a time to morrow.

Mr. Yantis, from the select committee to whom was referred an engrossed bill entitled, an act to authorize the Secretary of State to purchase seventy five copies of the Digest, reported the same with an amendment;

Which being twice read was concurred in.

And the said bill, as amended, ordered to be engrossed and read a third time on this day.

The said bill was then read a third time, having been engrossed.

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

Ordered, That Mr. Yantis carry the said bill to the Senate, and request their concurrence.

A message from the Senate by Mr. Hardin:

Mr. Speaker: The Senate insist on their disagreement to certain amendments proposed by this House to a bill from the Senate entitled, an act to fix the ratio and apportion the representation for the ensuing four years; and solicit a conference between the
Houses, on the subject of said amendments; and have appointed
a committee of three on their part.
And then he withdrew.

Ordered, That Messrs. Ward, W. M. Davis, Inglis, M'Millan,
White and Creel, be appointed a committee of free conference
on the part of this House, and that Mr. Ward inform the Senate
thereof.

A message from the Senate by Mr. Hughes:
Mr. Speaker: The Senate recede from their amendment pro-
posed to the title of a bill which originated in this House entitled
an act to amend an act imposing a duty on sales at auction in the
county of Jefferson, for the benefit of the Louisville Hospital, ap-
proved December 17, 1821; and they concur in the amendment
proposed by this House to a bill from the Senate entitled an act
for the benefit of Daniel Trabue and others.
And then he withdrew.

Mr. Litton, from the select committee to whom was referred
a bill for the relief of John M'Ferrin and Alanson Trigg, former
sheriffs of Barren county, reported the same with an amendment.
Which being twice read, was concurred in.
And the said bill, as amended, ordered to be engrossed and
read a third time.
And thereupon the rule of the House, constitutional provision
and third reading of the said bill having been dispensed with,
and the same being engrossed;
Resolved, That the said bill do pass, and that the title thereof be
amended by adding thereunto the words "and Hiram L. Farris."

Ordered, That Mr. Litton carry the said bill to the Senate, and
request their concurrence.

Mr. Waters, from the select committee to whom was referred
a bill to change the place of holding elections in the south pre-
cinct of Washington county, reported the same without amend-
ment.
The said bill was then ordered to be engrossed and read a
third time on this day.
The said bill having been engrossed, was read a third time.
Resolved, That said bill do pass, and that the title thereof be
as aforesaid.

Ordered, That Mr. Waters carry the said bill to the Senate,
and request their concurrence.

The following bills were reported from the several committees
appointed to prepare and bring in the same, viz:
By Mr. B. Harrison—1. A bill concerning the Salem Academy
in Nelson county.
By Mr. Forrest—2. A bill to amend an act entitled, an act al-
lowing additional justices of the peace and constables to certain
counties, approved January 26, 1827.
By Mr. Helm—3. A bill for the benefit of Leonard B. Parker, deputy sheriff of Hardin county.
By Mr. L. Sanders—4. A bill allowing an additional constable in Franklin county.
By Mr. Guthrie—5. A bill more effectually to suppress the practice of permitting slaves to hire out their own time.
By Mr. Breck—6. A bill to authorize the taking of the deposition of John H. Morton, in certain cases.
By Mr. R. Hall—7. A bill adding part of Bourbon county to the county of Nicholas.
8. A bill for the benefit of Edmund Collins.
By Mr. Hanson—9. A bill to amend an act for the better regulation of the town of Winchester.
By Mr. Williams—10. A bill for the benefit of William Holman and others.
By Mr. M'Millan—11. A bill further to regulate the Bank of the Commonwealth.
13. A bill vesting the trustees of Springfield with power to pave the streets of said town.
14. A bill to repeal the act entitled, an act to regulate the damages on protested bills of exchange, approved January 10, 1820.
By Mr. Watkins—15. A bill to appropriate a sum of money to build a bridge across Clover creek in Breckinridge county.
By Mr. Henderson—16. A bill authorizing the trustees of Grant Seminary to sell their donation lands.

Which bills were severally received and read the first time; the 1st, 2d, 3d, 4th, 5th, 6th, 9th, 10th, 11th, 12th, 13th, 15th and 16th ordered to be read a second time; the 7th was laid on the table;
And the question being taken on reading the 6th and 14th bills a second time, it was decided in the negative, and so the said bills were rejected.

And thereupon the rule of the House, constitutional provision, and second reading of the 1st, 2d, 3d, 4th, 5th, 8th, 9th, 12th, 13th, 15th and 16th bills having been dispensed with, the 1st, 2d, 4th, 8th, 9th, 12th, 13th and 16th, were ordered to be engrossed and read a third time; the 3d was committed to the committee of claims; and the 15th to the committee on internal improvements.

And thereupon the rule of the House, constitutional provision, and third reading of the 1st, 2d, 4th, 9th, 12th, 13th, and 16th bills having been dispensed with, and the same being engrossed;

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.

Mr. Ray from the select committee to whom was referred a bill to reduce the salaries of the public officers of this Commonwealth, reported the same without amendment.

The said bill was then read as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the first day of February next, one thousand eight hundred and twenty-eight, the officers of government hereafter mentioned, shall receive the annual salaries annexed to their names respectively, to be paid as heretofore. The chief justice and each of the judges of the court of appeals, the sum of each; the circuit judges dollars; Secretary of state the sum of dollars; the auditor of public accounts dollars; the register of the Land Office dollars; the treasurer of the Commonwealth dollars; the attorney general dollars; the president of the bank of Kentucky dollars; the cashier of said bank dollars; the first clerk dollars; the second clerk of said bank dollars; the president of the Commonwealth's bank of Kentucky dollars; the cashier of said bank dollars.

Be it further enacted, That every law that comes within the purview of this act, shall be and the same is hereby repealed.

It was then moved and seconded to lay the said bill on the table until the first day of June next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Ray and Hanson, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Barbee, Barker, Beatty, A. Boyd, L. Boyd, Breck, Buford, Conner, Cunningham, Davenport, Dougherty, Downing, Gaines, Grider, Guthrie, M. W. Hall, R. C. Hall, Hanson, B. Harrison, C. L. Harrison, Henderson, Hughes, Marshall, M'Brade, L. Sanders, Simpson, Skiles, Thomas, Turner, Waters, Watkins, Williams and Yantis—34.


It was then moved and seconded to fill the first blank in said bill with $1500, as the annual salary of the judges of the court of appeals.
And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Ray and Breckinridge, were as follows, viz:


NAYS—Messrs. Coffman, Colglazier, Cree, Forrest, Gaines, Griffin, Hanson, Henderson, Inglis, Lindsay, Miner, Montague, Manford, Parish, Ray, Rucker, Secrest, Southgate, Spalding, Swope, Turner, Watts, Wilkerson, Woodland and Yantis—25.

It was then moved and seconded to lay the said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Ray and Breckinridge, were as follows, viz:


NAYS—Mr. Speaker, Messrs. Barbee, Beatty, Blackburn, A. Boyd, Breckinridge, Bruce, Coffman, Cree, Cunningham, A. Davis, Duvall, Evans, Ewing, Forrest, Gaines, Griffin, Guthrie, Hale, R. C. Hall, Hanson, Helm, Henderson, Harald, Ingels, Inglis, Lindsay, M'Brade, M'Millan, Miner, Montague, Morris, Manford, Parish, Patrick, Patterson, Powers, Ray, Reid, Riffe, Roberts, Rucker, Secrest, Smith, Southgate, Spalding, Swope, Turner, Ward, Watts, Wilkerson, Wingate and Woodland—53.

It was then moved and seconded to fill the second blank in said bill with $1200 as the annual salary of the circuit judges.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Ray and Breckinridge, were as follows, viz:

YEAS—Messrs. Breck, Breckinridge, Colglazier, Downing, Guthrie and Joyce—6.

NAYS—Mr. Speaker, Messrs. Barbee, Barker, Baseman, Beatty, Bishop, Blackburn, A. Boyd, L. Boyd, Bruce, Buford, Coffman, Conner, Cree, Cunningham, A. Davis, Davenport, Dougherty, Duvall, Evans, Ewing, Ford, Forrest, Gaines, George, Graham, Griffin, Grider, Hale, M. W. Hall, R. C. Hall, Hanson, Hardy, B. Harrison, Helm, Henderson, Harald, Hughes, Ingels,
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It was then moved and seconded, to fill the said blank with one thousand dollars.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Ray and Breckinridge, were as follows, viz:


NAYS—Messrs. Barbee, Baseman, Bishop, Breck, Bruce, Colglazier, Evans, Forrest, Graham, Griffin, R. C. Hall, Hanson, Hardy, Hazlerigg, Henderson, Harald, Inglish, Lindsay, Litton, Montague, Munford, Parish, Patrick, Patterson, Powers, Ray, Rucker, N. P. Sanders, Secrest, Southgate, Spalding, Stone, Swepe, Thomas, Turner, White, Wilkerson, Wingate and Woodland—39.

It was then moved and seconded, to lay the said bill on the table until the last day of July next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Stone and Ray, were as follows, viz:


NAYS—Mr. Speaker, Messrs. Barbee, Beatty, Bishop, A. Boyd, Breck, Breckinridge, Bruce, Coffman, Colglazier, Conner, Creek, Cunningham, Daniel, A. Davis, Dougherty, Duval, Evans, Ewing, Forrest, Gaines, Graham, Griffin, Hale, R. C. Hall, Hanson, Hazlerigg, Helm, Henderson, Harald, Inglish, Litton, M'Bride, Montague, Morris, Munford, Parish, Patrick, Patterson, Ray, Riffe, Rucker, N. P. Sanders, Secrest, Smith, Southgate,

It was then moved and seconded to fill the third blank with seven hundred and fifty dollars, as the annual salary of the Secretary of State.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. N. Sanders and Ray, were as follows, viz:


It was then moved and seconded to fill the fourth blank with the sum of $2000, as the annual salary of the Auditor, which shall be a full compensation for his services including Clerk hire.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Parish and Ray, were as follows, viz:


It was then moved and seconded to fill the said blank with $1750.

And the question being taken thereon, it was decided in the negative.
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The yeas and nays being required thereon by Messrs. Ray and N. Sanders, were as follows, viz:


It was then moved and seconded to lay the said bill on the table until the first day of June next.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Ray and N. Sanders, were as follows, viz:


Mr. Hanson from the select committee to whom was referred a bill to encourage a publication of a digest of the decisions of the court of appeals, reported the same with an amendment;

Which being twice read was concurred in;

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

A message was received from the Senate, announcing the passage of bills which originated in this House, of the following titles:

An act concerning Floyd's fork.
An act to reduce the limits of the town of Mountsterling.
And their disagreement to a bill from this House entitled,
An act authorizing circuit courts to decree the sale of slaves, in certain cases.

Mr. Ewing read and laid on the table the following resolution:
Resolved by the General Assembly, That after Tuesday the 5th day of this month, they will not receive any new proposition, to be acted on at the present session.

Mr. Bruce read and laid on the table the following resolution:
Whereas, there are provisions in the federal constitution, for making alterations or amendments therein, by the assent of the Legislatures of the several states, and as experience has evinced that there are defects in the present constitution, as a mean to remedy which,
Resolved by the people of the State of Kentucky represented in the General Assembly, That neither Congress nor the several State Legislatures make no law to erect or incorporate any bank or monied institution to deal in bills of exchange.
Resolved, That the Governor of this state be requested to transmit copies of the foregoing resolution to the Executive of the several states, with a request that they lay the same before the Legislatures thereof.
Resolved, That our Senators and Representatives in the Congress of the United States, be requested to use their exertions to procure the adoption of the proposed amendment.

Mr. Grider, from the select committee to whom was referred, a bill for the benefit of the Rittenhouse Academy, in Georgetown, reported the same with sundry amendments;
Which being severally twice read, were disagreed to.
The question was then taken on engrossing the said bill and reading the same a third time; it was decided in the negative, and so the said bill was rejected.

The following bills were reported from committees appointed to prepare and bring in the same, viz:
By Mr. Montague—1. A bill to provide for the building a bridge across Drake's creek, in Simpson county.
By Mr. Blackburn—2. A bill to amend the law concerning public roads.
By Mr. Helm—3. A bill for the benefit of the heirs of Peter Abell, deceased.
By Mr. Hale—4. A bill to add the county of Mercer to the twelfth judicial district.
By Mr. Helm—5. A bill to change the place of holding the elections in the Meeting creek precinct, in the county of Hardin.
By Mr. Breck, from the committee of ways and means—6. A bill further to provide for the revenue of this commonwealth.
By Mr. Stone—7. A bill to repeal so much of an act approved, December 21st, 1825, as allows an additional justice of the peace.
to the county of Bath, or requires the same to reside in the town of Sharpshurg.

By Mr. B. Harrison, from the committee of internal improvements—9. A bill to turnpike Muldrough's hill, near the mouth of Salt river.

By Mr. Spalding—9. A bill to allow an additional justice of the peace in the county of Union.

By Mr. C. L. Harrison—10. A bill authorizing the appointment of trustees to the Jefferson and Morgan seminaries.

By Mr. Henderson—11. A bill to authorize the county court of Grant to sell a part of the public ground.

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, constitutional provision and second reading of the 1st, 2d, 3d, 4th, 5th, 7th, 9th, 10th and 11th bills having been dispensed with, the first was committed to a select committee of Messrs. Wingate, Montague, Grider, Harald, W. M. Davis and Blackburn; the third to the committee for courts of justice; the ninth, to a select committee of Messrs. Smith, Spalding and C. L. Harrison; and 2d, 4th, 5th, 7th, 10th and 11th, ordered to be engrossed and read a third time.

And thereupon the rule of the House, constitutional provision and third reading of the 2d, 4th, 5th, 7th, 10th and 11th bills having been dispensed with, and the same being engrossed;

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.

Mr. B. Harrison, from the committee on internal improvements to whom was referred, a bill to appropriate a sum of money to build a bridge across Clover creek, in Breckinridge county, reported the same with amendments.

Which being twice read were disagreed to.

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

Mr. Wingate, from the majority on the vote by which a bill to add a part of Caldwell county to the county of Trigg, was rejected, moved a reconsideration of said vote.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rucker and A. Boyd, were as follows, to-wit:

YEAS—Mr. Speaker, Messrs. Barbee, Beatty, Blackburn, A. Boyd, L. Boyd, Breck, Breckinridge, Colglazier, Combs, Conner, Creel, Dougherty, Evans, Ewing, Ford, Forrest, Gaines, Grider, Hale, M. W. Hall, Hanson, C. L. Harrison, Helms, Henderson, Harald, Ingels, English, Joyce, Lindsay, Marshall, Minor, Morris.


The said bill was then recommitted to the committee of propositions and grievances.

And then the House adjourned.

TUESDAY, FEBRUARY 5, 1828.

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

An act for the benefit of Daniel Trabue and others.
An act concerning Floyd's Fork.
An act to amend an act, imposing a duty on sales at auction in the county of Jefferson, for the benefit of the Louisville hospital, approved January 17, 1821.
An act to reduce the limits of the town of Mountsterling.
And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Stone inform the Senate thereof.

A bill from the Senate entitled, "an act to amend and reduce into one, the execution laws of this state," was read the second time, and committed to the committee for courts of justice.

Mr. Guthrie thereupon moved the following resolution of instructions:

Resolved, That the committee for courts of justice be instructed to strike out of the bill to amend the execution law, the said principle.

It was then moved and seconded to lay the said resolution on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. L. Sanders and Guthrie, were as follows, viz:


NAYS—Mr. Speaker, Messrs. Barbee, Baseman, Bishop, Black

The question was then taken on the adoption of said resolution, which was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Guthrie and B. Harrison, were as follows, viz:


It was then moved and seconded, that the House now take up for consideration, the resolutions laid on the table on the 19th December, relative to an amendment of the constitution of the United States.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Ward and W. M. Davis, were as follows, viz:


NAYS—Mr. Speaker, Messrs. Beatty, Bibb, Bishop, Blackburn, L. Boyd, Breck, Breckinridge, Colglazier, Combs, Conner, Cunningham, A. Davis, Davenport, Evans, Ford, Gaines, George,
It was then moved and seconded to take up for consideration a resolution from the Senate for burning a certain amount of the notes of the Bank of the Commonwealth.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hanson and Breckinridge, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Barker, Beatty, Bibb, Blackburn, Breck, Breckinridge, Bruce, Buford, Colglazier, Combs, Conner, Cunningham, A. Davis, Davenport, Dougherty, Ford, Gaines, George, Grider, Guthrie, Hanson, B. Harrison, Hughes, Ingels, Joyes, Lindsay, M'Brice, M'Connell, Miner, Morris, Patrick, Powers, Reid, Sallee, Simpson, Skiles, Smith, Swope, True, Turner, Waters, Watkins, A. Wilson, Woodland and Yantis—50.


Mr. Blackburn, from the committee of propositions and grievances, to whom was referred an engrossed bill entitled, "an act to add a part of Caldwell to the county of Trigg," reported the same with an amendment.

The said bill and amendment were then read as follows, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That all that part of Caldwell county within the following bounds, to wit: beginning at the mouth of Hurricane creek, thence a straight line to Edward Owens' old place, thence a continuation of said line to the Tennessee river, thence up said river to the present Trigg county line, thence with said line to the beginning, shall be and the same is hereby added to the county of Trigg.

Sec. 2. Be it further enacted, That the surveyor of Trigg county is hereby directed to draw and mark said line, at the charge of said county.

Sec. 3. Be it further enacted, That all money now due for revenue or otherwise, now in the hands of any officer of Caldwell
county, for collection, may be collected by him, as though this
law had not passed.

Strike out the words "continuation of said," in the seventh line
and insert the following: "straight line to the house of Holloway
Collie, Esq., leaving said Collie in Caldwell county, thence a due west."

And the question being taken on the adoption of said amend-
ment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rucker
and A. Boyd, were as follows, viz:

YEAS—Messrs. Barbee, Barker, Beatty, Bibb, Blackburn,
A. Boyd, L. Boyd, Breck, Breckinridge, Bruce, Colglazier, Con-
er, Creel, A. Davis, Davenport, Dougherty, Evans, Ewing, Ford,
Forrest, Gaines, M. W. Hall, Hanson, Hardy, Helm, Hughes,
Lindsay, Marshall, McBride, McConnell, Miner, Moore, Morris,
Munford, Patrick, Powers, Reid, Simpson, Southgate, Swope,
Thomas, True, Turner, Ward, Waters, A. Wilson, D. W. Wil-
son, Wingate and Yantis—49.

