JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

COMMONWEALTH OF KENTUCKY,

IN AND HELD IN THE TOWN OF FRANKFORT, ON MONDAY THE TWENTY-EIGHTH DAY OF DECEMBER, IN THE YEAR OF OUR LORD, 1835,

AND OF THE COMMONWEALTH THE FORTY-FOURTH.

FRANKFORT:
ALBERT G. HODGES, PRINTER FOR THE STATE.

1835.

UNIVERSITY OF KENTUCKY
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At a General Assembly, begun and held for the Commonwealth of Kentucky, at the Capitol, in the town of Frankfort, on Monday, the 28th day of December, in the year of our Lord 1835, and in the 44th year of the Commonwealth.

On which day, (being that designated by the Lieutenant and Acting Governor, for the meeting of the Legislature,) the following members of the House of Representatives appeared, viz:

From the county of Allen, George W. Mansfield; from the county of Adair, William D. Parrish; from the county of Anderson, Robert Blackwell; from the county of Bourbon, Garrett Davis and James W. Rice; from the county of Bracken, Joseph Schoolfield; from the county of Bullitt, Thomas W. Riley; from the county of Bath, Marcus Thomas; from the county of Barren, Christopher Tompkins, Jr. and William Wood, Jr.; from the counties of Breckinridge and Hancock, Nathaniel Maxey; from the county of Boone, Jeremiah Kirtley; from the county of Campbell, John A. Goodson and Thomas G. Tupman; from the counties of Clay and Harlan, Thomas J. Buford; from the county of Cumberland, Francis H. Winfrey; from the county of Christian, Livingston L. Leavell and Roger T. Kelly; from the county of Clarke, Francis F. Jackson and Joseph Ritchie; from the counties of Calloway and McCracken, Gustavus A. Flournoy; from the county of Casey, George Drye; from the counties of Estill and Perry, John Haddix; from the county of Fleming, William W. Blair and Robert G. Lewist from the county of Franklin, John Harvie; from the county of Fayette, John Cud, Robert Wickliffe and Jacob Hughes; from the counties of Floyd and Pike, Henry C. Harris; from the county of Garrard, George P. Mason; from the county of Green, James Allen and Alfred Anderson; from the county of Greenup, John Hollingsworth; from the county of Gallatin, Robert S. Dougarty; from the counties of Graves and Hickman, Robert N. Lewis; from the counties of Grant and Pendleton, Lewis Myers; from the county of Grayson, John Cunningham; from the county of Hardin, John O. Beaseman and Larkin Garnett; from the county of Hardin, John L. Helm; from the county of Hart, Benjamin Copeland; from the county of Hopkins, William Bradley; from the county of Henry, James Pryor and
Charles Stewart; from the county of Henderson, John Holloway; from the county of Jefferson, Joseph Funk and David Meriwether; from the City of Louisville, Thomas Jones and Thomas F. Marshall; from the county of Jessamine, Tucker Woodson; from the counties of Lawrence and Morgan, Joseph R. Ward; from the county of Lincoln, Winford G. Bailey and John E. Wright; from the county of Lewis, Israel B. Donaldson; from the counties of Lawrence and Morgan, Joseph R. Ward; from the county of Lincoln, Winford G. Bailey and John E. Wright; from the county of Lewis, Israel B. Donaldson; from the county of Logan, James W. Irwin and E. O. Hawkins; from the county of Mason, Alexander Hunter, Charles Mitchell and Peter Lashbrook; from the county of Monroe, Radford Maxey; from the county of Mercer, John B. Thompson and Dred Bowling; from the county of Meade, Henry G. Davis; from the county of Madison, Cassius M. Clay and Caldwell Campbell; from the county of Montgomery, David Heran and James McKee; from the county of Muhlenburg, William C. McNary; from the county of Nelson, Charles A. Wickliffe and James M. Wright; from the county of Nicholas, William Norvell; from the county of Oldham, William Campbell; from the county of Ohio, Samuel O. Peyton; from the county of Owen, James S. Brown; from the county of Pulaski, Thomas Jasper; from the counties of Rockcastle and Laurel, Jarvis Jackson; from the county of Russell, Nathan McClure; from the county of Shelby, James Ford and Samuel W. White; from the county of Scott, William Johnson and Job Stevenson; from the county of Simpson, Joel Hudspeth; from the county of Spencer, Mark E. Huston; from the county of Todd, William M. Lansdale; from the county of Trigg, Since A. G. Noel; from the county of Union, Hiram McElroy; from the county of Warren, Robert W. Lucas and Garland J. Blewitt; from the county of Woodford, Samuel M. Wallace; from the counties of Washington and Marion, James Dever and Frederick W. Trappall; from the county of Wayne, Nimrod Ingrams—

Who, constituting a quorum, and having severally taken the oaths prescribed by the constitution of the United States, and the constitution and laws of this State, repaired to their seats.

Mr. Ford nominated Mr. Charles A. Wickliffe as a proper person to fill the office of Speaker, during the present session; and Mr. Joyes nominated Mr. John E. Helm; and upon taking a vote it stood thus:


A majority of all the votes given, appearing in favor of Mr. John L. Helm, he was then upon declared duly elected and conducted to the chair—from whence he returned thanks for the honor conferred, and recommended the observance of good order and decorum.

The Speaker laid before the House a letter from Mr. R. S. Todd, their late Clerk, which is in the following words, viz:

House of Representatives’ Chamber, Dec. 28, 1835.

TO THE HON. SPEAKER OF THE H. R.

DEAR SIR,—In consequence of indispensable engagements, I have determined, some time since, not to offer again as a candidate for the Clerkship of the House of Representatives.

I embrace this occasion, as a suitable one, for expressing through you, to the House over which you now preside, and to the people of the State (of which I am proud to be a native) the deep sense of obligation, under which I feel, for their continued confidence and kindness for a period of more than twenty years, during which, I have held this office; a period peculiarly marked by a contest of parties, in which political differences were often—very often, made the cause of personal dislike. From both, and from all parties, I have experienced during all this period, kindness and confidence. My sincere thanks and warmest acknowledgements are due for the more than usual share of favor, I have received from your predecessors in office.

In the discharge of my official duties, I have endeavored to be faithful to my trust, without regard to political or personal preferences, and would have been gratified to have brought more of ability to my aid in the execution of my responsible duties.

To have deserved, Sir, but a small portion of that confidence and favor, which has been extended to me, with so much liberality, would be a source of unmingled gratification and pleasure.

I take this opportunity to tender to you, and through you, to the members of this House, individually and collectively, my warmest and best wishes.

Respectfully, Yr Ob’t Serv’t,

R. S. TODD.
Mr. Marshall nominated Mr. Samuel Tevis as a proper person to fill the office of Clerk of the House during the present session, and Mr. Tompkins nominated Mr. Thomas J. Helm; and upon taking a vote it stood thus:


A majority of all the votes given appearing in favor of Mr. Helm, he was thereupon declared duly elected Clerk, and took the oaths required by law.

Mr. Joseph Gray was unanimously elected Sergeant at Arms, and Mr. William B. Holeman, Doorkeeper.

A message was received from the Senate by Mr. Daviess.

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; they have also appointed a committee of three on their part, to act in conjunction with a committee on the part of this House, to wait on the acting Governor, and inform him that the General Assembly have convened, and are now ready to receive such communication (by way of message) as he may think proper to make. And then he withdrew. Whereupon Messrs. C. A. Wickliffe, G. Davis, Allen and Harvie were appointed a committee on the part of this House.

Ordered, That Mr. Ford inform the Senate thereof.

The said committee then retired, and after a short time returned, when Mr. Wickliffe, from the committee, reported that the joint committee had performed the duty assigned them, and were informed by the acting Governor, that he would forthwith make a communication (by way of message) to both Houses of the General Assembly, in their respective chambers, on this day.

The Speaker presented the memorial of the President, Directors and Stockholders of the old Bank of Kentucky.
A message was received from the Senate announcing the passage of a bill which originated in that House entitled, an act to continue in force an act entitled, an act concerning the Bank of Kentucky.

A bill from the Senate entitled an act to continue in force an act entitled, an act concerning the Bank of Kentucky, 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 reading of said bill having been dispensed with,

Resolved, That said bill do pass.

Ordered, That the Clerk inform the Senate thereof.

A message was received from the Governor by Mr. Owsley, Secretary of State.