NAYS—Mr. Speaker, Messrs. Bishop, Buford, Coffman, Cun-
ingham, Daniel, W. M. Davis, Downing, Durall, George, Gra-
ham, Griffin, Guthrie, B. C. Hall, B. Harrison, Harlow, highish,
Litton, McMillan, Parish, Patterson, Ray, Roberts, Rucker, Sal-
lee, Secrest, Skiles, Smith, Spalding, Stone, Watts, West, White,
Wilkinson and Woodland—35.

A message was received from the Senate, announcing the pas-
sage of bills which originated in this House of the fol-
towing titles:

An act to authorize the citizens of Middletown, in Jefferson
county, to elect trustees, and for other purposes.

An act to establish a state road from Brandenburg on the Ohio
river, to Bowling green.

An act to incorporate the Lexington and Frankfort turnpike
or rail road company.

An act allowing the further time of one year for completing
the Louisville and Portland canal. And,

An act to authorize the receiver of public monies west of the
Tennessee river, to appoint a deputy.

With amendments to the four latter bills.

The amendments to the three latter bills were then taken up,
twice read and concurred in.

Ordered, That Mr. Sanders inform the Senate thereof.

Mr. Helm, from the majority on the vote by which an engrossed
bill entitled, "an act to provide for the erection of a bridge across
Rockcastle river, on the turnpike and wilderness road," moved a
reconsideration of said vote.

And the question being taken thereon, it was decided in the
affirmative.
The yeas and nays being required thereon by Messrs. Griffin and Breck, were as follows, viz:


The said bill was then recommitted to the committee on internal improvements.

The following engrossed bills were severally read a third time.

1. An act to authorize the sale of a part of the public square in the town of Mount Vernon, in Rockcastle county.
3. An act for the benefit of the heirs of David Dickerson, deceased. And,

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.

The yeas and nays being required on the passage of the fourth bill by Messrs. Combs and L. Boyd, were as follows, viz:


An engrossed bill entitled, an act making a further appropriation for the rebuilding of the Capitol, and for other purposes, was read a third time.
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It was then moved and seconded, to fill the blank in said bill with $20,000.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Inglis and Coffman, were as follows, viz:


NAYS—Mr. Speaker, Messrs. Barbee, Bishop, L. Boyd, Coffman, Colglazier, Creel, W. M. Davis, Evans, Ewing, Forrest, Griffin, Hale, M. W. Hall; Hardy, B. Harrison, C. L. Harrison, Hazlerigg, Harald, Hughes, Inglis, Lindsay, Litton, M'Millan, Montague, Munford, Parish, Ray, Sallee, Secrest, Simpson, Smith, Spalding, Stone, Swope, Thomas, Watts, White, A. Wilson, Woodland and Yantis—41.

The question was then put on the passage of said bill, which was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Inglis and Coffman, were as follows, viz:


NAYS—Mr. Speaker, Messrs. Barbee, Bishop, A. Boyd, L. Boyd, Coffman, Creel, W. M. Davis, Evans, Ewing, Forrest, Griffin, Hale, M. W. Hall, Hardy, B. Harrison, C. L. Harrison, Hazlerigg, Harald, Hughes, Inglis, Lindsay, Litton, M'Millan, Munford, Parish, Ray, N. P. Sanders, Simpson, Smith, Spalding, Stone, Swope, Thomas, Watts, White, Woodland and Yantis—38.

Ordered, That Mr. L. Sanders carry the said bill to the Senate and request their concurrence.

An engrossed bill entitled, "an act providing the establishment of common schools throughout the Commonwealth," was read a third time.
And the question being taken on the passage of said bill, it was decided in the affirmative.

The yeas and nays being required on the passage of said bill by Messrs. M. W. Hall and Hardy, were as follows, viz:


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

1. An act declaring Eagle creek a navigable stream.
2. An act more effectually to suppress the practice of permitting slaves to hire their own time.
3. An act to encourage a publication of a digest of the decisions of the court of appeals.
4. An act to appropriate a sum of money to build a bridge across Clover creek, in Breckenridge county.

Resolved, That the first, second and third 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.

And the question being taken on the passage of the fourth bill it was decided in the negative, and so the said bill was rejected.

The House then took up for consideration, the preamble and resolutions offered by Mr. Beatty on the 12th December.

It was then moved and seconded to postpone the further consideration thereof, until the first day of June next.

And the question being taken thereon, it was decided in the negative.

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

YEAS—Mr. Speaker, Messrs. Barbee, Baseman, Bishop, A. Boyd, L. Boyd, Buford, Creel, Daniel, Dougherty, Duvall, Forrest, Griffin, Guthrie, Hafe, M. W. Hall, R. C. Hall, Hardy, C. L. Harrison, Hazlerigg, Harald, Litton, M'Millan, Munford, Par-


The first resolution having been read, Mr. Wingate moved to amend the same by adding thereto the following proviso:

"Provided that the consent of the several states through which either roads or canals are proposed to be made, shall be first obtained."

It was then moved and seconded to amend said amendment by striking out the whole thereof, after the word "Provided," and to insert in lieu thereof, the following words: "however that in the opinion of this Legislature it would be inexpedient except in extraordinary cases of the General Government to construct roads and canals, without the consent of the states through which they may run."

It was then moved and seconded to lay the said resolutions and amendments on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Beatty and Ward, were as follows, viz:


It was then moved and seconded at 6 o'clock P. M. that this House do now adjourn.

And the question being taken thereon, it was decided in the affirmative.
The yeas and nays being required thereon, by Messrs. Sallée and Inglis, were as follows, viz:


And the House then adjourned.

WEDNESDAY, FEBRUARY 6, 1828.

Mr. Simpson, from the select committee to whom was referred a bill to amend the militia law, reported the same with an amendment.

Which being twice read, was concurred in.

And the said bill, as amended, ordered to be engrossed and read a third time on this day.

The said bill having been engrossed, was then read a third time. Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That Mr. Simpson carry the said bill to the Senate, and request their concurrence.

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

The committee of propositions and grievances have, according to order, had under their consideration the petition of a part of the citizens of Hardin and Breckinridge counties, praying for the erection of a new county, and have come to the following resolution thereupon, to-wit:

Resolved, That said petition be rejected.

Which being twice read, was concurred in.

Mr. Smith, from the select committee to whom was referred, a bill to allow an additional justice of the peace to the county of Union, reported the same with an amendment;

Which being twice read, was concurred in.

And the said bill, as amended, ordered to be engrossed and read a third time on this day.
The said bill having been engrossed, was read a third time.

Resolved, That the said bill do pass, and that the title thereof be amended by adding thereto the words "and for other purposes."

Ordered, That Mr. Smith carry the said bill to the Senate and request their concurrence.

A bill to add a part of Caldwell to the county of Trigg, was amended, and ordered to be engrossed and read a third time on this day.

The said bill having been engrossed, was read a third time.

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

Ordered, That Mr. A. Boyd carry the said bill to the Senate, and request their concurrence.

Mr. M. W. Hall, from the committee of claims, to whom was referred a bill for the benefit of Leonard B. Parker, deputy sheriff of Hardin county, reported the same without amendment.

The said bill was then ordered to be engrossed and read a third time to day.

The said bill having been engrossed, was read a third time.

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

Ordered, That Mr. Helm carry the said bill to the Senate, and request their concurrence.

Mr. Beatty, from the committee for courts of justice, to whom was referred a bill from the Senate entitled, "an act to amend and reduce into one the execution laws of this State," reported the same with sundry amendments, several of which having been concurred in;

It was then moved and seconded to lay the said bill and amendments on the table until the first day of June next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Combs and Beatty, were as follows, viz:


NAYS—Mr. Speaker, Messrs. Barbee, Barker, Beatty, Bibb, Bishop, Blackburn, A. Boyd, L. Boyd, Breck, Breckinridge, Bruce, Buford, Coffman, Combs, Conner, Creel, Cunningham, A. Davis, W. M. Davis, Dougherty, Duvall, Evans, Ewing, Ford, Gaines, George, Graham, Griffin, Grider, Guthrie, M. W. Hall, R. C. Hall, Hanson, Hardy, B. Harrison, C. L. Harrison, Hazlehigg, Helm, Henderson, Harald, Hughes, Ingels, Inglis, Joyes, Lindsay, Litton, Marshall, M'Bridge, M'Connell, Miner, Moore, Montague, Morris, Munford, Parish, Patrick, Patterson, Reid, Riffe, Roberts, Sallee, Secrest, Simpson, Skiles, Smith, Southgate, Spalding, Stone, Swope, Thomas, True, Turner, Waters,

The 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22d, 23d, 24th and 32d sections of the bill, which by one of the amendments of the committee are proposed to be stricken out, were then read as follows:

Sec. 15. No writ of capias ad satisfaciendum shall be issued by any justice of the peace in this Commonwealth, but in all cases tried before a justice of the peace, in which the judgment shall be for the sum of twenty dollars or upwards, exclusive of interest and costs, and where there shall have been a return made by the constable of the proper county, upon at least one writ of fieri facias issued on said judgment to the effect that "no property can be found, whereby to satisfy said execution." The plaintiff in such judgment, may demand of such justice a copy of the said judgment, execution and return, by notifying said justice that he is desirous of filing the same with the clerk of the county court of that county in which such judgment was rendered, to have execution thereof, which copy shall be given by said justice, and also, an endorsement of the notice shall be made on said copy, as part thereof, and the justice of the peace granting such copy shall enter the said notice on his docket or record book, and no execution shall ever, thereafter, be issued upon the said judgment, by the said justice or his successors in office, but the same as to the power of the justice, to issue execution shall be considered as extinguished and void. The clerk of the county courts respectively, shall upon receiving the said copy, carefully file the same away, and docket it on his execution book, and shall, at the request of the party plaintiff or his attorney, issue a capias ad satisfaciendum thereon, or any other writ of execution, as in other cases, reciting in the execution that the recovery was had before A B, one of the justices of our county court of said county, &c.

Sec. 16. No writ of capias ad satisfaciendum shall issue against any defendant, until after the third day of the next ensuing term of the court at which judgment shall have been rendered, in case of original judgment, nor until after the third day of the second term of the circuit court, after the expiration of a replevin or forthcoming bond or forfeiture of recognizance taken in the clerk's office, or other writing having the force of a judgment, nor until after the return of a fieri facias, made by the officer of that county in which the defendant who is to be arrested by such cause, shall reside, if he be a house-keeper and have a known place of residence, "no property found," &c. Nor shall it be lawful for a cause, at any other time, to be executed upon any defendant or defendants who shall have made out a true, full and complete schedule of all goods and chattels, rights and credits, lands, tenements and hereditaments, to him in part or in whole...
belonging, including and embracing all monies, bank notes, choses in action, legal and equitable claims to land or other thing, and also, all those rights in reversion or remainder, and whatever else may be of any value whatever, except the property which may be exempt from execution, and shall have filed the same in court, or in the clerk's office, and shall have attached thereto, an affidavit, to the following effect, to-wit: "I, A. B., do, in the presence of Almighty God, most solemnly swear, (or affirm, as the case may be,) profess and declare that the schedule hereto annexed, and by me subscribed, doth contain, to the best of my knowledge, remembrance and belief, a full, just, true and perfect account and discovery of all the estate, goods and effects, rights, credits, and interests, unto me in anywise belonging, and of all securities and contracts, whereby any money or other valuable thing, which may hereafter become payable or arise to me, or any person or persons, in trust for me, or any benefit, or advantage that may accrue to me, or to my use; and that I, or any person or persons, in trust for me, have no lands, money, stock, bonds, or other promises, written or parol, or any other estate, real or personal, in possession, reversion, remainder or otherwise; and that I have not directly, or indirectly, sold, conveyed, pledged, transferred, or in any way disposed of in trust or otherwise, or concealed, all or any part or portion of my lands, goods, stock, debts, securities, money or estate of any description whatever, whereby to secure the same to myself, or any one else, with a view to deceive, or delay any creditor or creditors, to whom I am now indebted, in any manner whatever," sworn to, and subscribed before any justice of the peace, in the county where the debtor resides, or in that county where the judgment was rendered. Provided however, that if the plaintiff, his agent or attorney, shall at any time file with the clerk of the court from whose office the execution issued, an affidavit, that he does verily believe that the defendant is about to remove or has removed his goods and effects out of the county in which he resided at the time the judgment was obtained, to any other county or state, or that he does verily believe that the defendant has secreted his property or effects, with a view to defraud or hinder him, the plaintiff, in the collecting of said debt, the clerk shall forthwith issue a capias ad satisfaciendum, and the same shall be executed as in other cases—or by filing with the clerk of the county court, a copy of the judgment of any justice of the peace for any sum not less than twenty dollars principal, exclusive of interest and costs, with the certificate of such justice of the peace, that satisfaction of said judgment has not been had, and also file the affidavit hereinbefore mentioned, the clerk of said court shall forthwith issue a capias ad satisfaciendum, and shall from time to time issue such other executions thereon, as are allowed by law.
Upon the arrest of any defendant in virtue of any execution issued
upon the filing of an affidavit as herein provided for, it shall be
the duty of the officer making the arrest, to go with the defend-
ant to some justice of the peace of the county in which the arrest
is made, to be named by the officer, and then and there permit the
said defendant to make out and swear to a schedule of his prop-
erty, as herein provided for, and upon doing so the officer shall
release the defendant, and shall make return of the fact, upon
the execution to the clerk's office of the court from whence the
execution issued, as well as of the schedule.

Sec. 17. The plaintiff in any execution of ca sa, or any other
judgment creditor, may file exceptions to any such schedule in
the circuit court of that county from whence the execution is-
sued, and where the schedule shall have been returned to the
clerk's office of the county court, he shall file with his exceptions
a certified copy of such schedule, and by such exceptions he
shall charge specifically that some other item or items of proper-
ty belonging to the defendant, or in which he has a present or
future interest, has not been named in such schedule, or that he
has conveyed or otherwise transferred, some portion of his proper-
ty to some other individual, or individuals, to be named in
such exceptions, or otherwise disposed of his property (specify-
ing the manner of such disposition) with a view to hinder or de-
lay such creditor, in the collection of his just debt, and such
creditor shall make oath in court, or affidavit, before some justice
of the peace of that or any county in the state, that he does
well believe the facts stated in such exceptions are true, and
thereupon the court before whom such proceedings are had,
shall order process to issue against all necessary parties, or cause
orders of publication to be made as in other cases in chancery,
and shall require all defendants to answer upon oath, to the alle-
gations contained in such exceptions, as also to any, or all writ-
ten interrogatories, which the party excepting may propound at
the time of filing such exceptions, upon oath, and may, using a
sound legal discretion, permit either party to amend his proceed-
ings, as in other suits in chancery, and either party may take
depositions to prove the issue on his part, or the court upon being
satisfied that the justice of the case requires it shall order either
the witness, or parties to be examined, in open court, touching
the subject matter of controversy, and upon hearing the court
shall make such order or decree therein as shall be best calca-
ted to do full and complete justice to all parties concerned, and
to that end the court shall possess both common-law and chancery
jurisdiction, in the trial of said controversy.

Sec. 18. When any schedule shall be returned, and no excep-
tions filed thereto, within a reasonable time, the court shall proce-
d to make any necessary order in regard to the surrender, sale or oth-
or disposition of the property, for the benefit of all the judgment creditors that shall show themselves to be such, and to be entitled as such, to a distribution of the proceeds of the sale of the property or of the property itself, where it shall be thought most to the advantage of the creditors to receive the property at a fair valuation in discharge of their claims; and each judgment creditor shall receive in proportion to the amount of his demand, including principal, interest and costs; and such final disposition shall not be made until the next term of the court after the filing of such schedule; till which time, all creditors shall have an opportunity of obtaining judgments and of presenting the same and of asserting their rights to distribution; and where the judgment shall not be of that court in which the schedule is filed, then such creditor shall file a copy of the judgment, and of any and all executions that may have issued thereon, with the several endorsements and return made on such executions. If the claim presented by any creditor shall be thought by all or any of the other creditors, to have been obtained by fraud or without consideration, or with a view to delay, defraud or hinder any just creditor in the collection of his debt, any one or more of such creditors may file exceptions to such claim at any time before distribution made with or without interrogatories, after the manner of filing exceptions to the schedule as above; to which a like oath or affidavit shall be made, and the like proceeding had, and the judge shall have like powers; but the court shall not suspend the distribution amongst the other creditors during the pendency of such controversy, except as to the proportion to which such creditor would be entitled if his claim were valid. And where any such schedule shall contain any rights or credits which lie in action, said court shall have power to appoint one or more persons to act as commissioners with full power and authority, in the name of the person surrendering such schedule, to carry on suits already commenced, to demand and receive, sue for and recover all money or other property to which he may have right, and all such money and property when thus reduced to possession, shall be subject to the order and disposition of the court as above provided: And provided, that nothing herein shall be construed to limit the power of the court to make any other order in relation thereto, which may be considered necessary.

Sec. 19. If any defendant in any execution shall fail or refuse to give in a schedule of his property, with the affidavit as herein provided for, he shall, upon a cause being levied, be committed to close prison, there to remain so long as he shall be maintained therein by any one or more of his judgment creditors, or until he shall have made out such schedule, under oath; and it shall be the duty of any justice of the peace of that county, upon request being made, to attend at the jail and administer the oath.
required by law, whereupon such schedule and affidavit shall by such justice of the peace, be filed with the clerk of the court, from whence the execution issued, or inclose by mail, if to another county, or otherwise safely conveyed, and shall issue his certificate to the jailor of the county to the following effect: "I, A B, a justice of the peace, in and for county, do hereby certify to the jailor of county, that C D, who stood committed to your custody, upon a ca sa, all the suits of E F, has this day surrendered a schedule of his property, and made affidavit thereto, agreeably to law; these are therefore to command you, forthwith to discharge the said C D, from your custody, if he be detained by you for no other cause than for failing to surrender a schedule of his property and make affidavit as aforesaid, given under my hand, this day of (signed) A. B."

Sec. 20. If any defendant shall knowingly and fraudulently give in a false schedule of his property under this act having made affidavit thereto, and which shall have been adjudged false upon a fair trial on exceptions filed as herein provided for, he shall not only be liable to be proceeded against and convicted of perjury, but shall be adjudged to be committed to close jail, there to remain until he shall make out a full, true, and perfect schedule of his property, as by this act required, and if a second, third, or other schedule, shall be adjudged to have been made falsely, and fraudulently, knowing the same to be so, he shall be adjudged to close jail, there to be fed on bread and water, for the space of twenty days, and until he shall give in a true and perfect schedule, but in all cases in which an issue shall exist in excepting to any schedule, that such schedule was made out falsely and fraudulently and with the knowledge of the said defendant, such issue shall be tried by a jury of the county; and exceptions may be taken to any of the proceedings as in other cases, and an appeal may be prosecuted to the court of appeals, as in other cases in which the same are now allowed by law, Provided, That on a prosecution for perjury, the verdict and judgment in the controversy herein provided for, shall not be read or used as evidence, but the trial shall commence and the evidence be heard de novo as if no such controversy had existed.

Sec. 21. In all trials between creditors as to the validity and correctness of their judgments, the fact that any such judgment was obtained by confession, at any time after the surrender of the schedule by the defendant, as provided for in this act, or within ninety days preceding the surrender of such schedule, shall be evidence prima facia that such judgment was fraudulent, and without consideration, and shall throw the burden of proof as to the consideration which passed between such plaintiff and defendant, for which such demand accrued, and as to the fairness of obtaining such judgment upon the plaintiff therein.
Sec. 22. When any debtor shall be committed under the provisions of this act, he shall not be continued in prison more than three days after the plaintiff or his agent or attorney shall have had notice by the jailor or the defendant in the execution, to give security for the maintenance of such debtor in prison, unless such security be given to the jailor of the county, by the plaintiff or some other judgment creditor. The penalty of the bond shall be in the sum of one hundred dollars, and the jailor may require the security to be a resident citizen or citizens of the county in which such imprisonment is had, and the bond shall be conditioned for the payment weekly, and every week, of the legal fees of such jailor, for the maintenance and continuance in jail, of such defendant, and shall state in virtue of what execution he was so imprisoned. And if any plaintiff or creditor shall fail for the space of two whole weeks, to pay or tender to the jailor, his legal fees for the maintenance of such debtor, the jailor may discharge such debtor from his custody. Provided however, That the discharge of any defendant from prison, either by surrendering a schedule of his property or for want of the security herein provided for, or his death while in execution, or any other cause whatever, shall not be considered a satisfaction of the judgment upon which he was so imprisoned, except so far as payments have been actually made or satisfaction rendered, but in the case of the surrender of the property, the court shall direct how far the credits shall go upon the respective judgments of all the judgment creditors who claim distribution, and as fn. fn. or other writ of execution, (saving and excepting a capias ad satisfaciendum,) may, from time to time, be issued thereon in the same manner as though no imprisonment had been had, or no ca. sa. been sued out; but no capias ad satisfaciendum shall ever thereafter issue upon any judgment had before such order of distribution, made in regard to the property contained in the schedule of the debtor.

Sec. 23. No female shall be arrested or imprisoned under, or in virtue of any thing contained in this act; nor shall any executor, administrator, or heir of any decedent or any other person whatever, acting in a fiduciary character, be arrested or imprisoned in virtue of this act, for the debt, default or miscarriage of those whom they represent, unless by their own fraud, delinquency or fault, judgment shall have been obtained against them in their own rights, for such debt, contract or duty.

Sec. 24. Any debtor or defendant in execution may at any time, relieve himself from arrest or imprisonment by surrendering to the officer making the arrest, a sufficient quantity of property to satisfy and pay the debt, to be adjudged of by such officer, and any officer receiving property in discharge of a defendant and his securities, shall be liable for the whole amount of the execution upon which the arrest was made, including interest and costs,
and may, within the proper time be proceeded against for the
same, by motion as in other cases, unless he shall shew that any
of the property so taken by him, was, without his agency or con-
sent and without any default on his part, lost or stolen, or had
perished, notwithstanding he had devoted reasonable care and
attention to its preservation, or that the same would not sell,
though duly advertised and exposed; or such defendant may
discharge himself by replying the debt as hereinafter to be pro-
vided for. Provided however, That if from any cause whatever, the
property should not sell for a sum sufficient to satisfy such exec-
ution, the plaintiff may at his election, sue out another writ of ca.
sa, fi. fi. or other execution, or proceed against the officer, and if
he shall elect to proceed and shall have a recovery against him,
such officer may, and shall have the right to direct other execu-
tion or executions to issue against the defendant or defendants
in the original judgment, and proceed to the collection of the
amount thereof, at his own proper costs and charges.

Sec. 32. When any debtor is in custody, on several executions,
it shall not be lawful for the sheriff or jailor in whose custody he
may be, to demand any more or other dieting than if he were in
custody on one execution only; and the sheriff or jailor having
any debtor in custody, in execution, may at the expiration of
every week he shall so maintain him, issue his fee bill for such
maintenance against the plaintiff; and if he be detained in virtue
of executions in favor of different plaintiffs, then, against all plain-
tiffs in virtue of whose executions such debtor is detained; and if
any one or more of such plaintiffs shall have given security for the
maintenance of the debtor, then the fee bill may issue against
the plaintiff or plaintiffs, and the security or securities, as the
case may be, for whatever may be then due such sheriff or jailor
for the maintenance of said debtor; and the fee bills so issued,
may be put into the hands of any proper officer and forthwith
collected by him, as other fee bills are. Provided however, That
in the distribution of the estate contained in any schedule, the
fees for arresting, committing and maintaining any debtor as well
as all reasonable costs and charges incurred in proceeding upon
the schedule surrendered by any insolvent debtor; and in dispos-
ing of the property mentioned in such schedule, in pursuance of
any judgment or decree of the court concerning the same, shall
be allowed and paid to the party having before paid the same
previous to making division amongst other judgment creditors as
hereinbefore directed. The reasonableness of which costs and
damages shall be adjudged of by the court.

It was then moved by Mr. Breckinridge, and seconded, to
amend the fifteenth section by striking out the words "twenty dol-

lars," and inserting in lieu thereof "twenty five shillings."
And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Breckinridge and —— were as follows, viz:


It was then moved and seconded to amend the 20th section, by striking out the following words: "there to be fed on bread and water for the space of twenty days, and."

And the question being taken thereon, it was decided unanimously in the affirmative.

The question was then taken on adopting the amendment proposed by the committee, which is to strike out the said 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22d, 23d, 24th and 32d sections, which was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hanson and Combs, were as follows, viz:


NAYS—Messrs. Breck, Breckinridge, Cunningham, Ewing, Ford, Gaines, Grider, Hanson, Hazlerigg, Marshall, M'Brade, M'Connell, M'Millan, Powers, Reid, Secrest, Simpson, Skiles,
Mr. Helm then moved to amend said bill by attaching thereto the following section:

*Be it further enacted, That upon all contracts entered into since the 25th day of December, 1820, and previous to the passage of this act, there shall be allowed the same replevins which were allowed by the laws under which such contracts were respectively made; and it shall be the duty of the clerks of courts and justices of the peace to endorse upon executions issued by them, the date of the contract upon which the judgment was founded.*

And the question being taken on adopting the said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Helm and Ward, were as follows, viz:


The 45th section of said bill was then read as follows:

*Sec. 45. If any party defendant in a judgment have several parcels of land, which lie in the same county, he or his agent may, by writing, under his hand, at any time before the day of sale, require the sheriff or other officer to whom the writ of *ieri facias* upon the judgment may be directed, to make the debt or damages and costs, of such of the said parcels as the owner or his agent shall think proper; and if the parcels be in different counties, the clerk shall and may, at the like request in writing, direct the *ieri facias* to the sheriff or other proper officer of that county which the party or his agent shall particularly mention, at any time before the delivery of the writ of execution to the officer. Provided however, that in this latter case, the party shall also state in the written request, the manner in which he derives title to the said lands, and that he has never conveyed or transferred the same, and that he does verily believe that he has good*
title thereto, and that he does verily believe that the same will satisfy said execution; and shall make oath to the truth of the same, and file with said written request all title papers, or properly authenticated copies thereof, necessary to shew his claim of title complete, unless the same be derived by descent; and in that case, he shall state the same in said affidavit, and shall further make oath that said land is not in the adversary possession of another; or in case of his failure, in any one particular, the clerk shall disregard such request. And should said land be sold, that court from whose clerk's office the execution issued, shall make an order, directing such title papers to be delivered to the purchaser; and in case it be released, then that they shall be restored to the defendant owner.

It was then moved and seconded to amend said section by inserting the following proviso, to come in before the proviso in said section:

Provided, That the defendant shall be confined in his said written request, to lands within the county in which the judgment was obtained, or that in which he resides, and.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Breck and B. Harrison, were as follows, viz:

YEAS—Messrs. Beatty, Blackburn, Breck, Colglazier, Combs, Cunningham, A. Davis, Davenport, Dougherty, Evans, Ewing, Ford, Gaines, George, M. W. Hall, Hanson, B. Harrison, Hazlerigg, Henderson, Hughes, Ingels, Lindsay, Marshall, M'Bridge, M'Connell, Miner, Moore, Morris, Powers, Reid, Sallee, Simpson, Swope, True, Turner, A. Wilson, Woodland and Yantis—38.


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

The said bill was then read a third time.

And the question being taken on the passage thereof, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Inglish and Beatty, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Barbee, Baseaman, Beatty, Bibb,


Ordered, That Mr. Beatty inform the Senate thereof, and request their concurrence in the said amendment.

A message was received from the Senate, announcing the passage of a bill which originated in this House, entitled,

An act for the better regulation of the inspection of tobacco, and for other purposes;

With amendments.

Mr. Duvall, from the joint committee of enrollments, reported that the committee had examined enrolled bills of the following titles, and had found the same truly enrolled, viz:

An act to authorize the Receiver of public monies west of the Tennessee river to appoint a deputy.

An act to authorize the citizens of Middletown, in Jefferson county, to elect trustees, and for other purposes. And,

An act allowing further time for completing the Louisville and Portland Canal.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Duvall inform the Senate thereof.

A bill from the Senate entitled an act to continue in force the law providing for the appointment of Commonwealth's attorneys, was read the first time, and ordered to be read a second time.

And thereupon the rule of the House, constitutional provision, and second and third readings of the said bill having been dispensed with;

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

Ordered, That Mr. Guthrie inform the Senate thereof.

And then the House adjourned.
THURSDAY, FEBRUARY 7, 1828.

Mr. Duvall, from the joint committee of enrollments, reported that the committee had examined enrolled bills of the following titles, and had found the same truly enrolled, viz:

- An act to continue in force the law providing for the appointment of Commonwealth's attorneys. And

- An act to incorporate the Lexington and Frankfort Turnpike and Rail Road Company.

Whereupon the Speaker affixed his Signature thereto.

Ordered, That Mr. Duvall inform the Senate thereof.

Mr. Beatty, from the committee for courts of justice, to whom was referred a bill for the benefit of the heirs of Peter Abell, deceased; also, a bill for the benefit of the late independent Banks; reported the same without amendment.

The former bill was ordered to be engrossed and read a third time to-day; and the latter was laid on the table until the first day of June next.

And thereupon the former bill having been engrossed and read a third time;

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

Ordered, That Mr. Helm carry the said bill to the Senate, and request their concurrence.

Mr. Beatty, from the same committee, to whom was referred a bill for the benefit of securities, reported the same with an amendment;

Which being twice read, was concurred in.

And the said bill, as amended, ordered to be engrossed and read a third time on this day.

The said bill having been engrossed, was then read a third time.

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

Ordered, That Mr. Marshall carry the said bill to the Senate, and request their concurrence.

Mr. Beatty, from the same committee to whom was referred a bill to provide counsel to go to Washington city, to defend the validity of the seven years limitation law, reported the same with an amendment;

Which was twice read and concurred in, as follows:

WHEREAS, There is now pending in the Supreme Court of the United States, a writ of error from the Kentucky district, wherein William May and John Hawkins are plaintiff, and the heirs of Joshua Barney are defendants, in which suit the constitutionality of the statute limiting actions for land to seven years, also, the statute putting residents and non-residents on the same foot-
...are to be adjudicated upon: it is a matter of great and deep interest to the people of Kentucky, that those statutes, which are properly statutes of peace, should be sustained, and that the State may not be wanting to herself: Therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of be and the same is hereby appropriated as a compensation for counsel, hereafter to be elected by the Senate and House of Representatives, to attend at the city of Washington, and in the cause aforesaid use their best efforts to sustain the constitutionality of those laws.

Be it further enacted, That upon the performing of the duties herein enjoined, by the counsel hereafter elected, it shall be the duty of the Auditor of public accounts to issue his warrant upon the Treasurer for the amount aforesaid, in favor of the said counsel, which shall be paid by the Treasurer.

It was then moved and seconded to amend said bill by attaching thereto the following proviso: "Provided however, that no member of either House of the General Assembly, shall be eligible as counsel."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Breckinridge and Helm, were as follows, viz:


It was then moved and seconded to lay the said bill on the table.

And the question being taken thereon, it was decided in the negative.

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

YEAS—Messrs. Bishop, Breck, Breckinridge, Combs, Cunningham, Davenport, Evans, George, Griffin, Grider, M. W. Hall, Hanson, B. Harrison, Ingels, Lindsay, M'Bride, M'Connell, Mi-
A motion having been made and negatived, to fill the blank in said bill with $300, Mr. L. Sanders, from the majority, moved a reconsideration of said vote.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Colglazier and Conner, were as follows, viz:


NAYS—Messrs. Bibb, Bishop, Blackburn, A. Boyd, Breckinridge, Bruce, Coffman, Colglazier, Combs, Creel, Cunningham, Davenport, Evans, Ford, Forrest, Gaines, Graham, Hare, Hanson, Ingle, Joyes, Lindsay, Litton, McBride, McComb, McNear, Morris, Parish, N. P. Sanders, Simpson, Skiles, Stone, Swope, True, Turner, A. Wilson, Woodland and Yantis—27.

The question was again taken on filling said blank with $300, which was decided in the affirmative.

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

The said bill was then ordered to be engrossed and read a third time on this day.

It was then moved and seconded that this House dispense with the third reading of said bill, with a view to have the same now put on its passage.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Skiles and Combs, were as follows, viz:


The question was then put on the passage of said bill, which was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Lindsay and Helm, were as follows, viz:


NAYS—Messrs. Bibb, Bishop, Blackburn, A. Boyd, Breck, Breckinridge, Combs, Cunningham, Davenport, Evans, Forrest, Griffin, Grider, Hale, M. W. Hall, Hansen, B. Harrison, Harald,
Feb. 7.]    HOUSE OF REPRESENTATIVES.

Ordered, That M. Helm carry the said bill to the Senate, and request their concurrence.

Mr. Beatty, from the same committee, reported a bill to amend an act entitled an act to prevent the masters of vessels and others, from employing or removing persons of color from this State;

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

And thereupon the rule of the House, constitutional provision and second and third readings of the said bill having been 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. Harrison carry the said bill to the Senate, and request their concurrence.

Mr. Beatty, from the same committee, made the following report:

The committee for courts of justice, have had under consideration, leave to bring in a bill for the benefit of Peter Smith. The committee are of opinion that the subject matter of said reference needs no legislation, and therefore ask that they may be discharged from the further consideration thereof, and that the said Smith have leave to withdraw his papers.

Which being twice read, was concurred in.

Mr. Barbee, from the committee of religion, made the following report, viz:

The committee of religion have had under consideration sundry petitions to them referred, and come to resolutions thereon, to-wit:

Resolved, That the petition of Parmelia Stout be rejected.

Resolved, That the petition of James Adams is reasonable.

Resolved, That the petition of Amy Ann Gibson is reasonable.

Which being twice read, the first and third resolutions were concurred in, and the second disagreed to.

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

Mr. Barbee, from the same committee, reported a bill for the benefit of Amy Ann B. Gibson, which was received and read the first time, and ordered to be read a second time.

And thereupon the rule of the House, constitutional provision and second and third readings of said bill having been 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. Helm carry the said bill to the Senate and request their concurrence.
A message from the Governor by Mr. Pickett, his Secretary.

Mr. Speaker: The Governor has approved and signed enrolled bills which originated in the House of Representatives of the following titles:

An act to establish an inspection of tobacco at Raleigh, in Union county.

An act to amend an act incorporating the Hartford Manufacturing Company.

An act to authorize the appointment of additional justices of the peace in certain counties, and for other purposes.

An act for the benefit of certain sheriffs.

An act to establish election precincts in certain counties.

An act to authorize the administrators of William C. Davis, deceased, to carry into execution a parol contract made by said Davis in his lifetime, with Edward S. Hall, for five or six acres of land.

An act for the benefit of the trustees of the Morgan Seminary, and for other purposes.

An act to incorporate the Clay and Jefferson Seminaries.

An act to authorize the inhabitants of the town of Brownsville, in the county of Edmondson, to elect trustees.

An act to appoint additional constables in certain counties.

An act to establish election precincts in certain counties.

An act further to regulate the town of Shepherdsville.

An act to amend an act entitled "an act to encourage the establishment of private schools."

An act to open a state road from Elizabethtown, by way of Litchfield, Hartford and Madisonville, to Princeton in Caldwell county.

An act regulating the terms of the Jefferson circuit court.

An act for the benefit of John Gibson.

An act authorizing the sale of certain streets in the town of Russellville.

An act for the benefit of Susan W. Owen.

An act declaring Beaver creek a navigable stream.

An act to change the August terms of the Henry, Ohio and Hardin county courts, and the time of holding the Lewis circuit court.

An act for the benefit of Robert Patterson.

An act to authorize the stockholders of the late independent banks to elect agents to close the concerns of said banks, and for other purposes.

An act to add an additional justice of the peace to the county of Boone.

An act to regulate the duties and powers of trustees of towns in this Commonwealth.

An act concerning Floyd's fork.
Feb. 7.]  

HOUSE OF REPRESENTATIVES.