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:

Fellow Citizens of the Senate,

and House of Representatives:

In calling you together a few days sooner than the period fixed by law for your annual meeting, I was impelled by a desire to prevent the loss which would result to the commonwealth and to the stockholders by the termination of the corporate powers and privileges of the first Bank of Kentucky. Those powers and privileges, except for your interposition, will cease by lapse of time after the thirty-first of the present month; and should such an event happen, just doubts are entertained whether they could be revived by an act of legislation, so as to enable the Bank to collect the large amount of debt still due to it. The interest of the state in that institution, amounts to about thirty-five thousand dollars—that of individuals to a much greater sum; and considering the amount and importance of those interests, it was supposed that no difference of opinion would exist as to the propriety of continuing its functions, such a reasonable length of time, as would afford an opportunity for the closing of its concerns without sacrifice to the stockholders.

If the time for legislative action should be too limited for the maturity of a plan necessary for that purpose, I would recommend a resort to a temporary law, to expire during the session, at a period sufficiently protracted, to enable you to adjust the details of some final measure, with
such caution and deliberation as will adapt it satisfactorily to the legislative will and judgment.

Before I proceed to solicit your attention to the topics which will be presented to you in this communication, I avail myself of the occasion to congratulate you on the unexampled prosperity of the commonwealth, and to express in the most solemn manner, in the name of the people of Kentucky, our thankful acknowledgments to the Sovereign Ruler of the Universe, for the bountiful dispensations of His providence and care. With the exception of those occasional visitations of that relentless epidemic, which sweeps, like a pestilence, whole communities before it, the general health of the country has been good. Favored with a soil and climate, adapted to almost every variety of production, our fellow citizens have found during the past year, ample rewards for all the proceeds of their labor; and so strong are the encouragements offered to successful industry, in the daily increasing facilities of commercial intercourse, and the high prices realized for our exports in the neighboring markets, that a generous ambition everywhere prevails to enter the lists of competition with our sister states, in those great enterprises which are calculated to awaken and expand our domestic resources, to facilitate our access to distant markets, to strengthen the ties of the Union, and to advance the wealth, the happiness, and the glory of our common country. You are not unaware, that at this peculiar crisis, the eyes of our constituents are directed, with anxious solicitude, to us who have charge of the public welfare; and I hope I may be permitted to add, that from you, as their organs and representatives, much is expected, and that in your wisdom, watchfulness, and fidelity, great confidence is reposed.

The policy adopted by the last legislature, of a general system of Internal Improvement, was the result no less of an enlightened public spirit, than of just and enlarged views of the wants and interests of the state. The cordial approbation with which it has been received by the people, furnishes the gratifying assurance of their cheerful concurrence in every measure which proposes the aggrandizement of the commonwealth and the welfare of its citizens. The geographical position and the commanding natural resources of Kentucky, seemed to leave to her politicians and statesmen no excuse for timidity or indifference in the great business of improving her internal condition. If the exportation of our surplus products was necessary to our prosperity—inasmuch as every portion of the state was not furnished with natural channels of communication—it could not long remain a problem whether the people would require of their lawgivers to create facilities which nature had
denied to them. Here, within our own borders, were to be found in profuse abundance, the elements of individual wealth and political greatness. But they were to be developed and expanded. An interior state, surrounded by active and flourishing communities, themselves engaged in the construction of great commercial highways, we also required artificial outlets to market and facilities of intercommunication, if we would compete successfully with our enterprising neighbors.

The work of improvement has been commenced under the most favorable auspices, and I offer you my congratulations on the prospects that are now opening upon us. In surveying the consequences to result from the prosecution of the system, the first consideration that presents itself is, that an identity of interest and of feeling will not fail to spring from the connexion of the various parts of the state with each other, when a general diffusion of the means of social and commercial intercourse shall have taken place. To promote that identity of interest and feeling, is one of the first of our political duties. It cannot be doubted that those conflicts of local interest which have been witnessed for years in our state legislation, have had the effect to foster sectional jealousies and prejudices, unfriendly to the general welfare. The energies of a state are never more successfully exerted, than when they are propelled by the concentrated force of public opinion to the attainment of some great design. It is therefore of the utmost consequence, that a spirit of union, of harmony and conciliation should be cherished among our fellow-citizens and characterize our legislative councils; and to accomplish that object nothing is more efficacious than a liberal policy which, by harmonizing the interests of the several parts, will conduce to the welfare of the whole. Another peculiar merit of a general plan of improvement is, that it includes within the range of its benefits every section of our territory. The near—the intermediate—the remote—all are alike embraced; and still another is, that it tends to equalize the condition of the people by creating common avenues to enterprise and adventure—and by a free dissemination of commercial advantages, whereby the markets of the country are rendered available to all.

Considerations like these would seem to be sufficient of themselves to recommend it, if any recommendation were necessary, to the continued confidence and support of an enlightened community. But they are not all. Abundant as are the resources of Kentucky, whether we regard her agricultural or mineral wealth, her commerce or her manufactures, and however high may be her claims to present prosperity, the action of the system of Internal Improvement upon her subsisting in-
terest will contribute to their speedy maturity and almost indefinite expansion, while in those portions of the state, where capital is limited, where population is sparse, where commercial facilities are rare, and where accordingly few inducements exist to more than ordinary industry and enterprize, the commencement of a new era will be recognized, the importance of which will be felt in the development of their slumbering energies and resources; in the vigorous impulse that will be given to industrious pursuits, and in the necessary tendency of those pursuits to the multiplication of the conveniences of life, and the acquisition of wealth. The salutary operations of the system have already been exemplified, wherever the benefits of good roads have been extended, by the enlargement of trade, the vast increase and celerity of transportation and travel, the enhanced value of real estate, and a corresponding accession to the public revenue. These facts, when we consider how very partially those benefits have been thus far diffused, owing to the limited extent to which improvements have been carried, will serve to animate our zeal, and strengthen our confidence in the entire success and universal acceptance of the system,—while the slightest reference to what remains to be done, will convince us all, that a wide and inviting field of public usefulness lies open before us.

The charters of the turnpike companies contain no provisions requiring the progress of the works to be reported to this department. I am unable, therefore, to communicate any exact official information concerning the most of them. Several important roads, however, have during the year been put under contract, and the business of improvement has been steadily progressive. The road from the city of Louisville to Bardstown is nearly completed; and great credit is due to the enterprising President and Managers of that Company, for the energy and zeal with which the work has been carried on. On the line of road from Frankfort, through Lawrenceburg, Harrodsburg and Stanford, to the Crab Orchard, the Boards of Internal Improvement in the respective counties, have been actively engaged: six miles and a half of the road have been finished in Anderson; about twenty miles have been put under contract in Mercer, and a great portion in Lincoln. I regret that no successful movement has yet been made to take the stock for that portion of the road which lies in Franklin. From the characteristic public spirit of the citizens of that county, much is expected, and I flatter myself that another year will not be permitted to elapse, before the subscription is taken. The road is in progress from Lexington through Nicholasville, Danville and Lancaster in the direction of the Crab Orchard, and the first twelve miles is completed and put
in use. That portion which has been completed has been constructed in the best manner, and is an admirable specimen. The roads from Lexington to Georgetown, and from the same city to Winchester, are entirely under contract, and it is expected will be ready for use during the coming year. The company who have charge of the road from Lexington to Richmond, have, I believe, not deemed it necessary to do more for the present season, than to have the proper surveys executed. But the stock has been taken, and there can be no doubt, that biddings for the contracts will be opened during the present winter, or early in the spring; from Frankfort to Georgetown, and from Frankfort to Versailles, both roads are in progress, the former with commendable diligence; but the prosecution of the latter, which would probably have been finished in the month of October last, was materially interrupted by the ravages of the cholera in Versailles during the summer. The stock has been subscribed for a road from Augusta through Cynthiana to Georgetown, and the company will commence its operations at the commencement of the next season. From Louisville to Elizabeth by the mouth of Salt River, a portion of each extremity of the road has been contracted for, and of that part adjacent to Louisville, several miles have either been constructed or will shortly be. In connexion with the latter road, a subscription has been taken, under the amended charter of the last session, for twenty miles of turnpike—ten in each direction from Bowlinggreen. The company has been regularly organized, but no application has yet been made for the state's subscription. Early measures will, without doubt, be adopted for the commencement of the work; and inasmuch as it is parcel of the great leading route from Maysville to Louisville, and from the latter city to Nashville, the example, it is confidently believed, will not be without its influence in superinducing other movements of a like kind, as connecting links of the same important highway. A road has also been undertaken from Nicholasville to Perryville through Harrodsburg, and the greater portion of the stock has been subscribed. From Perryville it is believed, it will be continued through Washington county and Lebanon, to intersect the main road from Louisville to the Tennessee line,—or it may be the interest of the citizens of Green and Barren, to give it a lateral direction, while the more direct route to some convenient point of intersection with that from Louisville, will still be left open to the enterprise and munificence of those whose interests would be effected by its diversion. Turning our attention to the north-easterly part of the state, a company has been formed to make a road from Owingsville in Bath county, to the great Sandy River, to connect with the Virginia.
Turnpike. Owing to the absence of the proper material and the consequent impracticability of constructing a McAdam turnpike, it is proposed to grade the road to a level of from two to three degrees, and elevate the centre of the grade, with such an inclination on either side as will prevent the water from standing on it. The intermixture of sand and gravel with the soil, over which a great part of the road will pass will furnish an excellent substitute for the stone material. Such a plan, although certainly liable to some objections, is nevertheless the only one that can be resorted to in many counties in the state, and is, therefore, adopted from necessity. That necessity will no doubt commend it to your favorable consideration. In some of the counties alluded to, and especially in the county of Daviess, where there is the same dearth of stone, the experiment has been made with entire success. The requisite amount of stock has been taken by individuals for a road from Bardstown to Springfield, in Washington county, and the contracts for commencing it will be let as soon as the necessary surveys can be made, and the route selected.