An act to reduce the limits of the town of Mount Sterling.

An act to amend an act imposing a duty on sales at auction in the county of Jefferson, for the benefit of the Louisville Hospital, approved December 17th, 1821.

An act allowing further time for completing the Louisville and Portland Canal.

An act to authorize the Receiver of public monies west of the Tennessee river to appoint a deputy.

An act to authorize the citizens of Middletown, in Jefferson county, to elect trustees, and for other purposes.

And then he withdrew.

Ordered, That Mr. Duvall inform the Senate thereof.

A message from the Senate by Mr. Garrard:

Mr. Speaker: The Senate have passed a bill entitled an act to authorize the 75th and 121st regiments to hold a court of appeals and to regulate the fines of said regiments, in which bill they request the concurrence of this House; and I am directed to request the withdrawal of a bill which passed this House and was rejected in the Senate, entitled, an act to add a part of Gallatin county to the county of Owen.

And then he withdrew.

Ordered, That leave be given to withdraw said bill.

Mr. Lindsay, from the committee on internal improvements, to whom was referred a bill to provide for the erection of a bridge across Rockcastle river, upon the Turnpike and Wilderness road, reported the same with sundry amendments.

Which being twice read, were disagreed to. The said bill was then further amended.

Sundry amendments having been offered, Mr. Breck called for the previous question.

The question was then put, "Shall the main question be now put?" which was decided in the affirmative.

The yeas and nays being required thereon by Messrs. N. P. Sanders and Breck, were as follows, viz:


NAYS—Mr. Speaker, Messrs. Barbee, Bascom, Bishop, Blackburn, A. Boyd, L. Boyd, Breckinridge, Bruce, Buford, Colglazier, Creel, Daniel, W. M. Davis, Downing, Duvall, Evans, Ford, Forrest, Griffin, M. W. Hall, R. C. Hall, Hardy, Harrod, Hughes, Inglish, Litton, M'Bride, Montague, Parish, Patterson, Ray, Reid,
The main question viz., engrossing the said bill and reading the same a third time to-day was then put, which was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Ray and N. Sanders, were as follows, viz:


The said bill having been engrossed, was read a third time. Resolved, That the said bill do pass, and that the title thereof be amended by adding thereto, the words, and for other purposes.

Ordered, That Mr. Breck carry the said bill to the Senate, and request their concurrence.

The yeas and nays being required on the passage of said bill by Messrs. Parish and Ray, were as follows, viz:


Mr. Ward from the committee of conference appointed on the part of this House, on the subject of the disagreement of the
Houses on a bill from the Senate entitled, an act to fix the ratio and apportion the representation for the ensuing four years, made the following report which was read, viz:

The committee of conference have had under consideration the points of disagreement between the Senate and House of Representatives, in relation to the apportionment bill, and beg leave to report that they have come to the following agreement and recommend its adoption to their respective Houses.

The House of Representatives to recede from its amendments attaching the county of Bullitt to Hardin and Meade: and to recede also from the amendment striking one member from Montgomery and giving it to Nicholas. The Senate to concur in the amendment giving the county of Washington three members, and also the amendment attaching Laurel to Lincoln and Rockcastle as a Senatorial district.

BEN HARDIN, Chairman of the Committee on the part of the Senate.

ROBERT J. WARD, Chairman of the Committee from the House of Rep.

Mr. Breckinridge moved the previous question; the question was then put, shall the main question be now put? which was decided in the negative.

The yeas and nays being required thereon by Messrs. R. Hall and Breckinridge, were as follows:


Mr. Inglish thereupon moved a reconsideration of said vote.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. R. C. Hall and Inglish, were as follows:

YEAS—Mr. Speaker, Messrs. Barker, Beatty, Bibb, L. Boyd, Breck, Breckinridge, Colglazier, Combs, Creeel, Cunningham, A. Davis, Duvall, Ewing, Forrest, George, Graham, Gridler,

NAYS—Messrs. Barbee, Bishop, Blackburn, A. Boyd, Bruce, Buford, Coffman, Conner, Daniel, W. M. Davis, Dougherty, Downing, Evans, Ford, Gaines, Griffin, R. C. Hall, Hanson, Hardy, Harald, Litton, Moore, Parish, Riffe, Rucker, Sallee, N. P. Sanders, Southgate, Watts and White—33.

The motion for the previous question being withdrawn, the question was then taken on concurring in the report made by the committee of conference.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. West and R. C. Hall, were as follows, viz:


Ordered. That Mr. Ward inform the Senate thereof.

Mr. N. P. Sanders thereupon with the leave of the House entered his protest to the passage of said bill, in the following words:

Nathaniel P. Sanders, the Representative of the county of Bullitt, begs leave of the House of Representatives to enter his protest against receding from that portion of the bill which passed this House, apportioning the representation of this state for the ensuing four years; which attaches Bullitt county to the counties of Hardin and Meade, constituting the 12th Senatorial District, and by receding agrees so much of the Senate's bill as adds Bullitt county to the county of Jefferson, constituting the 13th Senatorial District. He protests upon the following grounds:

1st. It is a departure from the letter and spirit of the constitu-
tion which directs that representation shall be equal and uniform.

2d. It is in violation of the wishes of the people of Bullitt county, who have been attached to the said county of Hardin and that part of the territory of said county now the county of Meade for eight years.

3d. Because it is taking a county from a district containing a lesser number of voters and adding it to a Senatorial District, containing a greater number of voters.

4th. Because the county of Jefferson, being a Senatorial District, did in August 1827, elect her Senator for four years; whereby the people of Bullitt county will be prevented for that space of time, from exercising their suffrage as freemen, under the constitution, as they have a right to do; which protest he prays may be spread on the journals of the House of Representatives.

N. P. SAUNDERS.

February 7th, 1828.

Mr. Bruce read and laid on the table the following preamble and resolution:

 Whereas, The Legislature of Virginia, in the May session, 1779, passed the land law, by which the terms of possessing the estate, in the soil of her western lands, were prescribed, (as a reference to the land law will more fully appear,) that after satisfying every claim on the State, finding herself still in possession of an immense tract of unappropriated land, proposed these for sale, at a stipulated consideration of forty pound paper money (then worth about forty dollars gold or silver) for each hundred acres, and all persons who chose to buy, were to pay the money into the treasury, and take out a warrant from the Register for the quantity of land purchased: the warrants was an order to the surveyor, to lay off by meets and bounds, the quantity of land expressed for the party, and the law required an entry to be made with the surveyor, so specially and precisely as that other persons holding other warrants, might locate the adjacent residuum with safety; and to guard against every species of injustice, provision was made by law, for bringing conflicting claims to trial and decision, by caveat, and awarded a renewal of the warrant to the losing party for future appropriations; but various causes retarded the surveying, so that no decision had taken place, before the whole of the land designated was appropriated, and the losing party, although a purchaser of the State of Virginia, for a good and valid consideration, sustained a complete loss of both land and purchase money, as no provisions was made for those purchasers who have since lost their land, when the United States received by cession from the State of Virginia the immense territory north west of the Ohio River.

This Legislature attach no censure to the State of Virginia, 2 X
on the contrary it is believed that the cession aforesaid was made for the most laudable purposes, and without any pecuniary consideration, and under the most solemn belief that each and every claim on the justice of the State, was fully satisfied; by a reference to the history of this transaction, it will be discovered that much jealousy at that time existed, and the union of the States was in imminent danger, in consequence of the State of Virginia, claiming and holding such an immense territory, and the future harmony of the States then required that the extent and ultimate population ought not to be so disproportionate, as they would have been, had the State of Virginia and others, retained their then extensive limits; it is therefore manifest that good policy required that the cession aforesaid should have been made, as several of the States urged the measure with great force, and in consequence of which, one or more refused to unite as a member of the Union.

This Legislature are fully persuaded, that from the views which they have taken and have thus presented, on the subject of appropriations of public lands by the State of Virginia, to individual purchasers, and the cession by the State of Virginia to the United States, as above recited, have not been conformable to the sound dictates of national and impartial justice, and have come to the following conclusion, that every purchaser of the State of Virginia, anterior to the cession to the United States aforesaid, that have lost the whole or a part of the land by them purchased, by a decree in law or equity, have a superior equitable title to the United States, to so much land as have been decreed to any other person, as one of the stipulations covenanted, was, that every purchaser that should lose his land by a legal decree, should renew his warrant for future appropriation, and the magnitude of the appropriation that would be requisite to satisfy the claim of those purchasers that have lost the whole or part of the land by them purchased, can afford no just ground of objection, as it is a truth of eternal obligation, that every government should shield its citizens from the consequences of its own acts: For the purpose, therefore, of drawing the attention of the national Legislature to this important subject, do recommend the adoption of the following resolutions:

Resolved as the deliberate sense of this General Assembly, That all sales of land heretofore made by the State of Virginia, to individuals prior to the cession of the territory north west of Ohio River, to the United States, and have been taken by superior titles derived from the State of Virginia, by due course of law, ought, and of right should be satisfied, out of said ceded territory, to the United States, and the government aforesaid, in the acquisition thereof, accepted of said ceded territory, subject to the superior
equity of all such individual purchasers of said State of Virginia, as have subsequently lost the same in manner aforesaid.

Be it further resolved, That our Senators in Congress be instructed, and our Representatives requested, to lay the subject matter thereof, before the Congress of the United States, and pray the passage of a law, to set apart such portion of said territory, so acquired from the State of Virginia, as will satisfy every bona fide purchaser of said State, who have since lost their land by a lawful decree, in favor of superior conflicting claims from the same.

Be it further resolved, That the Governor of this Commonwealth be requested, as early as convenient, to transmit a copy of the foregoing preamble and resolutions, to each of our Senators and Representatives in Congress from this State.

The House took up for consideration the amendments proposed by the Senate to bills from this House, of the following titles: an act to establish a state road from Brandenburg on the Ohio river, to Bowlinggreen, and an act for the better regulation of the inspection of Tobacco, and for other purposes.

Those to the first bill were concurred in, and those to the latter disagreed to.

Ordered, That Mr. L. Sanders inform the Senate thereof.

The following bills from the Senate, were severally read the first time, viz:

1. An act to authorize the county court of Wayne to appropriate certain lands for the purpose of opening a road through parts of Wayne and Whitley counties.

2. An act to amend an act entitled, an act to regulate the several laws regulating the towns of Harrodsburg and Richmond, and Hopkinsville, approved December 21, 1825.

3. An act for the benefit of the Commissioners appointed to fix the county seat of Anderson county.

4. An act for the benefit of the Clerk of the Nicholas circuit court.

5. An act concerning the appropriation of fines and forfeitures in the counties of Mason and Nicholas.

6. An act to establish an election precinct in Floyd county, and for other purposes.

7. An act for the benefit of John Jones, Justice Huffaker and Rodes Gath.

8. An act for the benefit of Peter Follis.

9. An act to restore Eliza B. Shannon and Malinda Morris to the privileges of females sole.

10. An act for the benefit of John E. Wilson.

11. An act to establish an election precinct in Barren county.

12. An act to ratify and confirm the line of 36° 30', as run by Thomas J. Matthews.
13. An act to establish a Female Academy in the town of Harrodsburg.
14. An act concerning the 70th regiment Kentucky Militia.
15. An act to amend an act entitled "an act for the opening a road from Cynthiana to Maysville, approved January 24th, 1827."
16. An act appointing Commissioners to lay off and mark a State road from Harrodsburg to Smithland, in the county of Livingston.
17. An act to add a small part of Warren to the county of Allen.
18. An act for the benefit of Captain Mairs' company of the 114th regiment.
19. An act regulating the town of Salvisa, in the county of Mercer.
20. An act for the benefit of the surveyor of Hopkins county.
21. An act for the benefit of the heirs of Newell Beauchamp, deceased.
22. An act to amend an act entitled an act to incorporate Jamestown, in Russell county, and for other purposes, approved January 23d, 1827, and allowing an additional justice of the peace to Casey county.
23. An act permitting an individual to erect gates across public roads under certain restrictions.
25. An act supplementary to an act entitled "an act for the benefit of Thomas Smith and others, approved the 31st of December, 1827."
26. An act to extend the powers of the trustees of New Castle.
27. An act to authorize the county court of Logan to appoint Commissioners to settle with Spencer Curd, as Commissioner appointed by law to sell a part of the real estate of Nathaniel Drake deceased.
28. An act to punish shooting or stabbing in sudden affrays.
29. An act to appoint Commissioners to run and mark a State road from Frankfort to the Tennessee line, in the direction of Georgia and Alabama.
30. An act appropriating money to opening the State road from Prestonsburg to the Virginia line.

The 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22d, 23d, 24th, 25th, 26th, 27th, 28th and 29th bills were severally ordered to be read a second time.

The question was taken on reading the 23d, 24th and 30th bills a second time; it was decided in the negative, and so the said bills were rejected.

Ordered, That Mr. Riffe inform the Senate thereof,
And thereupon the rule of the House, constitutional provision
and second reading of the 1st and 7th bills having been dispensed with, the 1st was ordered to be read a third time, and the 7th, committed to the committee of claims.

And thereupon the rule of the House, constitutional provision and second and third readings of the 2d, 3d, 4th, 5th, 6th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22d, 25th, 26th, 27th and 29th bills having been dispensed with, (and the 18th having been amended;)

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

Ordered, That Mr. Breck inform the Senate thereof, and request their concurrence in the amendment to the 18th bill.

A resolution from the Senate for placing in Transylvania University, a sextant belonging to the State, was twice read and concurred in.

Ordered, That Mr. Combs inform the Senate thereof.

A bill from the Senate entitled an act more effectually to guard the right of suffrage, and for other purposes, was read the first time.

And the question being taken on reading the said bill a second time, it was decided in the affirmative.

The yea and nay being required thereon by Messrs. Sallee and English, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Barbee, Barker, Beatty, Bibb, Bishop, Blackburn, A. Boyd, L. Boyd, Breckinridge, Buford, Colglazier, Combs, Conner, Cunningham, A. Davis, Evans, Gaines, George, Grider, M. W. Hall, Hanson, Hardy, B. Harrison, C. L. Harrison, Hazlerigg, Henderson, English, Lindsay, McBride, McConnell, McMillan, Miner, Moore, Montague, Morris, Patrick, Patterson, Sallee, Simpson, Smith, Swope, Thomas, True, A. Wilson, Woodland and Yantis—47.


The following bills from the Senate were severally read the first time, and ordered to be read a second time, viz:

1. An act to authorize the draining certain ponds in Jefferson county. And,

2. An act to provide for changing the venue in the case of Alexander Gowings and wife.

The first was ordered to be read a third time, and the second was committed to the committee for courts of justice.

And thereupon the rule of the House, constitutional provision, and third reading of the first bill having been dispensed with;

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.
Ordered, That Mr. Harrison inform the Senate thereof.
A bill from the Senate entitled an act more effectually to guard the seventh section of the tenth article of the constitution from violation, was read the first time.
And then the House adjourned.

FRIDAY, FEBRUARY 8, 1828.

Mr. Hughes, from the joint committee of enrollments, reported that the committee had examined enrolled bills and a resolution of the following titles, viz:

An act to amend an act entitled an act to regulate the several laws regulating the towns of Harrodsburg and Richmond, and Hopkinsville, approved December 21, 1825.
An act for the benefit of John E. Wilson.
An act to establish an election precinct in Floyd county, and for other purposes.
An act for the benefit of the Clerk of the Nicholas circuit court.
An act concerning the appropriation of fines and forfeitures in the counties of Mason and Nicholas.
An act for the benefit of the Commissioners appointed to fix the county seat of Anderson county.
An act to ratify and confirm the line of 36° 30', as run by Thomas J. Matthews.
An act to add a small part of Warren to Allen county.
An act to restore Eliza B. Shannon and Malinda Morris to the privileges of wives sole.
An act to add a part of Gallatin county to the county of Owen.
An act supplementary to an act entitled an act for the benefit of Thomas Smith and others, approved December 31st, 1827.
An act to establish a State road from Brandenburg, on the Ohio River to Bowling Green. And,
A resolution for placing in the Transylvania University a Sextant belonging to the State.

And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Hughes inform the Senate thereof.
A message from the Senate by Mr. Wickliffe.

Mr. Speaker: The Senate have passed resolutions approving of the Administration of the General Government, and for other purposes, in which resolutions they request the concurrence of this House.

And then he withdrew.
A message from the Senate by Mr. Daviess.

Mr. Speaker: The Senate have passed a bill which originated in this House entitled, an act to add a part of Gallatin county to the county of Owen, and have passed a bill entitled, an act
appointing commissioners to settle with William Holeman, late agent of the Penitentiary, in which bill they request the concurrence of this House, and they concur in an amendment of this House to a bill from the Senate entitled, an act for the benefit of Capt. Mairs' company of the 114th regiment.

And then he withdrew.

A message from the Senate by Mr. Hardin.

Mr. Speaker: The Senate concur in the report of the committee of conference reported by the committee of the two Houses, on the subject of the bill from the Senate entitled, an act to fix the ratio and apportion the representation for the ensuing four years.

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. Yantis in the chair, and after some time spent therein, the Speaker resumed the chair, and Mr. Yantis reported that the committee had according to order, had under consideration a bill for the appropriation of money, and had gone through the same with sundry amendments, which he handed in at the Clerk's table.

The first amendment was then read as follows, viz: fill the blank in the first section of the bill with "sixty dollars."

It was then moved and seconded to strike out "sixty dollars" and insert "forty-two."

A division of the question was called for.

And the question being taken on striking out, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Inglis and Spalding, were as follows:


The said amendment was then concurred in.

The following amendment proposed by the committee to said bill, was then read as follows:
To the Auditor of public accounts for additional labor imposed by resolutions of the two Houses of the General Assembly, and for a balance reported to be reasonable last year, five hundred dollars.

And the question being taken on concurring in the said amendment, it was decided in the affirmative.

The yeas and nays being taken thereon by Messrs. Spalding and Inglish, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Barker, Beatty, Bibb, Blackburn, A. Boyd, Breck, Buford, Colglazier, Combs, Conner, Cunningham, Davenport, Downing, Duvall, Ewing, Ford, Gaines, George, Grider, Hale, Hanson, Hardy, B. Harrison, Henderson, Joffe, Lindsay, Marshall, M'Brinn, M'Connell, Miner, Moore, Reid, Roberts, Sallee, L. Sanders, Simpson, Skiles, Southgate, Swope, True, Turner, Watkins, A. Wilson, D. W. Wilson, Woodland and Yantis—47.