In submitting the preceding rapid, and in many respects, imperfect view of the progress of our improvements, I flatter myself you will participate with me in the enjoyment which so gratifying an exhibition of the public spirit of our fellow citizens affords. But however gratifying, it is only a partial exhibition. From the contemplation of examples so full of encouragement and expectation; so replete with the most beneficial results to the whole length and breadth of the commonwealth; so consonant with the character of the people whose confidence it is our highest honor to share, your attention will be powerfully attracted by other movements of so high an order, as to entitle them to be classed with the most extraordinary conceptions of this extraordinary age.

In my last annual communication I took occasion to allude to the project of a Rail Road, then only in its inception, which was designed to connect Nashville, in Tennessee, with the city of New Orleans; and to remark on the entire inutility of speculating upon the probable accomplishment of such astonishing enterprises. Since that time, speculation and surmise have been put to rest. The intended road has been surveyed either in whole or in part; a portion of it has been placed under contract, and little doubt exists, that it will be prosecuted with the energy, as it will be sustained by the capital, necessary to command success.

Another scheme no less imposing, and presenting considerations of even greater magnitude to Kentucky, is now proposed, to unite the
Ohio river with the Atlantic Ocean, by a Rail Road of seven hundred miles in extent, terminating at the city of Charleston in South Carolina; and from the manifestations of public favor with which it has been received, flattering assurances are deduced of the earnest and decided concurrence of the states through which it will pass in its immediate construction. In every aspect in which these subjects can be regarded, it has been deemed proper that your early attention should be called to them. A moment's reflection cannot fail to satisfy the most inattentive observer, of the vast and abiding stake which the citizens of Kentucky, of the whole West and South, and of the nation at large, have in the completion of those interesting projects. Viewed as channels of commerce and of intercommunication between the states, the most sanguine calculations must fall short of the reality, in estimating the amount of pecuniary interest involved by them: viewed in connexion with the future grandeur of our state, they challenge our hearty cooperation; and when we regard their influence on the permanence of our institutions, on the safety, the reposes, and the perpetuity of the union, we feel ourselves by one spontaneous impulse, discarding names and distinctions derived from local or geographical positions—surmounting every consideration of pecuniary benefit, and preparing to take part in their accomplishment with the ardor and the patriotism of American citizens. The policy of uniting the various parts of our widely extended confederacy, by ties of social and commercial intercourse indissoluble as the elements of which they consist, is manifestly important to all the purposes of international wealth and prosperity: but its importance becomes at once conspicuous and inestimable, from its connexion with the higher object of preserving the integrity of its parts. Of all calamities which threaten or can befal our country, it is a conceded point, that national dismemberment is the most dreadful in anticipation, as it would be unquestionably, the most fatal in its effects. While the means of averting it are under our control, not to avail ourselves of them, would be to prove that we are faithless to the highest and most sacred of political obligations, to the memory of our ancestors, to the interests of posterity, and to the great cause of human liberty throughout the earth.

The part which it would be most proper for the people of Kentucky to take in the prosecution of these great works, it would, perhaps, be premature at this crisis to anticipate. I do not, therefore, deem it necessary to recommend any specific action. But in reference to the road from the Ohio river to Charleston, a convention of delegates has been proposed, and will meet, at some eligible point convenient to all the
states interested, some time in the spring; and in that convention it is manifestly important that the interests of Kentucky should be represented.

While such works are in contemplation, intended to unite us with other states, it is gratifying to observe that our citizens are alive to the importance of similar enterprises within our own borders. I derive much pleasure from having it in my power to inform you, that a company of public spirited citizens south of Green river, has been formed to construct a Rail Road from Russellville through Elkton and Hopkinsville, to some eligible point on the Ohio or Mississippi river, and that surveys of several routes have either been completed or undertaken. A road of the same kind is also proposed from Russellville, to the Tennessee line, in the direction to Clarksville, and some incipient movements have been made to obtain subscriptions of stock. The commencement of works, so comprehensive in their design, in a section of the state so remote from the seat of its early settlement, cannot be regarded with indifference by any portion of the community, and indicating, as they do, the growing importance of that section in wealth, enterprise, and population, they will receive, I am confident, at your hands, such encouragement as you may deem it consistent with your views of good policy to bestow.

I have received no report from the President of the Lexington and Ohio Rail Road Company of the progress of that road during the present year. It has been brought into the town of Frankfort, since my last address to the legislature, and the survey has been executed of the intended route to the city of Louisville. I understand that the company design proceeding with the remainder of the road without delay.

The report from the Board of Internal Improvement, which will, in due time be laid before you, will apprise you of its operations during the past year. The surveys and examinations of the several rivers which have been made under its direction, have not only confirmed all preconceived opinions favorable to the plan of slack water improvement, but they have resulted, also, in disclosing the abundance of the regions watered by them, in iron, salt, coal and lumber. The wealth of our mountains, and the counties adjacent to them, in those invaluable articles, is an object of the deepest interest to a legislative body, anxious to contribute to the prosperity of the state, by unfolding all its resources of production and trade. Deprived by the operation of natural causes, of the benefits of commercial intercourse with other parts of the state, except when occasional freshets in the rivers furnish them with outlets, the citizens of the counties bordering on the mountains have labored un-
der great difficulties, not only because few inducements could be presented to immigration and settlement, but because, also, their labor and industry do not receive that sure and sufficient reward which elsewhere awaits both, in the ready transmission and sale of their surplus products.

In pressing, therefore, upon your notice, in the most earnest manner, the wants and the interests of the remote and exterior counties, I am led to do so, not alone from considerations relative to their peculiar condition, but from a deep conviction, that while you relieve and assist them, you will confer benefits upon other parts of the community, by throwing into the markets the abundant resources of their soil and industry—satisfying the demands of those markets now supplied by other states, with domestic productions, of daily consumption and immense value, cheapened by competition.

In view of such useful results, the appropriations to the Kentucky, the Sandy, the Licking, the Rockcastle and Cumberland rivers will be found to have been dictated by motives of sound policy, and will receive, I do not doubt, your decided approbation.

The importance of the navigation of the Kentucky river to the whole region of country tributary to it, requires no delineation from me. As the only channel of water communication with the Ohio, for a distance of more than four hundred miles, the benefits to result from such an improvement of its navigation, as will render it navigable, in all future time, every season of the year, may be pronounced, in one word, to be incalculable. Placed by the legislature in a position of great responsibility, as a member of the Board of Internal Improvement, I have deemed it incumbent on me to acquaint myself, by resorting to every available source of information, with the most efficient and successful mode of subserving the legislative intention, in the appropriation to the Kentucky river, proposed by the law for Internal Improvement. The result has been, and I submit the opinion with great confidence to the test of your better judgments, that that river is susceptible of being made perpetually navigable by locks and dams, for steam boats of at least one hundred tons burthen, from its junction with the Ohio, to the mouth of the South fork, a distance of two hundred and fifty miles. If I should be supported by you in this opinion, after you have examined all the facts and estimates which will be presented by the principal engineer in his report, you will not fail to come to the conclusion, that a work of such magnitude and extent, tributary to so many leading and valuable interests, and involving so many considerations of great public utility, has never been accomplished at so small a comparative cost. In the full reliance that such will be your conclusion, I would
advise that the necessary preparations be made for placing the work under contract, from the mouth of the Kentucky river to Frankfort, as early in the ensuing season as may be practicable.

Differing from the Kentucky in many of its prominent characteristics, the Sandy river is not supposed either to require or to be susceptible of the same species of improvement. From the report of the assistant engineer, founded on a close and accurate examination, it will be discovered that the obstacles to its navigation can be removed, at a cost less than has been generally estimated, so as to afford a safe navigation seven months in the year from the mouth of the main river, to Pikeville on the West fork, a distance of one hundred and ten miles. A just solicitude is felt by the citizens of the counties in the vicinity of that noble river, to avail themselves of the advantages to be derived from its improvement. The ample resources of the country dependent upon it, and the enterprising spirit of the people, the impracticability of profiting from the former, in the present unimproved condition of the river, and the consequent discouragements to the efficient display of the latter, give them high and imposing claims upon the munificence of the legislature, which, I trust, will not be disappointed.

The report of the United States' engineer, who made the survey of the Cumberland river, will be submitted to you, from which you will discover that the condition on which the appropriation was made to depend for the improvement of that river, has been complied with. Great advantage, I understand, has attended the judicious application of the appropriations heretofore made to it, and the interests of the people in that quarter will be greatly promoted by the additional expenditure proposed by the law of the last session of the legislature.

The report of the principal engineer of his examination of the Rockcastle river, will put you in possession of his views of the most salutary and efficient method of removing the impediments to its navigation. To that I refer you. Considering the deprivation of commercial facilities to which the citizens of the counties bordering on that river are subjected, they present highly meritorious claims to your protection and patronage, which, I am persuaded, will be fully respected.

In compliance with a resolution of the last general assembly, I appointed a joint committee of six members of the present House of Representatives and three of the Senate, to visit and examine the public works now on Green river. The uncommon floods of the season, affording so few intervals of employment to the contractors, materially retarded the progress of the works: and at the request of the President of the board of commissioners, who was anxious that they should be
examined at the time of their greatest forwardness, I delayed the se-
lection of the committee, to as late a period as practicable before the
meeting of the legislature. Two of the committee met at the Falls of
Vienna on Monday the 7th of the present month, and were subsequent-
ly joined by such of the remainder who found it convenient to attend.
Their report will doubtless be laid before you at an early day in the session.
In the meantime I take leave to say, as the result of my own personal
enquiry and observation, that all practicable diligence has been used
by the contractors to expedite the works. The necessary materi-
als of timber and stone were on the spot early in the spring, and the
failure to complete the lock and dam at Vienna, the present year, is at-
tributable to unavoidable causes. A year more remarkable for the fre-
quency of its freshets, and the continuance of high water, is not within
the recollection of the oldest settlers on the river. The vigilance and
intelligence of the commissioners, the experience and workmanship of
the contractors, and the fine quality of the materials, which were ins-
pected by the committee, give satisfactory assurance that the works
will be executed in a style of taste as well as durability, inferior to
none of the same kind in the United States. Presenting a fall of less
than fifty feet in the distance of near two hundred miles, and flowing a
volume of water, at its ordinary stages, of more than twenty-eight
thousand cubic feet per minute, few rivers on the continent are so well
adapted to slack water improvement as Green river: and when it is
considered, that, inclusive of its tributaries, more than two hundred and
fifty miles of constant navigation can be produced, costing less than one
thousand dollars a mile, the expediency of continuing the legislativ1i
patronage will scarcely be called in question. I would therefore
recommend, that the board of commissioners be authorized to put
under contract two additional locks and dams on Green river, and one on
Barren, as soon as it can be conveniently done. I abstain from any
comments on the undeniable importance of the proposed movements to
the people concerned in them. The slightest glance at the map of the
country, contiguous to Green and Barren rivers, will furnish evidence
of the wide spread benefits which must flow from the permanent im-
provement of their navigation.

The examination of the Licking river was prevented by the engage-
ments of the engineers on the Kentucky, until the season, suitable for a
survey, was too far advanced to permit it to be done to advantage. The
postponement of it till the next year, when it will assuredly be made,
will, it is hoped, be attended with no serious inconvenience. In the
mean time, I must be permitted to express the confidence I entertain
that its navigation is susceptible of ameliorations of the same kind, with
the other principal rivers of the state.

Soon after the adjournment of the last legislature, my attention was
directed to the performance of the trust reposed in me, of making sale
of the bonds or scrip for Internal Improvements. I sold to the Bank of
Kentucky one hundred thousand dollars of the bonds at par, the bank
opening an interest account with the state, which amounted to a deduc-
tion of interest on the amount of money undrawn. And shortly after-
wards, I appointed an agent on behalf of the state, with power to nego-
tiate the sale of the remaining one hundred thousand dollars, authorized
to be expended during the year, in the eastern markets. He succeeded
in disposing of them, much to my satisfaction, at a premium of three
dollars and ten cents on every hundred dollars, amounting to the sum of
three thousand, one hundred dollars on the amount sold by him. The
whole was deposited to the credit of the treasurer of the common-
wealth, subject to the disposal of the Board of Internal Improvement.

I deem it my duty to invite your attention to a careful revision of
the law for the Internal Improvement of the state. Although the gene-
ral principles and provisions of the law have met with the most encoura-
ging acceptance, yet the restrictions which it imposes on the powers of
the board in the subscriptions of stock can, perhaps, be relaxed or taken
away without any detriment to the public interests. Those restrictions have
already been attended with some inconvenience and complaint, and may
have the effect to check the progress of important works, in some in-
stances, after they have been commenced, and in others, when they
have been prosecuted almost to completion. Other modifications will
no doubt occur to you, in the details of the law, calculated to impart a
due degree of efficiency to a system, which, considering its permanence
and importance, cannot be too attentively matured.

While the view I am enabled to present of the public finances, is
strongly indicative of the increased and increasing resources of the com-
monwealth, it will at the same time exhibit the necessity of relieving
the treasury of those extraordinary disbursements which have hitherto
hung so heavily upon it, and which can with great propriety now be
transferred to other distinct funds. The receipts into the treasury from
all sources during the year ending on the 10th October last, amounted
to one hundred and ninety-one thousand four hundred and fifty-one dol-
lars, eleven cents; and the expenditures for the same period, to the sum
of two hundred and sixteen thousand, one hundred dollars, forty-five
cents. In the latter sum, are included forty-four thousand, sixty-six dol-
lars, ninety cents, advanced for the purposes of Internal Improvement.
and fifty-four thousand, nine hundred and fifty-six dollars twelve cents, for other extraordinary appropriations made by the legislatures of eighteen hundred and thirty-three, and eighteen hundred and thirty-four. If those latter sums, amounting together to ninety-nine thousand, twenty-three dollars, two cents, are taken from the aggregate expenditures of the year, there would remain the sum of one hundred and seventeen thousand, seventy-seven dollars, forty-three cents, being the whole amount of ordinary disbursements for the support of the government. Deducting the latter sum from the amount of receipts into the treasury, exclusive of that portion of them appropriated by law, to purposes of Internal Improvement, there would remain a balance in favor of receipts of forty-seven thousand eight hundred and fifty-three dollars forty-three cents.

But a still more interesting fact remains to be adverted to. For the year ending on the tenth October, eighteen hundred and thirty-four, the revenue from taxation collected by the sheriffs, amounted to seventy-four thousand, one hundred and nineteen dollars, ninety-three cents; while at the expiration of the year ending on the tenth October last, the same revenue amounted to one hundred and twenty-four thousand, nine hundred and forty-four dollars, twenty-four cents, showing an increase in the revenue derived from taxation in one year, of fifty thousand, eight hundred and twenty-four dollars, thirty-one cents.

The condition of the penitentiary continues to be prosperous. The improvements which have been made by the agent, during the present year, in the completion of the new buildings and the enlargement of the machinery, have imparted additional comfort and convenience to the interior of the prison, and great facilities to its employments. The increase in the number of convicts, in the last twelve months, suggests the propriety of adding to the number of the cells. Of the latter there are but one hundred, while the inmates of the prison now number one hundred and sixteen. I cannot withhold, on the present occasion, the expression of my undiminished confidence in the vigilance and care with which the interests of the institution are conducted, and my approbation of the tenderness and humanity with which the unfortunate beings who inhabit it, are habitually treated.