The following amendment proposed by said committee to said bill was read as follows, viz:

To the Register as a compensation for extra Clerk hire, rendered necessary by the additional duties imposed on him by law, $500.

And the question being taken on concurring in the said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs R. Hall and Spalding, were as follows:

YEAS—Mr. Speaker, Messrs. Barker, Beatty, Blackburn, A. Boyd, Breck, Buford, Colglazier, Combs, Cunningham, Davenport, Downing, Ewing, Ford, Gaines, George, Grider, Guthrie, Hanson, Hardy, B. Harrison, C. L. Harrison, Helm, Henderson, Hughes, Ingels, Joffes, Marshall, M'Brinn, M'Connell, Patterson, Reid, Roberts, Sallee, L. Sanders, Simpson, Skiles, Southgate, Thomas, True, Turner, Watkins, D. W. Wilson and Yantis—44.


The remaining amendments proposed by the committee to said bill, were then concurred in.
Mr. C. L. Harrison then moved to amend said bill by attaching thereto the following item:

"To Braxton and Reuben, (black men) for services rendered to the present General Assembly, $15 each."

And the question being taken on adopting the said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Parish and English, were as follows:


The said bill having been amended, was with the amendments ordered to be engrossed and read a third time to-day.

The said bill having been engrossed, was read a third time.

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

Ordered, That Mr. Yantis carry the said bill to the Senate, and request their concurrence.

Mr. Henderson with the leave of the House, reported a bill to authorize the Governor to procure arms, &c. for the Washington Troop of Cavalry, in Grant county, which was received and read the first time, and laid on the table.

A message from the Senate, by Mr. Woods.

Mr. Speaker: The Senate have passed bills which originated in this House, of the following titles: an act to provide for an additional chancery term to the Madison circuit court, and an act to authorize the surveyor of Lincoln and Pike counties to transcribe parts of their record books, and for other purposes, with amendments; and they concurred in the resolution which originated in this House, fixing on a day for a final adjournment of the General Assembly, with an amendment, in which amendments they request the concurrence of this House.

And then he withdrew.

The amendment proposed by the Senate to said resolution was
read as follows: strike out "Friday, the 8th February," and insert "Wednesday, the 13th February," as the day of adjournment.

It was then moved and seconded to amend the said amendment, by striking out "Wednesday the 13th."

And the question being taken thereon, it was decided in the negative, and so the said amendment was concurred in.

The yeas and nays being required thereon by Messrs. Griffin and Blackburn, were as follows, viz:


NAYS—Mr. Speaker, Messrs. Barbee, Barker, Baseman, Beatty, Bishop, Blackburn, A. Boyd, L. Boyd, Bruce, Buford, Colman, Colglazier, Conner, Creel, Daniel, W. M. Davis, Davenport, Downing, Duvall, Evans, Ford, Gaines, George, Grider, Guthrie, Hale, Hardy, C. L. Harrison, Hazelrigg, Helm, Harald, Hughes, M'Brade, M'Millan, Moore, Montague, Munford, Reid, L. Sanders, Simpson, Smith, Southgate, True, Waters, Watkins, White, Wilkerson, Wingate and Yantis—51.

Ordered, That Mr. L. Sanders inform the Senate thereof.

A bill from the Senate entitled an act more effectually to guard the seventh section of the tenth article of the constitution from violation, read the first time on yesterday, was ordered to be read a second time.

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


NAYS—Messrs. Bishop, Bruce, Colman, Creed, Dougherty, Downing, Duvall, Graham, Griffin, Guthrie, Hardy, C. L. Harrison, Hughes, Inglis, M'Millan, Munford, Parish, Riffe, Rucker, L. Sanders, Waters, Watts, West, Williams and Wingate—25.

The amendments proposed by the Senate to a bill which origi-
nated in this House entitled an act to authorize the surveyors of Lincoln and Pike counties to transcribe parts of their record books, and for other purposes; and a bill entitled an act to provide for an additional chancery term of the Madison circuit court, were twice read and concurred in.

Ordered, That Mr. L. Sanders inform the Senate thereof.

A message was received from the Senate announcing the passage of bills which originated in this House of the following titles:

An act prescribing the mode of proceeding against civil officers for issuing illegal fee bills.
An act to authorize clerks of courts to administer oaths in vacation in certain cases.
An act to legalize the proceedings of the Madison and Bullitt county courts.
An act for the benefit of John Cooper.
An act concerning the Lunatic Asylum.

Their disagreement to a bill which originated in this House, entitled,

An act to add a part of Morgan to Fleming county.

And the passage of bills of the following titles:

An act to repeal parts of an act approved January 7, 1824, entitled an act to revive and amend the champerty and maintenance laws, and more effectually to secure the bona fide occupants of land within this Commonwealth.
An act for the benefit of Peter Seagle and Charles Mullens.
An act concerning the Lunatic Asylum.

And, An act for the benefit of Joseph Paxton.
An act for the relief of securities in individual contracts.
An act for the benefit of Augustin Clayton.

And thereupon the rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 3d, 5th and 6th were committed to the committee for courts of justice, and Mr. A. Davis was added to said committee; and the 2d, 4th and 7th were ordered to be read a third time.

And thereupon the rule of the House, constitutional provision,
and third reading of the 2d and 4th bills having been dispensed with:

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

Ordered, That Mr. Combs inform the Senate thereof.

The yeas and nays being required on the passage of the 4th bill by Messrs. M. Hall and Coffman, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Barbee, Barker, Blackburn, A. Boyd, L. Boyd, Buford, Coffman, Davenport, Dougherty, Downing, Duvall, Gaines, Graham, Griffin, Guthrie, Hale, R. C. Hall, Hanson, Hardy, B. Harrison, C. L. Harrison, Hazlerigg, Henderson, Harald, Lindsay, Marshall, M'Millan, Moore, Patterson, rifle, Roberts, L. Sanders, Skiles, Southgate, Spalding, Stone, Thomas, Watkins, Watts, West, White, Wilkerson and Williams—44.


And then House the adjourned.

SATURDAY, FEBRUARY 9, 1828.

A message from the Senate by Mr. M'Connell.

Mr. Speaker: The Senate disagree to some and concur in other of the amendments proposed by this House to a bill from the Senate entitled an act to amend and reduce into one the execution laws of this State, and solicit a free conference between the Houses, on the subject of the amendments between the Houses, and have appointed a committee on their part.

And then he withdrew.

Ordered, That Messrs. Hanson, Guthrie, Breck, Helm, Southgate and Grider be appointed a committee of conference on the part of this House; and that Mr. Hanson inform the Senate thereof.

A bill for the benefit of Catharine Fox, was read a second time, and ordered to be engrossed and read a third time on Monday next.

Mr. Beatty, from the committee for courts of justice, to whom was referred a bill from the Senate entitled an act to provide for changing the venue in the case of Alexander Gowings and wife, reported the same without amendment.

The said bill was then ordered to be read a third time on Monday next.

Mr. Beatty, from the same committee, to whom was referred a bill from the Senate entitled an act for the benefit of Joseph Paxton, reported the same without amendment.
The said bill having been amended at the Clerk's table, was ordered to be read a third time, as amended, on this day.

And thereupon the said bill having been read a third time; Resolved, That the said bill, as amended, do pass.

Ordered, That Mr. Forrest inform the Senate thereof, and request their concurrence in said amendment.

Mr. Beatty, from the same committee, to whom was referred a bill from the Senate entitled an act to regulate civil proceedings against certain communities having property in common, reported the same without amendment.

The said bill was then ordered to be read a third time on this day.

The said bill was then read a third time, and an engrossed clause added thereto by way of rider.

Resolved, That the said bill, as amended, do pass.

Ordered, That Mr. L. Sanders inform the Senate thereof, and request their concurrence in said amendment.

Mr. Beatty, from the same committee, to whom was referred a bill from the Senate entitled an act for the benefit of securities in individual contracts, reported the same with an amendment, which being twice read, was concurred in, and the said bill, as amended, ordered to be read a third time on this day.

The said bill was then read a third time.

Resolved, That the said bill, as amended, do pass.

Ordered, That Mr. Beatty inform the Senate thereof, and request their concurrence in said amendment.

Mr. Beatty, from the same committee, to whom was referred a bill from the Senate entitled an act more effectually to guard the occupant of land, reported the same with an amendment, which was twice read.

The orders of the day were then called for, and Mr. Beatty's preamble and resolution of the — December, announced as the first in the orders of the day for consideration.

It was then moved and seconded to pass over the consideration of the same for the present.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Beatty and Conner, were as follows, viz:


NAYS—Mr. Speaker, Messrs. Barker, Beatty, Bibb, Black-
A message was received from the Senate, announcing the passage of bills which originated in this House of the following titles:

- An act for the benefit of the Keeper of the Penitentiary.
- An act for the benefit of Elizabeth Lemon.
- An act concerning the Salem Academy, in Nelson county.
- An act to amend the act authorizing the county courts to appoint inspectors of Salt.
- An act for the benefit of John Allen and others.
- An act allowing additional constables in certain counties.
- With amendments to the three latter bills.
- And their concurrence in a resolution which originated in this House offering five hundred dollars for the discovery of the disease called the milk sickness, with an amendment.
- And their concurrence in the amendments proposed by this House to bills from the Senate of the following titles:
  - An act for the benefit of Joseph Paxton.
  - An act to regulate civil proceedings against certain communities having property in common.
- The Senate's amendments to said bills and resolution were then twice read and concurred in.

Ordered, That Mr. Combs inform the Senate thereof.

Mr. Duvall, from the joint committee of enrollments, reported that the committee had examined enrolled bills of the following titles, and had found the same truly enrolled, viz:

- An act to authorize the Surveyors of Lincoln and Pike counties to transcribe parts of their record books, and for other purposes.
- An act for the benefit of John Cooper.
- An act to authorize Clerk's of courts to administer oaths in vacation in certain cases.
- An act prescribing the mode of proceeding against civil officers for issuing illegal fee bills.
- An act concerning the Lunatic Asylum.
- An act to legalize the proceedings of the Madison and Bullitt county courts.
- An act for the benefit of the Keeper of the Penitentiary.
- An act to provide for an additional chancery term of the Madison circuit court.
- An act to amend an act entitled an act to incorporate Jamestown in Russell county, and for other purposes, approved Jan. 23, 1827, and allowing an additional justice of the peace to Casey county.
An act to establish a female academy in the town of Harrodsburg.

An act regulating the town of Salvisa, in the county of Mercer.
An act for the benefit of the Surveyor of Hopkins county.
An act appointing commissioners to run and mark a State road from Frankfort to the Tennessee line, in the direction of Georgia and Alabama.
An act for the benefit of the heirs of Newell Beauchamp, dece'd.
An act to establish an election precinct in Barren county.
An act appointing commissioners to lay off and mark a State road from Harrodsburg to Smithland in the county of Livingston.
An act for the benefit of Peter Pollis.
An act to extend the powers of the trustees of New Castle.
An act to authorize the draining of certain ponds in Jefferson county.
An act for the benefit of Capt. Mairs' company of the 114th regiment.
An act for the benefit of James Patton.
An act concerning the 70th regiment Kentucky militia.
An act to authorize the county court of Logan to appoint commissioners to settle with Spencer Curd, as commissioner appointed by law to sell a part of the real estate of Nathaniel Drake, deceased.
An act to fix the ratio and apportion the representation for the ensuing four years.
An act for the benefit of Elizabeth Lemon.
An act concerning Salem Academy in Nelson county. And,
An act concerning public roads.

Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Duvall inform the Senate thereof.

The following bills from the Senate were severally read a third time:
1. An act to authorize the county court of Wayne to appropriate certain lands for the purpose of opening a road through parts of Wayne and Whitley counties.
2. An act for the benefit of Augustin Clayton.

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

Ordered, That Mr. Sallee inform the Senate thereof.

The following bills from the Senate were severally read a second time and ordered to be read a third time on Monday next, viz:
1. An act to punish shooting or stabbing in sudden affrays.
And 2. An act more effectually to guard the seventh section of the tenth article of the constitution from violation.

A bill from the Senate entitled, "an act more effectually to authorize the county court of Barren county to establish an academy in the town of Harrodsburg," approved Jan. 24, 1827.
guard the right of suffrage and for other purposes," was read a second time.

It was then moved and seconded to lay the said bill on the table until the first day of June next.

And the question being taken thereon it was decided in the negative.

The yeas and nays being required thereon by Messrs. Grider and M. Hall, were as follows, viz:


NAYS—Mr. Speaker, Messrs. Barker, Beatty, Bibb, Blackburn, A. Boyd, Breck, Bruce, Combs, A. Davis, W. M. Davis, Davenport, Dougherty, Duvall, Evans, Ewing, Ford, Gaines, George, Grider, Guthrie, M. W. Hall, R. C. Hall, Hanson, Hardy, B. Harrison, Hazlerigg, Helm, Harald, Hughes, Ingels, Lindsay, Marshall, M'Brude, M'Connell, Miner, Moore, Mundford, Patrick, Patterson, Powers, Ray, Reid, Sallee, Simpson, Skiles, Smith, Southgate, Swope, Thomas, Turner, Waters, Watkins and Woodland—53.

An amendment having been offered, it was then moved and seconded to lay the said bill and amendment on the table for the present.

And the question being taken thereon it was decided in the negative.

The yeas and nays being required thereon by Messrs. Grider and Sallee, were as follows:


NAYS—Mr. Speaker, Messrs. Barker, Beatty, Blackburn, Breck, Bruce, Combs, A. Davis, W. M. Davis, Evans, Ewing, Ford, George, Grider, Guthrie, M. W. Hall, Hanson, B. Harrison, Hazlerigg, Helm, Harald, Joyes, Lindsay, Marshall, M'Brude, M'Connell, Miner, Moore, Montague, Patrick, Patterson, Powers, Reid, Sallee, Simpson, Smith, Southgate, Swope, Thomas, True, Turner, Watkins and Woodland—43.

The said bill was then committed to the committee for courts of justice.

A message was received from the Senate, announcing the passage of bills which originated in this House of the following titles:
An act to amend an act entitled an act allowing additional justices and constables to certain counties, approved January 25th, 1822.

An act vesting the trustees of Springfield with power to pave the streets of said town.


An act to amend the act for the better regulation of the town of Winchester.

An act to change the place of holding elections in the South precinct in Washington county.

An act to authorize the county court of Grant to sell a part of the public ground.

An act to change the place of holding the elections in the Meeting creek precinct in the county of Hardin.

An act authorizing the appointment of trustees to the Jefferson and Morgan Seminaries.

An act to amend the law concerning public roads.

An act authorizing the trustees of the Grant Seminary to sell their donation lands.

An act to repeal so much of an act approved December 21, 1825, as allows an additional justice of the peace to the county of Bath as requires the same to reside in the town of Sharpsburg.

An act for the benefit of the heirs of David Dickerson, dec'd.

An act to provide for the building of bridges across certain water courses in Greenup county.

An act further to regulate appeal bonds.

An act to remove the obstructions to the navigation of Pond river.

With amendments to the three latter bills.

Their disagreement to bills which originated in this House of the following titles:

An act to divorce John Cochran. And,

An act to amend the law in relation to costs.

And their concurrence in the amendments proposed by this House to a bill from the Senate entitled,

An act for the relief of securities in individual contracts.

The following bills were severally read a second time:

1. A bill to amend the law in trials cognizable before justices of the peace, and for other purposes.

2. A bill to provide for erecting a bridge across Hinkston creek at the mouth of Peyton Lick Branch.

3. A bill to amend the law regulating the Turnpike and Wilderness road.

4. A bill prescribing the duties of Clerks of the inferior courts in making out complete records.
5. A bill amendatory to the several acts establishing a turnpike by way of Williamsburg, Whitley county.

The 1st, 2d, 3d and 4th (the 1st and 3d having been amended at the Clerk's table,) were severally ordered to be engrossed and read a third time, and the 5th having been amended, was laid on the table.

And thereupon the rule of the House, constitutional provision and third reading of the 1st, 2d, 3d and 4th bills having been dispensed with, and the same being engrossed;

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

Ordered, That Mr. Smith carry the said bills to the Senate and request their concurrence.

The yeas and nays being required on the passage of the first bill by Messrs. Conner and Smith, were as follows, viz:


A message from the Governor by Mr. Pickett, his Secretary.

Mr. Speaker: The Governor has approved and signed enrolled bills originating in the House of Representatives of the following titles:

An act to incorporate the Lexington and Frankfort Turnpike or Rail Road Company.
An act to establish a State road from Brandenburg, on the Ohio river, to Bowling Green.
An act to add a part of Gallatin county to the county of Owen.
And then he withdrew.

Ordered, That Mr. Duvall inform the Senate thereof.

The amendments proposed by the Senate to a bill which originated in this House entitled an act to provide for building bridges across certain water courses in Greenup county, were twice read and concurred in.

Ordered, That Mr. Conner inform the Senate thereof.

Mr. Hanson, from the joint committee of conference on the subject of the disagreement of the Senate to some of the amendments proposed by this House to a bill from the Senate entitled,
an act to amend and reduce into one the execution laws of this
State, made a report.
Which being twice read, was concurred in.
Ordered, That Mr. Hanson inform the Senate thereof.
Mr. Guthrie, from the joint committee appointed to examine
the Bank of Kentucky, made the following report:
The joint committee appointed by the Senate and House of
Representatives to examine the Bank of Kentucky, have per-
formed the duty, and report the accompanying documents marked
A, B and C, as containing all the information relative to said
bank which they have been able to obtain. On the real estate
there will be great loss, but your committee have been unable to
ascertain the amount, or any criterion by which to estimate the
same. On the amount reported due from individuals, there will
also be a serious loss. Your committee are of opinion that in the
course of the present year, all the debts due from the bank may
be discharged, and then it will be a question of both policy and
justice, whether the residue of the concerns of the institution
shall be closed by continuing the President and Directors, at the
joint expense of the State and Stockholders, or come to a division
of the real estate and debts recoverable, and throw the part
which shall come to the State into the Commonwealth’s Bank,
and permit the stockholders to divide or elect officers of their
own to manage their concerns.
Your committee counted the money on hand, and found the
same all safe and correct. They were informed that the vault had
been opened by a false key more than once, and a loss occurred;
but your committee are of opinion, from the information they
had, not exceeding fifty or sixty dollars was lost.
All which is respectfully submitted.