The report of the President of the Bank of the Commonwealth, which will be submitted to you, will exhibit the present condition of that institution. You are not unapprized of the difficulties which have arisen in the closing of its concerns, produced by the unusual number of contested suits, growing out of the alleged unconstitutionality of its charter. That question, so often decided affirmatively, by our court of ap-
peals, is still pending before the supreme court of the United States, and it is expected, will be determined by that tribunal as soon as the existing vacancies on the bench are supplied. During the year now closing the sum of sixty-three thousand five hundred dollars has been destroyed by burning, leaving unredeemed only thirty-six thousand five hundred dollars, a large part of which it may be supposed will never be offered for redemption.

The subject of education is of such vital importance, whether we regard its influence upon the condition of individuals or the government, as to demand its full share of attention in a communication like this. Impressed with the most thorough convictions of its exceeding interest, I cannot withhold my regret, that in the midst of the general prosperity, derived from the abundance of our physical resources, feeble and divided efforts only are made, to diffuse its blessings and advantages throughout the community, and that no practicable plan for that purpose has yet been adopted. In presenting the subject, again, to the enlightened consideration of the assembled representatives of the people, although I acknowledge my distrust of the sufficiency of any specific suggestions of my own, I am far from admitting, that to their wisdom and intelligence, our constituents may not be indebted for a system of common education, which would confer imperishable honor on them, and imperishable benefits on the country.

While with a laudable public spirit, we expend millions in the physical improvement of the state, in developing its energies and augmenting its wealth, is it to be forgotten, that the political influence which is thus derived is of subordinate importance, when unattended with a moral influence which gives it so much weight and consequence? Shall we forget that the mind of the country is a portion of that moral influence—the true power which wields its destinies—and that that power becomes formidable, only when it is not directed by sufficient intelligence? Or shall we forget that in a republic, the sovereignty is in the people, and that it will cease to be secure, when it ceases to be enlightened? The truths, which the necessary answers to these questions imply, are too plain and familiar to require illustration—and I shall content myself with the most earnest commendation of the object referred to, to your care and attention, promising to afford every facility in my power, to its full accomplishment.

In my address to the legislature at the commencement of the last session, I deemed it my duty to advert at some length to the interesting relation that subsists between the judicial department and the people, and to the necessity of so adjusting the system as to secure on the bench the most competent qualifications. To enlarge, in this place, on the
same subject, would be to reiterate the views then suggested, the propriety of which I have since had no reason to doubt. Every day's experience serves to convince us of the value that is justly attached to an enlightened judiciary; and brought as it is into immediate contact with the most invaluable rights and interests of the citizen, the propriety of securing the great object alluded to, by any necessary ameliorations of the present system, is submitted, as it legitimately belongs, to you as the organs of the public will.

My attention has of late been drawn to a donation of rare and valuable books, which were made several years ago, by the English government to Transylvania University, consisting of seventy-four folio volumes. Among them are included the statutes of the realm in twelve volumes, and the celebrated Domesday Book in four volumes, containing a survey of all the lands of England, made under the direction of William the Conqueror. It has been represented to me, that this present, although made to the only literary institution under the charge of the state, has, by some casualty, never been publicly acknowledged. As a literary acquisition, it is peculiarly interesting; and as a proof of the comity of the nation from which it came, it is entitled to a respectful acknowledgment.

By a resolution of the last General Assembly, it was made my duty to cause "a tombstone to be erected, with suitable inscriptions, to the memory of the late Governor Breathitt". The duty has been in part discharged. A portion of the materials has been transmitted to the county where his remains were deposited; and the remainder, which has been detained for the completion of the inscription, will be forwarded without any unnecessary delay. In the performance of a service appertaining to my public station, it has been gratifying to my feelings to be made the personal instrument of rendering such a tribute of public respect to the memory of so much worth and virtue.

Those humane institutions—the Deaf and Dumb Asylum at Danville, the Lunatic Asylum at Lexington, and the Cumberland Hospital at Smithland, will continue, I trust, to receive your fostering care and patronage.

The commissioners appointed to receive subscriptions of stock in the Northern Bank of Kentucky, having notified me that ten thousand shares of the capital stock thereof had been taken by individuals, companies and corporations, I subscribed on behalf of the commonwealth for ten thousand shares, as directed by the thirty-fifth section of the act of incorporation. The Bank has since that time commenced operations.
In disposing of the scrip authorized to be issued for the payment of the state's subscription, I was governed by what I regarded the expression of the legislative intention, as contained in the proviso of the beforementioned section of the charter; which was construed to be, that if a fair premium could be obtained for the bonds, they should not be executed to the Bank as payment for the stock subscribed; but that the premium should be realized. From the experiment which I had previously made, by the sale of a portion of the bonds for Internal Improvement, I became satisfied that such a premium could be obtained as would justify the sale. I declined therefore, in the exercise of the discretion confided to me, letting the bonds go at par in payment of the subscription, and ultimately effectuated a sale of them to the President and Directors of the Bank, on the following terms: binding themselves to put the bonds again into market, with a stipulation in the contract with the purchaser from them to pay the interest either in New York or Philadelphia, they assure to the state a certain premium of two per cent, equal to ten thousand dollars, to be deposited to the credit of the Treasurer on the first day of January, ensuing: if the bonds bring, on their sale of them, three and a half per cent premium, they are bound to pay to the state a premium on their part of two and a half per cent, equal to twelve thousand five hundred dollars, and if they succeed in obtaining a premium of four per cent, they will pay to the state an additional half per cent, making the whole premium in the latter event three per cent, equal to fifteen thousand dollars. The stronger probability is that the last mentioned sum will be realized.

The feelings of the nation have, of late, been awakened by the unauthorized movements of certain abolition societies, intended to disturb the institution of slavery in the slave-holding states. I do not propose, in this place, to argue the propriety or the impropriety of that institution, or of the relations which it creates. But we can admit no question of its inviolability so long as it is an acknowledged principle finding a guarantee for its security in our federative compact, and we must prepare ourselves to resist, from whatever quarter they may proceed, any assaults upon it. I am not informed that the incendiary efforts alluded to have extended to Kentucky, but whether they have or not, I think it proper to advise that the sense of the legislature should be distinctly expressed of these obnoxious and alarming movements, and that our statutory regulations upon the subject, should undergo your close examination, in order that if the rights and interests of our fellow citizens should be found to require any additional protection, that protection may be afforded.
These, fellow citizens, are the prominent matters, which occur to me as being necessary to be communicated at the present juncture. Your attention will, of course, be called to many other subjects within your own knowledge, suitable to your legislative action; and if any suggestions have been omitted by me, applicable to the interests of our constituents, I am comforted with the belief, that on your judgments and penetration, and your familiar acquaintance with these interests, the fullest reliance may be reposed, that every deficiency on my part, will be supplied by you.

It only remains for me to assure you of my anxious solicitude that the most prosperous results may ensue from your labors, and of my ready co-operation with you, in every effort to produce them.

J. T. MOREHEAD.

FRANKFORT, DEC. 28, 1835.

Ordered, that the public printer forthwith print 3000 copies for the use of the members of this House.

Mr. William R. Griffith a member returned to serve in this House from the county of Daviess, appeared, produced a certificate of his election, and of his having taken the oaths required by the constitution of the United States and the constitution and laws of this state, took his seat.

And then the House adjourned.

TUESDAY, DECEMBER 29, 1835.

Mr. John M. Austin, a member returned to serve in this House, from the counties of Butler and Edmonson, appeared, produced a certificate of his election, and having taken the oaths prescribed by the constitution of the United States, and the constitution and laws of this state, took his seat.

Mr. Lansdale moved to rescind the rule of the House authorizing the Clerk to appoint his assistant clerk.

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

On motion—
Ordered, That the rules of the last, be adopted as those of the present session.

Mr. Johnson moved the following resolution: viz:

Respectfully, That the Speaker be requested to appoint a Standing Committee, to be denominated the Committee on the Penitenti-
ry," who will take under consideration all matters and things in relation to that institution and such others as may be referred to them by order of the House.

Which being twice read was adopted.

Mr. Norvell read and laid on the table the following joint resolution, viz:

Whereas a great Rail-way, to commence at Charleston, South Carolina, and to lead from thence, through that state and the intermediate states, to the City of Cincinnati in the state of Ohio, has recently been highly recommended, and is now in contemplation; and whereas, we, the representatives of the people of Kentucky, in General Assembly convened, concur with the opinion that said contemplated Rail-way will conduce greatly to the utility, prosperity and "general welfare" of the United States, and particularly of the Western and Southern portions thereof.