JOHN L. HICKMAN,
Chairman Com. of the Senate.
WM. P. FLEMING.
WM. CUNNINGHAM.
JAMES GUTHRIE, Chairman
JAMES M’MILLAN.
W. DAVENPORT.
HENRY MOORE.
THOMAS WEST.

N. E.—B and C, referred to in this report, are lodged in the re-
port in the Senate.

Situation of the Bank of Kentucky, December 31, 1827.

Due to other Banks, $9,784.61
<table>
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<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surplus profits</td>
<td>$240,769.25</td>
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<tr>
<td>Current profits</td>
<td>$27,687.57</td>
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<tr>
<td>Stock</td>
<td>$659,910.00</td>
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<td>Do. residuary</td>
<td>$268,680.00</td>
</tr>
<tr>
<td>Treasurer United States</td>
<td>$27,363.12</td>
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<tr>
<td>Due to individuals</td>
<td>$161,518.95</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$1,394,358.63</strong></td>
</tr>
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</table>

**Current expenses,** $13,320.82

**Due from other Banks,** $2,548.92

**Real Estate,** $426,999.90

**Due from individuals,** $872,677.75

**Defalcation at Branches,** $29,156.14

**CASH ON HAND.**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Silver,</td>
<td>$257.50</td>
</tr>
<tr>
<td>Notes of other Banks,</td>
<td>$2,714.25</td>
</tr>
<tr>
<td>Kentucky Notes,</td>
<td>$2,559.75</td>
</tr>
<tr>
<td>Commonwealth’s Notes,</td>
<td>$43,823.83</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$49,355.63</strong></td>
</tr>
</tbody>
</table>

The Bank holds notes for rent of property, which have not been carried into the general account, amounting to $3,561.16

And then the House adjourned.

**MONDAY, FEBRUARY 11, 1828.**

Mr. Rucker from the joint committee of enrollments, reported that the committee had examined sundry enrolled bills, and a resolution of the following titles, and had found the same truly enrolled, to-wit:

A joint resolution offering five hundred dollars for the discovery of the cause of the milk sickness.

An act to amend the act for the better regulation of the town of Winchester.

An act for the benefit of John Allen and others.

An act authorizing the trustees of Grant Seminary, to sell their donation land.

An act to repeal so much of an act approved December 21st, 1825, as allows an additional justice of the peace to the county of Bath, as requires the same to reside in the town of Sharpsburg.

An act to amend the law concerning public roads.

An act for the benefit of the heirs of David Dickerson, deceased.

An act to amend an act entitled, an act allowing additional
An act to allow additional constables in certain counties.

An act to amend the act authorizing the county courts to appoint inspectors of salt.

An act to authorize the county court of Grant, to sell a part of the public ground.

An act authorizing the appointment of trustees to the Jefferson and Morgan Seminaries.

An act to change the place of holding elections in the south precinct in Washington county.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Rucker inform the Senate thereof.

Mr. Hanson from the committee for courts of justice to whom was referred a bill from the Senate entitled, an act more effectually to guard the right of suffrage, and for other purposes, reported the same without amendment.

The said bill having been amended at the clerk's table;

The question was then put on reading the said bill a third time, as amended, on this day, which was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Sallee and Ray, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Barbee, Barker, Beatty, Bibb, A. Boyd, Breck, Breckinridge, Bruce, Buford, Combs, Creel, A. Davis, Dougherty, Evans, Ewing, Ford, George, Griffin, Grider, Guthrie, Hale, M. W. Hall, Hanson, B. Harrison, Hazlewood, Helm, Harald, Ingels, Joyes, Litton, Marshall, M'Bride, M'Connell, M'Millan, Miner, Moore, Montague, Munford, Patrick, Patterson, Powers, Reid, Roberts, Sallee, Secrest, Simpson, Skiles, Smith, Spalding, Swope, Thomas, Waters, Watkins, Woodland and Yantis—56.


The said bill was then read a third time as amended.

Resolved, That the said bill, as amended, do pass.

Ordered, That Mr. Breck inform the Senate thereof, and request their concurrence in the said amendment.

The yeas and nays being required thereon by Messrs. Ray and B. Harrison, were as follows.

YEAS—Mr. Speaker, Messrs. Barbee, Barker, Beatty, Bibb, A. Boyd, Breck, Breckinridge, Bruce, Buford, Combs, Creel, A. Davis, W. M. Davis, Dougherty, Evans, Ewing, Ford, George, Griffin, Grider, Guthrie, Hale, M. W. Hall, R. C. Hall, Hanson,
Mr. Duvall from the joint committee of enrollments reported that the committee had examined sundry enrolled bills of the following titles, and had found the same truly enrolled, to-wit:

An act to authorize the county court of Wayne to appropriate certain lands for the purpose of opening a road through parts of Wayne and Whitley counties.

An act for the benefit of Augustin Clayton.

An act providing for the appointment of an Engineer to survey the Kentucky, Licking and Green rivers.

An act for the benefit of Joseph Paxton.

An act to regulate civil proceedings against certain communities, having property in common.

An act for the relief of securities in individual contracts.

An act vesting the trustees of Springfield, with power to pave the streets of said town.

An act for the better regulation of the town of New-Market, in Washington county.

An act to change the place of holding the elections in the Meeting Creek precinct, in the county of Hardin.

An act to provide for the building of bridges across certain water courses in Greenup county.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Duvall inform the Senate thereof.

Mr. Beatty from the committee for courts of justice, made the following report:

The committee of courts of justice, who were instructed to enquire whether the office of judge in the tenth judicial district has become vacant by the failure of said judge to remove into said district, and whether any, and if any, what further legislation is necessary and proper on the subject, ask leave to report the following resolution, to-wit:

Resolved, That the office of judge of the tenth judicial district has not become vacant, notwithstanding his failure to remove into, and reside within the bounds of said district, although more than a year has elapsed since his appointment to, and acceptance of said office; and that the said committee be discharged from the further consideration of said subject.
It was then moved and seconded to lay the said report on the table, until the first day of June next.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Breckinridge and Ewing, were as follows:


A message from the Senate by Mr. Cockerill.

Mr. Speaker: The Senate has received official information that the Governor has approved and signed enrolled bills originating in the Senate, of the following titles:

An act to amend an act, further to regulate the Christian Academy, approved January 17th, 1817.

An act further to regulate the Cumberland Hospital.

An act for the benefit of Daniel Trabue, and others.

An act to continue in force the law providing for the appointment of Commonwealth's attorneys.

An act to restore Eliza B. Shannon and Mahinda Morris, to the privileges of females sole.

An act for the benefit of John E. Wilson.

An act to amend an act entitled, an act to regulate the several laws regulating the towns of Harrodsburg and Richmond, and Hopkinsville, approved December 21st, 1825.

An act supplementary to an act entitled, an act for the benefit of Thomas Smith and others, approved the 31st day of December, 1827.

An act to add a part of Warren to the county of Allen.

An act to ratify and confirm the line of 36° 30' as run by Thomas J. Matthews.

And act for the benefit of the clerk of the Nicholas circuit court.

An act to establish an election precinct in Floyd county, and for other purposes.
An act concerning the appropriation of fines and forfeitures in the counties of Mason and Nicholas.
An act for the benefit of the commissioners appointed to fix the county seat of Anderson county. And,
A resolution entitled, "a resolution for placing in Transylvania University, a Sextant belonging to the State."
And then he withdrew.
A message from the Senate was received, announcing the passage of bills which originated in this House, of the following titles:
An act allowing an additional justice of the peace in the county of Union.
An act for the improvement of the navigation of Rough Creek.
An act for the benefit of the heirs of James Neely, deceased.
An act for making a further appropriation for the re-building of the Capitol, and for other purposes.
An act for the appropriation of money.
An act to amend the Militia law.
An act appropriating fines and forfeitures, for the lessening the county levies of certain counties.
An act for the benefit of St. Joseph's College, at Bardstown.
An act to authorize the insertion of advertisements in certain newspapers.
An act to provide for the election of Electors of President and Vice President. And,
An act to amend an act, entitled, an act to prevent the Masters of vessels or others, employing or removing persons of color, from this State, with amendments to the last eight bills.
It was then moved and seconded to take up for consideration, a bill further to provide for the revenue of this Commonwealth; And the question being taken thereon, it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Breck and Combs, were as follows, viz:
YEAS—Mr. Speaker, Messrs. Barker, Beatty, Bibb, Blackburn, Breck, Breckinridge, Buford, Colglazier; Combs, Conner, A. Davis, Downing, Evans, George, Gridor, Guthrie, M. W. Hall, Hanson, Hardy, B. Harrison, C. L. Harrison, Hazelrigg, Helm, Harald, Ingels, Joyce, Marshall, M'Bridge, M'Connell, M'Millan, Miner, Moore, Patrick, Patterson, Powers, Rife, Roberts, L. Sanders, Simpson, Skiles, Swope, Turner, Ward, Waters, Woodland and Yantis—47.
The said bill was then read a second time.
It was then moved and seconded to fill the blank in said bill with ten cents, as the amount to be collected on each $100 worth of taxable property.
And the question being taken thereon, it was decided in the negative.
The yeas and nays being required thereon by Messrs. Spalding and Litton, were as follows, viz:
It was then moved and seconded to lay the said bill on the table.
And the question being taken thereon, it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Hazlerigg and Litton, were as follows, viz:
A message from the Senate by Mr. Dudley.
Mr. Speaker: The Senate have passed a bill entitled, an act to amend an act, entitled an act to incorporate the Lexington and Frankfort Turnpike or Rail Road Company; and they disagree to a bill which originated in this House entitled, an act for the
benefit of the heirs of Thomas Gooch, deceased; and in the passage of the former bill, request the concurrence of this House.

And then he withdrew.

It was then moved and seconded to take up for consideration, "a resolution for burning part of the notes of the Bank of the Commonwealth of Kentucky."

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Inglis and Spalding, were as follows, viz:


The said resolution was then read as follows, viz:

IN SENATE, JANUARY 28, 1828.

Resolved by the General Assembly of the Commonwealth of Kentucky, That the President and Directors of the Bank of the Commonwealth of Kentucky, shall, on or before the first Monday in March next, in the presence of the Governor, Auditor and Treasurer, proceed to count and destroy by burning, four hundred thousand dollars, of the notes of said bank, that have been withdrawn from circulation, and that they select such of said notes for that purpose, as have been most defaced.

Extract, &c.—At.

J. STONESTREET, C. S.

It was then moved and seconded to strike out the sum of four hundred thousand dollars.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Turner and Rucker, were as follows, viz:

YEAS—Messrs. Barbee, Bishop, Creel, W. M. Davis, Downing, Evans, Forrest, Graham, Griffin, Hale, R. C. Hall, Hardy, Hazlerigg, Helm, Harald, Inglis, Litton, M'Millan, Montague, Munford, Parish, Patterson, Ray, Rife, Rucker, N. P. Sanders,
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The said resolution was then concurred in.

Ordered, That Mr. L. Sanders inform the Senate thereof.

A message from the Senate by Mr. Wickliffe.

Mr. Speaker: The Senate concur in the first, and disagree to the second amendment proposed by this House, to a bill from the Senate entitled, an act more effectually to guard the right of suffrage.

And then he withdrew.

Mr. Rucker, with the leave of the House, reported a bill supplementary to an act, entitled, an act appointing Commissioners to survey and mark out a road from Harrodsburg to Smithland;

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

And thereupon the rule of the House, constitutional provision, and second and third readings of said bill having been 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. Rucker carry the said bill to the Senate, and request their concurrence.

On the motion of Mr. Waters—Ordered, That a committee be appointed to enquire into, and report upon the conduct of said Waters, in relation to a bill which passed both Houses of the General Assembly entitled, an act to change the time of holding elections in the southern precinct in Washington county, and whether the same has been improper in relation to said bill, during its progress in this House.

Mr. L. Sanders presented the petition of Jane Pemberton, praying a divorce from her husband, Henry Pemberton.

Which was received, read, and referred to the committee of religion.

A bill for the benefit of the infant heirs of Aquilla Hodskins;

Was read a second time, and ordered to be engrossed and read a third time.

And thereupon the rule of the House, constitutional provision,
and third reading of said bill having been 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. Forrest carry the said bill to the Senate, and request their concurrence.

The amendments proposed by the Senate to bills which originated in this House, of the following titles, were twice read and concurred in, viz:

An act to regulate appeal bonds.
An act to remove the obstructions to the navigation of Pond River.
An act making a further appropriation for the re-building of the Capitol, and for other purposes.
An act to authorize the insertion of advertisements in certain newspapers.
An act appropriating fines and forfeitures for the lessening the county levy of certain counties.
An act for the benefit of St. Joseph's College, at Bardstown.
An act to amend the act entitled, an act to prevent the Masters of Vessels, and others from employing or removing persons of colour from this State.

Ordered, That the Clerk inform the Senate thereof.

The amendments proposed by the Senate to a bill which originated in this House entitled, an act for the appropriation of money, were concurred in, except the 17th, which was read as follows:

"To James Davidson, for attending to the public property, fifty dollars."

And the question being taken on agreeing to the said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Spalding and Inglish, were as follows, viz:


Ordered, That Mr. Breck inform the Senate thereof.
A message from the Governor by Mr. Pickett his Secretary.

Mr. Speaker: The Governor has approved and signed enrolled bills which originated in the House of Representatives, of the following titles:

- An act concerning Salem Academy in Nelson county.
- An act for the benefit of Elizabeth Lemon.
- An act concerning the Lunatic Asylum.
- An act for the benefit of the keeper of the Penitentiary.
- An act to legalize the proceedings of the Madison and Bullitt county courts.
- An act to authorize the surveyors of Lincoln and Pike counties to transcribe parts of their record books, and for other purposes.
- An act to provide for an additional chancery term of the Madison circuit court.
- An act for the benefit of John Cooper.
- An act prescribing the mode of proceeding against civil officers, for issuing illegal fee bills.
- An act to authorize clerks of courts to administer oaths in vacation, in certain cases.
- An act for the benefit of John Allen, and others.
- An act to authorize the county court of Grant, to sell a part of the public ground.
- An act authorizing the appointment of Trustees to the Jefferson and Morgan Seminaries.
- An act to amend the act for the better regulation of the town of Winchester.
- An act to allow additional constables in certain counties.
- An act to amend the act authorizing the county courts to appoint inspectors of Salt.
- An act for the benefit of the heirs of David Dickerson, deceased.
- An act to amend an act, entitled, an act allowing additional justices of the peace and constables to certain counties, approved January 25, 1827.
- An act to amend the law concerning public roads.
- An act to repeal so much of an act approved December 21st, 1825, as allows an additional justice of the peace to the county of Bath, as requires the same to reside in the town of Sharpsburg.
- An act authorizing the trustees of Grant Seminary to sell their donation land.
- An act to change the place of holding the election in the meeting creek precinct, in the county of Hardin.
- An act vesting the trustees of Springfield with power to pave the streets of said town.
An act to provide for the building of bridges across certain water courses in Greenup county. And,

A resolution entitled, “a joint resolution offering five hundred dollars for the discovery of the cause of the milk sickness.”

And then he withdrew.

Ordered, That Mr. Duvall inform the Senate thereof.

The House took up the amendments proposed by the Senate to a bill which originated in this House entitled, an act to provide for the election of Electors of President and Vice President, which being twice read, the first was disagreed to, and the second concurred in.

Ordered, That Mr. Bibb inform the Senate thereof.

The House took up the amendments proposed by the Senate to a bill which originated in this House entitled, an act to amend the militia law.

The first amendment was read as follows:

Strike out the following, (being the 5th section of the bill:)

Sec. 5. Be it further enacted, That the act entitled an act to regulate the militia correspondence of this Commonwealth, approved January 22, 1827, be and the same is hereby repealed.

And the question being taken on concurring in the said amendment, it was decided in the affirmative.

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


NAYS—Messrs. Davenport, Downing, Griffin, Hughes, Inglish, Patterson, Smith, Thomas and Wilkerson—9.

The remaining amendment was then disagreed to.

Ordered, That Mr. Combs inform the Senate thereof.

The House proceeded to reconsider their second amendment proposed to a bill from the Senate entitled, an act more effectually to guard the right of suffrage.

Resolved, That this House insist on their said amendment.

Ordered, That Mr. C. L. Harrison inform the Senate thereof.

A message from the Senate by Mr. Hardin.

Mr. Speaker: The Senate have passed a bill which originated in this House entitled, an act for the benefit of Amey Ann B. Gibson—and they insist on their 17th amendment proposed to a
bill from this House entitled, an act for the appropriation of money; and ask the appointment of a committee of conference on the subject of said amendment.

And then he withdrew.

The latter bill was then taken up. It was moved and seconded that this House recede from their disagreement to the 17th amendment of the Senate.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. English and Spalding, were as follows, viz:


Ordered, That Mr. Gaines inform the Senate thereof.

A message from the Senate by Mr. Daviess.

Mr. Speaker: The Senate recede from their first amendment proposed to a bill which originated in this House entitled, an act prescribing the mode of choosing Electors to vote for President and Vice President; and insist on their second amendment proposed to a bill which originated in this House entitled an act to amend the militia law; and request a conference on the subject of the amendment to the latter bill.

And then he withdrew.

Whereupon Messrs. Smith, Yantis, L. Boyd, C. L. Harrison, M'Millan and Simpson, were appointed a committee on the part of this House.

Ordered, That Mr. Smith inform the Senate thereof.

A message from the Senate by Mr. M'Connell.