Be it therefore resolved by the General Assembly of the Commonwealth of Kentucky, That they view, with sentiments of unqualified approbation, the construction of a Rail-road from Charleston, South Carolina, to Cincinnati, Ohio, as a splendid work of improvement, affording to Southern and Western states, the most important commercial facilities and other advantages, and of being of great national convenience and utility to the whole country.

Be it further resolved, That the construction of said Rail-road, ought not to be regarded as a visionary project, but should, on the contrary, demand the respectful attention and speedy action of the Representatives of the people of the several Southern and Western states immediately interested therein.

Be it further resolved, That the Federal Government has the constitutional right to construct, or to aid in the construction of such Rail-way.

Be it further resolved, That our Senators in Congress be instructed, and our Representatives be requested to co-operate with their Western and Southern brethren, in any constitutional measure which may be proposed in Congress, for the construction of the contemplated Rail-way.

Be it further resolved, That his Excellency, the Governor, be, and he is hereby requested to transmit copies of the foregoing preamble and resolutions to the Senators and Representatives in Congress from the states of Kentucky, Ohio, South Carolina, Georgia, North Carolina and Tennessee; and also to the President of the United States.

Ordered, That the Public Printer forthwith print one hundred and fifty copies for the use of this House.

Mr. R. Wickliffe moved the following resolution, viz:

Resolved, That so much of the Governor's Message as relates to the movements of certain Abolition Societies at the North, and the
steps which may be proper, on the part of the General Assembly, to arrest their incendiary effects within the limits of this Commonwealth, be referred to a select committee.

Which being twice read, was adopted.

And Messrs. R. Wickliffe, Marshall, Leavell, Harvie, Trapnall, Tompkins and Thompson were appointed a committee conformably thereto.

Mr. Joyes moved the following resolution, viz:

Whereas Robert S. Todd, Esq. who has for many years performed the arduous duties of Clerk to the House of Representatives, with zeal, ability and fidelity, through all the vicissitudes of party and strife, with which the Representatives of the people have sometimes been beset, has communicated to this House his determination to decline presenting his name for a continuation of the favors bestowed upon him by its predecessors, and the reasons which prompt him to this determination, together with the expression of his grateful acknowledgements for the kindness and indulgence which he has experienced from the Representatives during the period of his services:

Resolved therefore, That in his retirement from the further performance of those duties which he has so faithfully, ably and satisfactorily performed for the House of Representatives, Mr. Todd carries with him the thanks and acknowledgements of this House, and the best wishes of its members for his future welfare.

Resolved further, That his communication be entered on the Journal.

Which being twice read, was unanimously adopted.

Mr. Harris moved the following resolution, viz:

Resolved, That so much of the Executive communication as relates to the subject of internal improvement, be referred to the Committee of Internal Improvement.

Which being twice read, was adopted.

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

On the motion of Mr. C. A. Wickliffe—1. A bill to fix the ratio and apportion the representation.

On the motion of Mr. Beaseman—2. A bill to alter the time of holding the county courts of Harrison county.

On the motion of Mr. Harris—3. A bill for the relief of James and Kehiah Braham, of Pike county.

On the motion of Mr. Garnett—4. A bill to authorize the insertion of advertisements in the Western Visiter.

On the motion of Mr. R. N. Lewis—5. A bill to alter the time of holding the Graves county court.

On the motion of Mr. Ritchie—6. A bill to limit and define the powers of the Trustees of Winchester, in Clarke county.
On the motion of Mr. Goodson—7. A bill to take the sense of the people of the Commonwealth of Kentucky, on the propriety of calling a Convention.

On the motion of Mr. Allen—8. A bill to prevent the insurrection of slaves and free people of color, and to punish the instigators thereof.


Also—10. A bill respecting the emancipation of slaves, approved November 13th, 1823.

On the motion of Mr. H. G. Davis—11. A bill to extend the limits of the town of Brandenburg.

On the motion of Mr. Dever—12. A bill to amend an act entitled, an act to appropriate the vacant lands in this Commonwealth North and East of the Tennessee river, to the counties in which they lie, for the purpose of Internal Improvement.

On the motion of Mr. Irwin—13. A bill to authorize the insertion of advertisements in the Russellville Advertiser.

On the motion of Mr. G. Davis—14. A bill to change the mode of summoning petit jurors in the county of Bourbon.

On the motion of Mr. Trapnall—15. A bill to amend an act entitled, an act to incorporate the Springfield and Bardstown Turnpike Road Company, approved Feb'y. 28, 1835.

On the motion of Mr. Harris—16. A bill to compensate grand jurors for their services in this Commonwealth.

On the motion of Mr. R. N. Lewis—17. A bill to incorporate the Graves and Hickman Seminaries of learning, and for other purposes.

On the motion of Mr. Ritchie—18. A bill to repeal an act entitled, an act to limit the number of the justices of the peace in Clarke county.

On the motion of Mr. Kelly—19. A bill to authorize the insertion of advertisements in the Hopkinsville Gazette.

On the motion of Mr. Goodson—20. A bill to amend the road law in the county of Campbell.

On the motion of Mr. Norvell—21. A bill to tax retailers of spirituous liquors, and for other purposes.

On the motion of Mr. Hollingsworth—22. A bill to exempt the county of Greenup from a law of the last session, prohibiting the passage within this Commonwealth, of bank notes of a less denomination than five dollars.

On the motion of Mr. Flournoy—23. A bill for the purpose of lengthening the term of the McCracken circuit court.

On the motion of Mr. Funk—24. A bill to incorporate a company to construct a turnpike road, leading from the Bardstown road to Taylorsville, by the way of Jeffersontown.

On the motion of Mr. Meriwether—25. A bill to alter the attachment laws of this Commonwealth.
On the motion of Mr. Hawkins—26. A bill to amend the law granting to the county courts the power of appointing commissioners to settle with administrators, guardians, &c.

On the motion of Mr. Blewitt—27. A bill for the benefit of the jailer of Warren county, and for other purposes.

On the motion of Mr. G. Davis—28. A bill to authorize jailers to serve law process when both sheriffs and coroners are disqualified.

On the motion of Mr. Heran—29. A bill to incorporate a company for the purpose of constructing a turnpike road from Mount-sterling through Sharpsburg and Flemingsburg to Maysville.

On the motion of Mr. Pryor—30. A bill to incorporate the Newcastle Female Academy, and for other purposes.

On the motion of Mr. Ward—31. A bill to repeal an act entitled, an act for the benefit of the heirs of George and John Gray-ham, approved February 20, 1835.

On the motion of Mr. Heran—32. A bill for the relief of William Bowen.

On the motion of Mr. H. G. Davis—33. A bill for an appropriation in money for the construction of a Seminary of learning in the town of Brandenburg.

And on the motion of Mr. Ritchie—34. A bill to provide for the compensation of petit jurors.

Messrs. C. A. Wickliffe, R. N. Lewis, Noel, Leavell, Irwin, Holloway, Lucas, Wood, Allen, R. Maxey, McClure, Jasper, Griffith, Cunningham, H. G. Davis, Meriwether, Pryor, Ford, Dever, Thompson, J. Jackson, Mason, Clay, Bu ford, Dougherty, Goodson, Norvell, Brown, Johnson, G. Davis, Curd, Wallace, Heran, Ward, Blair, Mitchell, Harris, F. F. Jackson, were appointed a committee to prepare and bring in the first; Messrs. Beaeman, Garnett and G. Davis, the second; the committee of claims, the third: Messrs. Garnett, Beaeman and G. Davis, the fourth; Messrs. R. N. Lewis, Flournoy and Goodson, the fifth; Messrs. Ritchie, F. F. Jackson and Heran, the sixth; Messrs. Goodson, Flournoy, Marshall and Lansdale, the seventh; Messrs. Allen, C. A. Wickliffe and Anderson, the eighth; the committee of Ways and Means, the ninth; Messrs. Allen, Griffith and J. Jackson, the tenth; Messrs. H. G. Davis, Peyton and Holloway, the eleventh; Messrs. Trapnell, Dever and Drye, the twelfth; Messrs. Irwin, Hawkins and Lansdale, the thirteenth; Messrs. G. Davis, Rice and Hughes, the fourteenth; Messrs. Trapnell, Dever and C. A. Wickliffe, the fifteenth; the committee for Courts of Justice, the sixteenth, twenty-third, twenty-eighth and thirty-fourth; Messrs. R. N. Lewis, Bailey, Flournoy and Hudspeth, the seventeenth; Messrs. Ritchie, F. F. Jackson and G. Davis, the eighteenth; Messrs. Kelley, Leavell and Lansdale, the nineteenth; Messrs. Goodson, Tapman and Stevenson, the twentieth; Messrs. Norvell, Ward and Heran, the
t twenty-first; the committee of Propositions and Grievances, the twenty-second; the committee on Internal Improvement, the twenty-fourth and twenty-ninth; Messrs. Meriwether, C. A. Wickliffe and Flournoy, the twenty-fifth; Messrs. Hawkins, Lansdale and Trapnall, the twenty-sixth; Messrs. Blewitt, Lucas and Hawkins, the twenty-seventh; Messrs. Pryor, Stewart and Curd, the thirtieth; Messrs. Ward, Hollingsworth and Donaldson, the thirty-first; the committee on Religion, the thirty-second; and Messrs. H. G. Davis, Peyton and Griffith, the thirty-third.