Mr. Speaker: The Senate disagree to a bill which originated in this House entitled an act to provide counsel to go to Washington city to defend the validity of the seven years limitation law; and they insist on their disagreement to the second amendment proposed by this House to a bill from the Senate entitled, an act more effectually to guard the right of suffrage; and request a conference on the subject of said amendment, and have appointed a committee on their part.
And then he withdrew.
Whereupon Messrs. B. Harrison, Patrick, Marshall, Barbee, Helm and Grider, were appointed a committee on the part of this House.
Ordered. That Mr. B. Harrison inform the Senate thereof.
The following bills from the Senate were severally read the first time, and ordered to be read a second time, viz:
1. An act to amend an act entitled an act to incorporate the Lexington and Frankfort Turnpike or Rail Road Company.
2. An act concerning the Turnpike and Wilderness road.
3. An act for the benefit of Sidney P. Clay and wife. And
4. An act for the benefit of the heirs of Peter Tichenor and Hatzell Jennings, deceased.
And thereupon the rule of the House, constitutional provision and second and third readings of the said bills having been dispensed with:
Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.
Ordered, That Mr. Combs inform the Senate thereof.
And then the House adjourned.

TUESDAY, FEBRUARY 12, 1828.

The Speaker laid before the House a letter from the President of the Bank of Kentucky, which was read as follows:

BANK OF KENTUCKY, FEBRUARY 12, 1828.

Hon. J. SPEED SMITH, Speaker House of Rep.

Sir,—In conformity to an act of the General Assembly passed at the present session, the Stockholders in the Bank of Kentucky did yesterday elect Charles Miles and Charles Julian on their part, to serve as Directors the present year.

Most respectfully, your ob't. serv't.

PETER DUDLEY, President.

On motion—Ordered, That a message be sent to the Senate, requesting leave to withdraw the report made from this House, concurring in the amendment proposed by the Senate to a bill which originated in this House entitled, an act to remove the obstructions to the navigation of Pond river; and that Mr. Ward carry the said message.

A message from the Senate by Mr. Fleming.

Mr. Speaker: The Senate have passed a bill entitled an act for the benefit of Sarah Warder and children, in which bill they request the concurrence of this House.
And then he withdrew.

A message from the Senate by Mr. Hughes.

Mr. Speaker: The committee of conference on the subject of the second amendment proposed by the Senate to a bill which
originated in this House entitled, an act to amend the militia law, recommended to the Senate to recede from said amendment, and I am directed to inform this House that the Senate recede from said amendment.

And then he withdrew.

Mr. B. Harrison, from the committee of conference on the subject of the second amendment proposed by this House to a bill from the Senate entitled, an act more effectually to guard the right of suffrage, made the following report, viz:

The committee of conference upon the amendment to the bill which originated in the Senate entitled, an act more effectually to guard the right of suffrage, have agreed as follows:

The Senate will recede from the disagreement to the amendment made by the House of Representatives with the following amendments, to-wit: Strike out the word “convicted” and insert “guilty.” Add to the bill “Provided however, That the person receiving such bribe or treat, shall in no instance be a competent witness against the person accused of such bribing or treating.”

JNO. M. M'CONNELL, Senate.
JOHN POPE.
B. HARRISON.
ELIAS BARBEE, House of Reps.
H. GRIDER.
A. PATRICK.

It was then moved and seconded to lay the said bill and amendments on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hanson and Ward, were as follows:


It was then moved and seconded that this House recede from their second amendment proposed to said bill.

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And the question being taken thereon, it was decided in the
negative.

The yeas and nays being required thereon by Messrs. Hanson
and Beatty, were as follows, viz:  
YEAS—Messrs. Barker, Beatty, Blackburn, Breckinridge,
Colglazier, Combs, Conner, Evans, Ewing, Ford, George,
Graham, Hanson, Helm, Ingels, Joyes, Marshall, M'Bridge, M'Con-
nell, Patterson, Powers, Reid, Simpson, Skiles, Turner, Ward,
Waters and Watkins—28.

NAYS—Messrs. Barbee, Baseeman, Bishop, A. Boyd, Bruce,
Buford, Coffman, Creel, Daniel, A. Davis, Davenport, Dougher-
ty, Downing, Duvall, Forrest, Griffin, Grider, Hale, M. W. Hall,
R. C. Hall, Hardy, B. Harrison, Hazlerigg, Hughes, Inglish, Lit-
ton, M'Millan, Montague, Munford, Parish, Patrick, Ray, Riffe,
Roberts, Sallee, N. P. Sanders, L. Sanders, Secrest, Smith, Spald-
ing, Swope, Thomas, Watts, White, Wilkerson, Williams, Win-
gate, Woodland and Yantis—49.

The question was then taken on concurring in
the report
of the committee of conference, which was decided in the ·affirmative.

The yeas and nays being required thereon by Messrs. Grider
and B. Harrison, were as follows:
YEAS—Mr. Speaker, Messrs. Barbee, Barker, Beatty, Bishop,
Blackburn, A. Boyd, Bruce, Buford, Coffman, Colglazier, Combs,
Creel, Daniel, A. Davis, W. M. Davis, Downing, Duvall, Evans,
Ewing, Ford, Forrest, George, Griffin, Grider, Hale, M. W. Hall,
R. C. Hall, Hanson, Hardy, B. Harrison, Hazlerigg, Helm, Har-
vard, Hughes, Inglish, Joyes, Litton, Marshall, M'Bridge, M'Con-
nell, M'Millan, Montague, Munford, Parish, Powers, Ray, Reid,
Roberts, Rucker, Sallee, L. Sanders, Secrest, Skiles, Smith,
Spalding, Swope, Thomas, Turner, Waters, Watkins, Watts,
Wingate, Woodland and Yantis—65.

NAYS—Messrs. Breckinridge, Conner, Dougherty, Graham,
Ingels, Parish, Patterson, Riffe, N. P. Sanders, Simpson, Ward,
White, Wilkerson and Williams—14.

Ordered, That Mr. B. Harrison inform the Senate thereof.

Mr. Ward, from the majority on the vote by which the amend-
ments proposed by the Senate to a bill which originated in this
House entitled, an act to remove the obstructions to the naviga-
tion of Pond river, were concurred in, moved a re-consideration
of said vote.

And the question being taken thereon, it was decided in the
affirmative.

The said amendments were then twice read and disagreed to.

Ordered, That Mr. Ward inform the Senate thereof.

Mr. Yantis read and laid on the table the following resolution:
Resolved by the General Assembly of the Commonwealth of Ken-
tucky, That the Public Printer furnish the Adjutant General with
three thousand six hundred copies, printed in hand bill form, of the militia law that passed the present session, and the Adjutant General shall, as soon as convenient, furnish the commandant of each regiment in this State, with thirty copies each, for the use of their respective regiments.

And thereupon the rule of the House having been dispensed with, the said resolution was taken up, twice read and adopted. 

Ordered, That Mr. Yantis carry the said resolution to the Senate, and request their concurrence.

Mr. Ward moved the following resolution:

Resolved, That the public printer be directed to print forthwith 1500 copies of the list of Acts of the present General Assembly. Which being twice read, was concurred in.

A message from the Senate by Mr. Given.

Mr. Speaker: The Senate has received official information that the Governor has approved and signed enrolled bills which originated in the Senate, of the following titles:

An act to fix the ratio and apportion the representation for the ensuing four years.

An act for the benefit of Captain Mairs' company of the 114th regiment.

An act for the benefit of James Patton.

An act to authorize the draining of certain ponds in Jefferson county.

An act to authorize the county court of Logan to appoint commissioners to settle with Spencer Curd, as commissioner appointed by law, to sell a part of the real estate of Nathaniel Drake.

An act concerning the 70th regiment Kentucky Militia.

An act appointing commissioners to lay off and mark a State road from Harrodsburg to Smithland, in the county of Livingston.

An act for the benefit of the heirs of Peter Folliis.

An act to extend the powers of the trustees of New-Castle.

An act appointing commissioners to view and mark a State road from Frankfort to the Tennessee line, in the direction to Georgia and Alabama, and for other purposes.

An act for the benefit of the heirs of Newell Beauchamp, deceased.

An act to amend an act entitled, "an act to incorporate James-town, in Russell county, and for other purposes," approved January 23d, 1827, and allowing an additional justice of the peace to Casey county.

An act regulating the town of Salvisa, in the county of Mercer.

An act to amend an act entitled, "an act for the opening a road from Cynthiana to Maysville," approved January 24, 1827.

An act to establish a Female Academy in the town of Harrodsburg.
An act to establish an election precinct in the county of Barren and for other purposes.
An act for the benefit of the surveyor of Hopkins county.
An act providing for the appointment of an engineer, to survey the Kentucky, Licking and Green rivers.
An act for the relief of securities in individual contracts.
An act for the benefit of Joseph Paxton, and others.
An act to regulate civil proceedings against certain communities having property in common.
An act for the benefit of Augustin Clayton.
An act to authorize the county court of Wayne to appropriate certain lands for the purpose of opening a road through parts of Wayne and Whitley counties.
And then he withdrew.
Mr. Hall from the committee of claims to whom was referred, a bill from the Senate entitled, an act, for the benefit of John Jones, Justice Huffacre and Rodes Garth, reported the same without amendment.
The said bill was then ordered to be read a third time on this day.
The said bill was then read a third time.
Resolved, That the said bill do pass, and that the title thereof be as aforesaid.
Ordered, That Mr. Hall inform the Senate thereof.
Mr. M. Hall from the joint committee appointed to examine the Auditor's office, made the following report:
The Chairmen of the joint committee raised to examine the Auditor's office for the fiscal year commencing on the 10th day of October 1826, and ending on the 10th day of October 1827, would unite in stating, that at an early day of the session, and frequently since, attempts have been made to assemble said committee in the office for the purpose of commencing said examination. These attempts ended in continual disappointment, as a majority has been at no time obtained. Thus frustrated in our reasonable expectations, your Chairmen would represent that they very recently determined to give the office such an examination as time and circumstances would permit; and accordingly found the books, records, and vouchers all in good order; and that the general balance sheets as exhibiting the receipts and expenditures for the year, are constituted of correspondent items in the journal and ledger, and accords with the report made by the Auditor to the Legislature, and that that report substantially agrees with the one made by the Treasurer. In order however, to arrive more fully at the true grounds on which the accounts of that office should rest, it became necessary to compare the numerous vouchers, with the various and complicated laws, authorizing allowances, as also with the warrant book; a very short
experiment in this branch of the examination dissipated the last and least hope, of accomplishing an undertaking so arduous, in a manner either acceptable to ourselves, or satisfactory to the General Assembly, or the good people of this Commonwealth; and cannot therefore, as Representatives, state absolutely, and unequivocally, that all is right in that department; yet as men, we believe all is right, and that the duties of that office are faithfully conducted. It has been usual to confide the examination of that office, to a committee of the Legislature, whose reports have always indicated the examinations to have been of the most thorough kind; but such an examination we believe never has, and never can be made by such a committee, for want of time, nor is it right that members should be required to perform duties so onerous, during the session. We would therefore recommend the passage of a law, appointing a standing committee of suitable and responsible individuals, residing at the seat of Government, whose duty it shall be, from time to time to examine said office, and report to the General Assembly.

JOHN L. HICKMAN,
Chairman from Senate.

M. W. HALL,
Chairman from H. R.

Which being read, was concurred in.

Mr. Hall from the same committee reported a bill appointing a standing committee to examine the Auditor’s office.

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

It was then moved and seconded to dispense with the rule of the House, constitutional provision, requiring bills to be read on three several days, and the second and third reading of said bill with a view to put it on its passage.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. M. Hall and Ray, were as follows, viz:


A message from the Senate by Mr. Hughes.

Mr. Speaker: The Senate have passed a bill which originated in this House entitled, an act to incorporate the City of Louisville, with amendments, in which they request the concurrence of this House.

And then he withdrew.

The said amendments were then taken up, twice read and concurred in.

Ordered, That Mr. Guthrie inform the Senate thereof.

A bill to improve the road between Shelbyville and Louisville, was ordered to be engrossed and read a third time as amended, on this day.

The said bill having been engrossed, was read a third time.

And the question being taken on the passage thereof, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Conner and Baseman, were as follows:


Ordered, That Mr. Ford carry the said bill to the Senate, and request their concurrence.

A message from the Senate by Mr. M'Connell.

Mr. Speaker: The Senate concur in the report of the committee of conference, on the subject of the second amendment proposed by this House, to a bill from the Senate entitled, an act more effectually to guard the right of suffrage. And they recede from their amendment proposed to a bill from this House entitled, an act to remove the obstructions to the navigation of Pond river.

And then he withdrew.

It was then moved and seconded, that this House dispense with the consideration of the orders of the day, for the purpose of taking up for consideration a bill for turnpiking the road from Maysville to Lexington.

And the question being taken thereon, it was decided in the negative.
The yeas and nays being required thereon by Messrs. Hanson and Beatty, were as follows:


NAYS—Messrs. Barbee, Barker, Baseman, Bishop, L. Boyd, Conner, Creel, Evans, Griffin, Grider, Hale, M. W. Hall, Hanson, B. Harrison, Hughes, Inglis, Litton, McBride, M'Connell, M'Millan, Montague, Munford, Parish, Patrick, Patterson, Roberts, Rucker, Simpson, Skiles, Spaling, Thomas, Turner, White, Wilkerson and Yantis—35.

The preamble and resolutions offered by Mr. Beatty on the 12th December last, was laid on the table.

Mr. Ward read and laid on the table the following resolutions:

Resolved by the General Assembly of the Commonwealth of Kentucky, That in the opinion of this Legislature, it would be good policy on the part of the national government, and an act of justice to the south-western States, that a portion of the revenues of the United States should be distributed in the said section of the Union, in some permanent improvement of national importance; and in order to effect said object, it is earnestly recommended to the Congress of the United States, to extend a branch of the national road from Zanesville in Ohio, to Maysville in Kentucky, and thence through the States of Kentucky, Tennessee, Alabama and Mississippi, to New-Orleans: And that it would comport with the wishes of the people of Kentucky, and the interest of the Union, that the section of said road between Maysville and Lexington, should be commenced as early as practicable, and prosecuted with the utmost vigor; and the approbation of the people of Kentucky to said improvement is hereby expressed through their representatives.

Resolved, That our Senators in Congress be instructed and our members of the House of Representatives be requested to use their utmost exertion to effect the objects proposed in the above resolution; and that the Governor of this Commonwealth be requested to transmit a copy of these resolutions to each of our Senators and members in Congress.

And thereupon the rule of the House having been dispensed with, the said resolutions were taken up, twice read and adopted.

Ordered, That Mr. Ward carry the said resolutions to the Senate, and request their concurrence.

The following bills from the Senate were severally read a third time:

1. An act to punish shooting or stabbing in sudden affrays.
2. An act more effectually to guard the seventh section of the tenth article of the constitution from violation.

3. An act to provide for changing the venue in the case of Alexander Gowings and wife.

Resolved, That the said bills do pass, and that the titles of the first and third be as aforesaid, and that of the second be amended to read, an act restraining and defining the power of judges in case of contempt.

Ordered, That Mr. Breckinridge inform the Senate thereof, and request their concurrence in the amendment to the second bill.

The yeas and nays being required on the passage of the second bill by Messrs. Simpson and Hall, were as follows, viz:


The yeas and nays being required on the passage of the third bill by Messrs. Hazlerigg and Conner, were as follows, viz:


Mr. Breckinridge moved the following resolution:

Resolved, That leave be asked of the Senate to withdraw the bill which passed that House this day, entitled, "an act to improve the road between Louisville and Shelbyville," for the purpose of adding to the bill the following sections, which were herefore offered as an amendment to said bill, but through mistake omitted to be voted on, before the passage of said bill.

Substitute to the bill for internal improvement.
Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Treasurer of this Commonwealth shall be and he is hereby authorized to negotiate, on the part in behalf of the Commonwealth, a loan of one million of dollars in silver, or other part funds, at an interest not to exceed six per centum per annum, on the best terms he can obtain, $200,000 to be paid into the treasury, or to some authorized agent of this Commonwealth, and the residue in such installments as the Legislature shall from time to time direct; for the repayment of which, with the annual interest thereon, the faith of the State is pledged; and all its resources at the disposal of the General Assembly, hereby guaranteed, to be applied to the construction of a rail road, or turnpike road, as shall be hereafter determined, from Maysville, through Lexington, to some point on the Mississippi, or Cumberland river, near the mouth of the latter river.

Sec. 2. Be it further enacted, That the Governor of this Commonwealth is hereby authorized and requested to make immediate application to the President of the United States, for one or more competent engineers, to make the necessary surveys on the route contemplated by this bill: and in the event of his failing to obtain the aid of said engineer, from the general government, then he is hereby authorized to employ, at the public expense, a competent engineer to commence the survey of said route, as early as practicable, in the ensuing spring or summer.

Sec. 3. Be it further enacted, That the sum of dollars shall be appropriated out of the treasury, to defray any expenses which may result under this act, which are not otherwise provided for.

And the question being taken on adopting the said resolution, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Skiles and Breckinridge, were as follows, viz:


A message was received from the Senate, announcing their disagreement to bills which originated in this House of the following titles:
An act for the benefit of the heirs of Richard Barnett and others.

An act for the benefit of John Faughn.

An act to amend an act approved February 4, 1815, in relation to justices of the peace.

Their concurrence in the amendment proposed by this House to a bill from the Senate entitled,

An act more effectually to guard the seventh section of the tenth article of the constitution from violation.

And the passage of bills originating in this House of the following titles:

An act to remove the seat of justice of Oldham county.

An act to incorporate the Lexington Rail Road or Turnpike company. And,

An act to authorize certain county courts to appoint reviewers to view a way for a road from Richmond, in Madison county, to the Green River salt works.

With amendments to the latter bill.

The said amendments were then taken up, twice read and concurred in.

Ordered, That Mr. Riffe inform the Senate thereof.

Mr. Gridley moved the following resolution, viz:

Resolved, That the Secretary of State be requested respectfully to make out a brief of the substance of the general laws passed this session, and furnish the Public Printer with said brief.

And the question being taken on the adoption thereof, it was decided in the negative.

A message from the Senate by Mr. Wickliffe.

Mr. Speaker: The Senate have passed a resolution which originated in this House, requesting the Congress of the United States to make appropriations for extending a branch of the national road from Zanesville, in Ohio, to Maysville, in Kentucky, and from thence through the States of Kentucky, Tennessee, Alabama and Mississippi, to New-Orleans.

And then he withdrew.

The following bills from the Senate were severally read the first time, and ordered to be read a second time, viz:

1. An act for the benefit of Selah Warder and children.

2. An act to authorize the county court of Gallatin to appoint inspectors of tobacco.

3. An act to authorize the 75th and 121st regiments to hold a court of appeals, and to regulate the fines of said regiments.

4. An act appointing commissioners to settle with William Holeman, late agent of the Penitentiary.

5. An act to enable and authorize the county court of Spencer county to build a bridge across Salt river opposite to Taylorsville.

6. An act for the benefit of Peter Slagle and Charles Mullens.
7. An act to amend the penal laws.
And thereupon the rule of the House, constitutional provision and second reading of the 1st, 2d, 3d, 4th, 5th and 7th bills having been dispensed with, the 1st, 2d, 3d, 4th and 7th (the 7th having been amended at the Clerk's table) were ordered to be read a third time, and the 5th was committed to the committee on internal improvements.
And thereupon the rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th and 7th bills having been 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, and request their concurrence in the amendments proposed to the seventh bill.
A message from the Senate by Mr. Hardin.
Mr. Speaker: The Senate have passed a bill entitled an act to provide for the safe-keeping of the books of entries and surveys for military lands now in the possession of the representatives of Col. Richard C. Anderson, deceased, in which bill they request the concurrence of this House: and they concur in the amendments proposed by this House to a bill from the Senate entitled an act to amend the penal laws.
And then he withdrew.
A bill from the Senate entitled an act to repeal parts of an act approved January 7, 1824, entitled, an act to revive and amend the champerty and maintenance law, and more effectually to secure the bona fide occupants of land within this Commonwealth, was read the first time.
It was then moved and seconded to lay the said bill on the table.
And the question being taken thereon, it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Wilkerson and E. Harrison, were as follows:
NAYS—Mr. Speaker, Messrs. Beatty, Bishop, Blackburn, L. Boyd, Breckinridge, Colglazier, W. M. Davis, Davenport, Evans, Ewing, Graham, Griffin, Grider, Hanson, B. Harrison, Hughes, Litton, Marshall, Miner, Sallee, Simpson, Skiles, Smith, Swope, Turner and Yantis—27.
Mr. Duvall, from the joint committee of enrollments, reported
that the committee had examined sundry enrolled bills of the following titles, to-wit:

An act to authorize the insertion of advertisements in certain newspapers.

An act for the benefit of Amy Ann B. Gibson.

An act for the improvement of the navigation of Rough creek.

An act to allow an additional justice of the peace in the county of Union.

An act prescribing the mode of choosing Electors to vote for President and Vice President.

An act for the benefit of St. Joseph’s and Cumberland Colleges.

An act making a further appropriation for the re-building of the capitol, and for other purposes.

An act to amend an act entitled an act to incorporate the Lexington and Frankfort Turnpike or Rail Road Company.

An act for the benefit of Sidney P. Clay and wife.

A resolution for burning a part of the notes of the Bank of the Commonwealth of Kentucky.

An act for the benefit of the heirs of James Neely, deceased.

An act appropriating fines and forfeitures for the lessening of the county levy of certain counties.

An act to amend an act entitled an act to prevent the masters of vessels or others employing or removing persons of color from this State.

An act further to regulate appeals and appeal bonds.

An act for the appropriation of money.

An act to amend and reduce into one the execution laws of this State.

An act to amend the militia law.

An act to remove the obstructions to the navigation of Pond river.

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Duvall inform the Senate thereof.

And then the House adjourned.

WEDNESDAY, FEBRUARY 13, 1828.

Mr. Barbee from the committee of religion, made the following report:

The committee of religion have had under consideration, the petition of Jane Pemberton, praying to be divorced from her husband, and have come to a resolution thereon, to-wit:

Resolved, That said petition is reasonable.

Which being twice read, was laid on the table.

Mr. B. Harrison from the committee on internal improvements, to whom was referred a bill from the Senate entitled, an act to
enable and authorize the county court of Spencer county, to build a bridge across Salt river, opposite to Taylorsville, reported the same with an amendment, which being twice read was concurred in.

The said bill having been further amended—

It was then moved and seconded to lay the said bill and amendments on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Griffin and Inglish, were as follows:


Mr. Griffin, from the committee appointed for that purpose, made the following report:

The committee appointed at the request of Thomas Waters, a member of this House, from the county of Washington, to inquire into his conduct in relation to the passage of a bill concerning certain precincts in said county, report:

That this committee is of opinion from the proof and admission of the persons before it, that the bill entitled, "an act to change the place of voting in the south precinct in Washington county," was referred to a select committee consisting of the delegation from that county—that an amendment was added to the bill, written on the same slip of paper with the bill, as an additional section to it: In this manner it was reported by Mr. Waters, with several other bills, without mentioning to the House whether the bill had or had not been amended; although he had stated to both his colleagues, that he would report a certain amendment, consolidating the two north precincts in said county, and had shown the amendment to one of them, viz: Mr. Watts; that all the delegates from that county were in their seats when the bill was reported, that one of them, probably Mr. Forrest, moved to dispense with the readings of the bill, which was done, and still the bill passed the House without the said a-
mendment having been even read in the House; the Journal stating that it was reported without amendment.

The committee is satisfied that no dishonorable or unfair conduct can be attributed to Mr. Waters in relation to the subject. The committee is further of opinion, that no blame or neglect of duty or improper conduct can attach to any member of the delegation from Washington county, in relation to this matter.

Which being read, was concurred in.

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

1. A bill amendatory to the several acts establishing a Turnpike by way of Williamsburg, Whitley county.

2. An act for the benefit of the heirs of Stevens Thompson Mason, deceased.

The first was laid on the table; and the second was ordered to be engrossed and read a third time on this day.

The said bill having been engrossed, and read a third time;

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

Ordered, That Mr. Combs carry the said bill to the Senate, and request their concurrence.

A bill from the Senate entitled, an act more effectually to guard the occupant of land, with the amendment moved thereto, was taken up.

The said bill and amendment was then read, as follows, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That in all cases where lands have or may be forfeited to this Commonwealth, under any of the laws now in force, that any such title, interest or claim shall enure to and be vested in the person in possession of any lands thus forfeited, to the extent of the claim and possession of such occupant, and no further: And provided further, That such occupant has a title either in law or equity, to the land thus occupied, without office found or judgment as fully and in as ample a manner as might or could be done, by inquisition of office and judgment, entitling the person or his heirs or assigns, who may have been in possession of the same, at the date of any such forfeiture; that no advantage shall be taken of any occupant of lands, or those holding under them, where any such have been innocent purchasers of land forfeited to this State, notwithstanding such forfeiture may have happened previous to any such purchase: Provided, That any such purchaser or occupant, shall have regularly paid the taxes due on said land, from the date of his purchase. And provided also, That such purchaser shall pay up the whole of the taxes due on that portion of the tract, which such purchaser may have acquired title to, and to the end that the Auditor (who shall have authority to receive such tax,) may be enabled to estimate how much tax may be due on the land thus acquired
by a sub-purchaser; the said purchaser shall furnish the Auditor with an authenticated copy of his title papers, or with an inspection of the original papers, if they shall not have been admitted to record: And provided also, That such sub-purchaser shall also prove by the affidavits of at least two disinterested witnesses, made before a justice of the peace of the county in which the land lies, that he is in the actual occupancy and possession of the land upon which he proposes to pay the taxes as aforesaid. That hereafter it shall not be necessary for the owner of any lands in this Commonwealth, in cases where he or she may hold a title under several claims covering the same ground to enter for taxation, and pay tax on more than one of those claims: Provided that nothing in this act shall be construed to vest the title of any forfeited land in an occupant claiming the same under a title founded on a land warrant issued since the 6th day of February, 1815, but those claims shall remain as though this act had not passed. That all acts or parts of acts coming within the purview of this act, shall be and the same are hereby repealed.

It was then moved seconded to lay the said bill and amendment on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. A. Davis and B. Harrison, were as follows, viz:


The question was then taken on adopting the said amendment; it was decided in the negative.

The yeas and nays being required thereon by Messrs. Beatty and L. Sanders, were as follows, viz:


NAYS—Mr. Speaker, Messrs. Barbee, Barker, Bibb, Bishop, A. Boyd, L. Boyd, Creel, Daniel, A. Davis, W. M. Davis, Dougherty, Downing, Duvall, Forrest, George, Graham, Griffin, 

Yeas and nays being required thereon, it was decided in the negative.

The said bill was then ordered to be read a third time on this day.

The said bill was then read a third time.

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

Ordered, That Mr. Wilkerson inform the Senate thereof.

The yeas and nays being required on the passage of said bill by Messrs. Breckinridge and Beatty, were as follows, viz:


Mr. Sanders moved the following resolution:

Resolved by the House of Representatives, That the Methodist society to whom belongs the Church now occupied by the House, shall have leave to use for making fires in said Church during divine service, until the meeting of the next Legislature, any wood or stone coal now on the lot of said Church, and that the Treasurer of the State be requested to leave for the use of the Church, until the meeting aforesaid, the chairs and settlees therein belonging to the State.

Which being twice read, was adopted.

A message was received from the Senate, announcing the adoption of a resolution which originated in this House, directing the Public Printer to print three thousand six hundred copies of the militia law, passed at the present session:

And the passage of bills which originated in this House of the following titles:

An act to prescribe the duties of sheriffs.
An act for the benefit of Nancy Vaughn and Elizabeth Rayne.
An act for the benefit of the devisees of Hugh Mercer Tenant, and others.
An act to amend the law in trials cognizable before justices of the peace.
An act giving further time to certain officers to renew their bonds.

An act for the divorce of R. Tomlinson and others.

An act to add a part of Trigg to Caldwell county.

An act for the benefit of Leonard B. Parker, deputy sheriff of Hardin county.

An act for the benefit of the infant heirs of Aquilla Hodskins, deceased.

An act prescribing the duties of clerks of inferior courts in making out complete records.

An act to provide for erecting a bridge across Hinkston creek, at the mouth of Peyton Lick branch.

An act supplementary to an act entitled, "an act appointing commissioners to survey and mark out a State road from Harrodsburg to Smithland," with amendments to the second and third bills.

Also, the passage of a bill from this House entitled, "an act for the benefit of Peter Curtner."

The amendments offered by the Senate to a bill from this House entitled, "an act to amend the law in trials cognizable before justices of the peace," were read and concurred in.

Ordered, That Mr. L. Sanders inform the Senate thereof.

Ordered, That a bill entitled, "an act for the benefit of the devisees of Hugh Mercer Tennant, and others," with the amendments proposed thereto by the Senate, be laid on the table.

On motion—Ordered, That leave be given to withdraw the petitions of Polly Garnett, — Powell's heirs, Cynthia George and William Ashurst.

Mr. Duvall, from the joint committee of enrollments, reported that the committee had examined enrolled bills and resolutions of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of Peter Tichenor and Hatzell Jennings, deceased.

An act restraining and explaining the powers of Judges, in cases of contempts.

An act for the benefit of John Jones, Justice Haffacre and Rodes Garth.

An act to authorize the county court of Gallatin to appoint inspectors of tobacco.

An act to authorize the 75th and 121st regiments to hold a court of appeals, and to regulate the fines of said regiments.

An act for the benefit of Selah Warder and children.

An act appointing commissioners to settle with William Holman, late agent of the Penitentiary.

An act more effectually to guard the right of suffrage, and for other purposes.

An act concerning the turnpike and wilderness road.

An act to amend the penal laws.

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An act to punish shooting or stabbing in sudden affrays.
An act to incorporate the city of Louisville.
An act to remove the seat of justice of Oldham county.
An act to authorize certain county courts to appoint reviewers to view a way from Thomas Kennedy's, in Garrard county, to the Green river Salt works.
An act to incorporate the Lexington rail road or turnpike company.
A resolution requesting the Congress of the United States, to make appropriations for extending a branch of the national road from Zanesville in Ohio, to Maysville in Kentucky, and from thence through Kentucky, Tennessee, Alabama and Mississippi, to New Orleans.
An act to add a part of Caldwell to Trigg county.
An act giving further time to certain officers to renew their bonds.
An act for the benefit of Peter Curtner.
An act for the benefit of the infant heirs of Aquilla Hodskins, deceased.
An act to provide for erecting a bridge across Hinkston's creek at the mouth of Peyton lick branch.
An act for the benefit of Nancy Vaughn and Lydia Rayne.
An act for the divorce of R. Tomlinson and others.
An act for the benefit of Leonard B. Parker, deputy sheriff of Hardin county.
An act prescribing the duties of the clerks of the inferior courts in making out complete records.
An act supplementary to an act entitled, "an act appointing commissioners to survey and mark out a road from Harrodsburg to Smithland."
An act to provide for changing the venue in the case of Alexander Gowings and wife.
A resolution directing the Public Printer to print 3600 copies of the Militia law, passed the present session.
An act further to prescribe the duties of sheriffs.
An act to amend the law in trials cognizable before justices of the peace. And,
An act more effectually to guard the occupant of lands.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Duvall inform the Senate thereof.
A message from the Governor by Mr. Pickett his Secretary.
Mr. Speaker: The Governor has approved and signed enrolled bills originating in the House of Representatives of the following titles:
An act prescribing the mode of choosing electors to vote for President and Vice-President.
An act for the benefit of St. Joseph's and Cumberland colleges.
An act to authorize the insertion of advertisements in certain newspapers.
An act for the benefit of Amy Ann B. Gibson.
An act for the improvement of the navigation of Rough creek.
An act for the appropriation of money.
An act further to regulate appeals and appeal bonds.
An act making a further appropriation for the rebuilding of the Capitol and for other purposes.
An act for the benefit of the heirs of Jas. Neely deceased.
An act appropriating fines and forfeitures for the lessening the county levy of certain counties.
An act to amend an act entitled, "an act to prevent the masters of vessels or others employing or removing persons of color from this State."
An act to amend the militia law.
An act to remove the obstructions to the navigation of Pond river.
An act to authorize certain county courts to appoint reviewers to view a way from Tho. Kennedy's in Garrard county, to the Green river Salt works.
An act to incorporate the Lexington rail road or turnpike company.
An act to remove the seat of justice of Oldham county.
An act to incorporate the city of Louisville.
An act to allow an additional justice of the peace in Union county, and for other purposes.
An act further to prescribe the duties of sheriffs.
An act prescribing the duties of the clerks of the inferior courts in making out complete records.
An act for the benefit of Leonard B. Parker, deputy sheriff of Hardin county.
An act for the divorce of R. Tomlinson and others.
An act to provide for erecting a bridge across Hinkston creek at the mouth of Peyton lick branch.
An act for the benefit of Peter Curtner.
An act for the benefit of the infant heirs of Aquilla Hodskins deceased.
An act to add a part of Caldwell to Trigg county.
An act giving further time to certain officers to renew their bonds.
An act to amend the law in trials cognizable before justices of the peace.
An act for the benefit of Nancy Vaughn and Lydia Rayne.
Also the following resolutions:
A resolution requesting the Congress of the United States to make appropriations for extending a branch of the national road from Zanesville in Ohio to Maysville in Kentucky, and from thence...
through the States of Kentucky, Tennessee, Alabama and Mississippi to New-Orleans.

A resolution directing the Public Printer to print 3600 copies of the militia law passed at the present session. And,

An act entitled, an act supplementary to an act entitled, "an act to appoint commissioners to survey and mark out a road from Harrodsburg to Smithland."

And then he withdrew.

Ordered, That Mr. Duvall inform the Senate thereof.

A message from the Senate by Mr. Fleming:

Mr. Speaker: The Senate has received official information that the Governor has approved and signed bills which originated in the Senate of the following titles:

An act to amend an act to incorporate the Lexington and Frankfort turnpike or rail road company.
An act for the benefit of Sidney P. Clay and wife.
An act to amend and reduce into one, the execution laws of this State.
An act more effectually to guard the occupants of land.
An act more effectually to guard the right of suffrage, and for other purposes.
An act concerning the turnpike and wilderness road.
An act appointing commissioners to settle with William Holman, late agent of the Penitentiary.
An act to authorize the 75th and 121st regiments to hold a court of appeals, and to regulate the fines of said regiments.
An act to authorize the county court of Gallatin to appoint inspectors of tobacco.
An act for the benefit of the heirs of Peter Tichenor and Hatzell Jennings, deceased.
An act for the benefit of John Jones, Justice Huffaker and Rodes Garth.
An act restraining and defining the powers of Judges in cases of contempt.
An act for the benefit of Selah Warder and children.
An act to prevent shooting or stabbing in sudden affrays.
An act to amend the penal laws.
An act to provide for changing the venue in the case of Alexander Gowings and wife. And,

Also a resolution entitled, "a resolution for burning a part of the notes of the bank of the Commonwealth of Kentucky."

And then he withdrew.

A message from the Senate by Mr. Daviess:

Mr. Speaker: I am directed by the Senate to inform this House, that the Senate having finished the legislative business before them, are now ready to close the present session of the General Assembly, by an adjournment on their part, without day, but are
nevertheless disposed to remain in session, until it shall suit the pleasure and convenience of this House to adjourn also—They have appointed a committee on their part to act in conjunction with a committee to be appointed on the part of this House, to wait on the Governor, and inform him that the General Assembly having finished the legislative business before them, are now ready to adjourn without day and to know whether he has any further communications to make.

And then he withdrew.

Ordered, That a message be sent to the Senate informing them, that this House having finished the Legislative business before them, are now ready to adjourn without day: That Messrs. Blackburn, Ray, Riffe, Wingate, Barbee and B. Harrison be appointed a committee on the part of this House, to meet with the committee appointed on the part of the Senate, to wait on the Governor, and inform him of the intended adjournment of the General Assembly, and to know whether he has any further communication to make.

The said committee then retired, and after a short time returned, when Mr. Blackburn from said committee reported that the joint committee had discharged the duty assigned them, and were informed by the Governor, that having from time during the session communicated his views to the General Assembly, he had now no further communications to make.

The Speaker having retired, Mr. Blackburn was called to the chair, when Mr. B. Harrison offered the following resolution, which was unanimously adopted, viz:

Resolved, That the thanks of this House be tendered to John Speed Smith, Esq. for the impartial, independent and conciliatory manner in which he has discharged the duties of Speaker during the present session.

The Speaker having returned to the House, and having delivered a suitable valedictory and congratulatory address, adjourned the House without day.