Ordered, That a committee of Propositions and Grievances be appointed; and a committee was appointed, consisting of Messrs. Allen, Bailey, Cunningham, Dougherty, Hollingsworth, Holloway, Jasper, Lashbrook, Meriwether, Winfrey, Garnett and W. Campbell;

Who are to meet and adjourn from day to day, and 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 opinions to the House; and 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. Beaseman, McClure, Radford Maxey, McNary, Dever, Clark, Brown, Bowling, Donaldson, Drye, Ingram and R. G. Lewis;

Who are to meet and adjourn from day to day, and take into consideration and examine all returns for members, returned 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 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. Harris, Curd, Austin, Peyton, Flournoy, Ritchie, Pryor, McKee, Kirtley, Wallace, J. E. Wright and Wood;

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

Ordered, That a committee of Courts of Justice be appointed; and a committee was appointed, consisting of Messrs. C. A. Wickliffe, Ward, Trapnall, R. Wickliffe, Lansdale, Huston, Leavell, Tompkins, Thompson, Woodson, Buford and Harris;

Who are to meet and adjourn from day to day, and take into consideration all matters relating to courts of justice, and such
other as may be, from time to time, referred to them, and report their proceedings, with their opinions thereupon to this House; and the said committee is to inspect the Journal of the last session, and draw up a statement of the matters there pending 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. Ford, S. W. White, Blair, Blackwell, Copeland, Tupman, Hawkins, Hudspeth, Hunter, Thomas and Haddix;

Who are to meet and adjourn from time to time, and take into consideration all matters and things relating to religion and morality, and such other as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and 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. Johnson, Beaseman, Clay, Mason, N. Maxey, J. E. Wright, Dever and Lucas;

Who are to meet and adjourn from day to day, and take under consideration all matters and things relating to or connected with the fiscal concerns thereof; and such other as may be, from time to time, referred to them, and report their proceedings with their opinions thereupon to this House; and the said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee of Internal Improvement be appointed; and a committee was appointed, consisting of Messrs. Harris, G. Davis, Joyes, Marshall, Mitchell, F. F. Jackson, Goodson, Riley, Blewitt, Irwin, Griffith, Stevenson, R. N. Lewis and Heron;

Who are to meet and adjourn from day to day, and take under consideration all such matters and things relating to the improvements 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 said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee on Education be appointed; and a committee was appointed, consisting of Messrs. Joyes, Hughes, Schoolfield, Clay, Thompson, Tompkins and C. Campbell;
Who are to meet and adjourn from day to day, and take under consideration all matters and things relating to Education, and the subjects immediately connected therewith; and such other as may, from time to time, be referred to them, reporting their proceedings with their opinion thereupon to the House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee on Military Affairs be appointed; and a committee was appointed, consisting of Messrs. J. Jackson, J. E. Wright, Mansfield, McKee, Funk, Parrish and Bradley;

Who are to meet and adjourn from time to time, and take under consideration the militia laws of this Commonwealth, and all matters and things relating to the militia, and such other as may, from time to time, be referred to them, reporting their proceedings with their opinion thereupon to the House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That Messrs. Anderson, H. G. Davis, Ritchie, Rice, Kelly, McClure, Noel and Norvell, be appointed a committee of Enrolments on the part this House; and that Mr. Anderson inform the Senate thereof.

Mr. Anderson, from the joint committee of enrolments, reported that the committee had examined an enrolled bill entitled, an act to continue in force an act entitled an act concerning the Bank of Kentucky,

And had found the same truly enrolled.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Anderson inform the Senate thereof.

The Speaker laid before the House the letter of Robert Wickliffe, Esq. presenting to the state of Kentucky the portrait of the late Isaac Shelby, Governor of Kentucky, which is in the following words:

Frankfort, Dec. 29th, 1835.

THE HON. JOHN L. HEUM,

Speaker of the House of Representatives of Kentucky.

Sir:

I have a correct portrait likeness of the first Chief Magistrate of Kentucky, taken by the late M. Jouit, Esq., from whom I received it as a testimonial of his affection for myself and desire that I should possess a true likeness of a deceased friend, whose memory he knew I cherished as associated with the brightest pages of our history; but I have thought that Isaac Shelby's memory should be, as his life was, the common property of the State; and with this impression, I tender to the House of Representatives, the portrait, under a belief that that body will think that the services
of that distinguished patriot, civil, political and military, entitle his likeness to a place in the Capitol of the state, with those of Washington and Fayette.

Very respectfully,

R. WICKLiffe.

Whereupon, Messrs. Clay, Curd and R. Wickliffe, were appointed a committee to report thereon.

Mr. Thomas moved the following resolution, viz:

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

Which being twice read, was adopted.

On motion of Mr. R. Wickliffe—

Ordered, That the editors of the Commonwealth and Argus be permitted to take seats within the bar of the House.

1. Mr. Dougherty presented the petition of sundry citizens of Gallatin and Oldham counties, praying for the formation of a new county out of the counties of Gallatin, Oldham and Henry, and that a portion of the county of Boone may be added to the county of Gallatin.

2. Mr. Irwin presented the petition of William Parrish, Adm'r. of Peyton L. Parrish, dec'd, praying the passage of a law to authorize him to sell a house and lot in Russellville, to pay the debts due from the estate.

Which petitions were severally received, the reading thereof dispensed with and referred;—the first to the committee of Propositions and Grievances, and the second to the committee for Courts of Justice.

And then the House adjourned.

WEDNESDAY, DECEMBER 30, 1835.

The Clerk, in pursuance of the rule of the House, appointed Mr. John C. Herndon, as his assistant in the discharge of the duties of his office.

1. Mr. Beaseman presented the petition of Thomas Smith, praying to be divorced from his wife, Jane Smith.

2. Mr. Dever presented the petition of Fountain Weatherford, praying to be divorced from his wife Sally Weatherford.

3. Mr. Hudspeth presented the petition of sundry citizens of Simpson county, praying for a modification of the charter granted the Baptist Education Society.
4. Mr. McClure presented the petition of sundry citizens of Russell county, praying that a law may pass allowing an additional justice of the peace in said county.

5. Mr. Norvell presented the petition of James Smith Nees, praying a divorce from his wife, Rachael Nees.

6. Mr. Lucas presented the petition of Standford Mitchell, Paradine A. Mitchell and John White; praying that a law may pass, legalizing a conveyance made by said Standford and Paradine A. Mitchell, to said White.

7. Mr. Harris presented the petition of James Branham, of Pike county, praying the passage of a law allowing him compensation for keeping Keziah Branham, a lunatic.

8. Mr. Ward presented the petition of the heirs of John Hewitt, dec'd, praying for the passage of a law authorizing the sale of a slave.

9. Mr. Lucas presented the petition of William L. Meredith and others, praying the passage of a law authorizing the sale and conveyance of a tract of land in Warren county and vesting the proceeds of such sale in lands in some new country.

10. Mr. R. Maxey presented the petition of sundry citizens of Monroe county, praying the passage of a law changing the place of voting in an election precinct in said county.

11. Mr. Bailey presented the petition of Thomas F. Hackley, praying a divorce from his wife, Sally Hackley.

12. Mr. McNary presented the petition of James Smith and sundry citizens of Muhlenburg county, praying that the said James Smith may be divorced from his wife, Rachael Smith.

13. Mr. Tompkins presented the petition of William McCoy and sundry citizens of Barren county, praying that the said William McCoy may be divorced from his wife, Martha McCoy.

14. Mr. Dever presented the petition of sundry citizens of Marion county, praying that an election precinct may be established at the house of Jesse T. Riney, in Haysville, in said county.

15. Mr. R. Maxey presented the petition of Leander P. Hammer and Rebecca D. his wife, praying that they may be divorced from each other.

16. Mr. Heran presented the petition of Bowling Embry, Ex't of Jacob C. Butler, dec'd, praying the passage of a law authorizing him to carry into execution a contract in relation to real estate made by the decedent with William Chiles.

17. Mr. Stevenson presented the petition of the widow and heirs of John Lea, dec'd, praying the passage of a law authorizing the sale of the land belonging to the estate of said decedent, for the purpose of paying the debts due from said estate.

18. Mr. Thompson presented the petition of Mildred Berryman and others, devisees of Thomas Berryman, dec'd, praying that a law may pass authorizing the sale of certain real estate devised to them by said decedent.
19. Mr. R. Wickliffe presented the petition of William Carroll Connett, of Fayette county, praying that a law may pass granting him a change of venue in the case of the Commonwealth against him on an indictment found against him for murder, in the Scott circuit court, to the Fayette circuit court.

20. Mr. Anderson presented the petition of sundry members of the Baptist churches belonging to the General Union of Baptists in this state, praying that a law may pass modifying the charter granted to the Kentucky Baptist Education Society.

21. Mr. Parrish presented the petition of Daniel Dulaney, praying for a divorce from his wife, Sally Dulaney.

22. Mr. Irwin presented the petition of sundry citizens of Logan county, praying that a law may pass authorizing the appointment of an additional constable in said county.

23. Mr. McKee presented the petition of Joseph Bondurant and sundry other citizens of Montgomery county, praying that a law may pass authorizing the said Bondurant to cut a ditch across the Iron-works road.

24. Mr. C. A. Wickliffe presented the petition of the widow and heirs of Thomas Shadburn, deceased, praying that a law may pass authorizing the sale of a certain house and lot in the town of Bardstown, and certain slaves, for the purpose of paying the debts due from the estate of the said decedent.

Which petitions were severally received, the reading thereof dispensed with, and referred; the first, second, fifth, eleventh, twelfth, thirteenth, fifteenth and twenty-first, to the committee on religion; the third and twentieth, to the committee on education; the fourth, to a select committee of Messrs. McClure, Winfrey and Schoolfield; the sixth, eighth, ninth, sixteenth, eighteenth, nineteenth and twenty-fourth, to the committee on courts of justice; the seventh, to the committee on claims; the tenth, to Messrs. Maxey, Jasper and Mansfield; the fourteenth, to the committee on privileges and elections; the seventeenth and twenty-second, to the committee on propositions and grievances, and the twenty-third, to Messrs. McKee, Herron, G. Davis and Thomas.

Leaves were given to bring in the following bills:

On the motion of Mr. Dever—1. A bill to incorporate a turnpike road company from Springfield, in Washington county, to Lebanon, in Marion county.

On motion of Mr. Hughes—2. A bill to amend the charter of the Winchester and Lexington turnpike road company.

On motion of Mr. Lansdale—3. A bill to amend an act entitled an act to incorporate the Green River Rail Road Company.

On motion of Mr. T. F. Jackson—4. A bill to incorporate a Bridge Company, to construct a bridge across the Kentucky river, at some point in the direction from Winchester to the foot of the Big hill, in Madison county.
On the motion of Mr. Hawkins—5. A bill to incorporate a company to construct a Rail Road from Russelville, Kentucky, to the state line, in the direction to Clarksville, in Tennessee.

On the motion of Mr. Woodson—6. A bill for the benefit of the Trustees of the town of Nicholasville.

On the motion of Mr. H. G. Davis—7. A bill to amend the several laws in relation to the taking up of crafts afloat in the Ohio river.

On the motion of Mr. McClure—8. A bill to amend and extend the charter of the Bardstown and Green River Turnpike road Company, approved February 28th, 1835, by the way of Greensburg, Columbia, Jamestown, Monticello, to the Tennessee state line, in the direction to Knoxville.

On the motion of Mr. Peyton—9. A bill to amend the several acts incorporating the Hartford Bridge Company.

On the motion of Mr. R. Maxey—10. A bill to regulate the duties of executors and administrators of insolvent debtors.

On the motion of Mr. T. F. Jackson—11. A bill to allow officers holding an election, to vote at the precincts where they reside.

On the motion of Mr. Tompkins—12. A bill to authorize Bartlett L. Graves to erect gates on a certain road in Barren county.

On the motion of Mr. McNary—13. A bill to reduce the number of justices of the peace in Muhlenburg county.

On the motion of Mr. Goodson—14. A bill for the purpose of paying grand and petit jurors of this Commonwealth.

On the motion of Mr. J. Jackson—15. A bill to authorize the taking of the depositions of bank officers, the Auditor, Treasurer, and other public officers, to be read in chief, in the trial of common law cases.

On the motion of Mr. Hughes—16. A bill to reduce the number of justices of the peace of Fayette county.

On the motion of Mr. Buford—17. A bill for the benefit of the sheriff of Clay county.

On the motion of Mr. Schoolsfield—18. A bill respecting the method and regulating the plan of working the public roads and highways in Bracken county.

On the motion of Mr. Kirtley—19. A bill to add three additional terms to the Boone county court.

On the motion of Mr. J. Jackson—20. A bill to change the time of holding the General court of this Commonwealth.

On the motion of Mr. Beaseman—21. A bill more effectually to guard the occupants, now in the possession of land forfeited to the Commonwealth.

And on the motion of Mr. Buford—22. A bill to permit James White, of Abbingdon, Virginia, to bring his negroes to Kentucky, to work at his salt-works in the county of Clay, Kentucky.
The committee on internal improvement were directed to prepare and bring in the first and fourth; Messrs. Hughes, G. Davis and Rice, the second; Messrs. Lansdale, Irwin, Kelly, Hawkins and Flourney, the third; Messrs. Hawkins, Irwin, Norvell, Meriwether and Lansdale, the fifth; the committee for courts of justice, the sixth, tenth, fourteenth, fifteenth, twentieth and twenty-second; the committee of propositions and grievances, the seventh; Messrs. McClure, C. A. Wickliffe, Anderson, Allen, Parrish and Winfrey, the eighth; Messrs. Peyton, Griffith and Holloway, the ninth; the committee of privileges and elections, the eleventh; Messrs. Tompkins, Wood and Blewitt, the twelfth; Messrs. McNary, Ford and Bradley, the thirteenth; Messrs. Hughes, R. Wickliffe, Curd, Rice, G. Davis, the sixteenth; the committee on claims, the seventeenth; Messrs. Schoolfield, Hollingsworth, Hunter and Rice, the eighteenth; Messrs. Kirtley, Dougherty and Ritchie, the nineteenth; and Messrs. Beaseman, Garnett and G. Davis, the twenty-first.

On motion—
Ordered, That Messrs. Thomas, J. M. Wright, Kelly, Hollingsworth and Blair, be added to the committee on internal improvement.

On motion—
Ordered, That Mr. R. Maxey be added to the committee on enrolments.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:
By Mr. Norvell—1. A bill to tax the retailers of spirituous liquors, and for other purposes.
By Mr. Irwin—2. A bill to authorize the editor of the Russellville Advertiser to publish advertisements.
By Mr. Ritchie—3. A bill to repeal an act, approved February 22, 1834, limiting the number of magistrates in the county of Clarke.
By Mr. Goodson—4. A bill to take the vote of the citizens of this Commonwealth upon the propriety of calling a convention.

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, having been dispensed with; the first was committed to the committee of ways and means.

And thereupon, the rule of the House, constitutional provision and third reading of the second and third, having been dispensed with, and the second being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.
Ordered, That the Clerk carry said bills to the Senate, and request their concurrence.

Ordered, That the fourth be made the special order of the day, for Monday next.

Mr. J. E. Wright moved the following resolution, viz:

Resolved, That the committee for courts of justice inquire into the propriety of passing a law, making it the duty of constables in this Commonwealth to return executions, in certain cases, to the clerks of the county or circuit courts, authorizing said clerks to issue execution thereon, directed to the sheriff, when required so to do.

Which being twice read, was adopted.

Mr. C. A. Wickliffe moved the following resolution, viz:

Resolved, That so much of the Governor’s message as relates to the judiciary, be referred to the committee for courts of justice.

Which being twice read, was adopted.

Mr. Meriwether moved the following resolution:

Resolved, That so much of the Governor’s message as relates to the Bank of Kentucky, be referred to the committee of ways and means.

Which being twice read, was adopted.

A message was received from the Senate, announcing the passage of a bill which originated in that house, entitled an act to allow the Independent Banks of this Commonwealth further time to collect and settle their concerns.

And that the Senate had received official information that the Governor had signed an enrolled bill which originated therein, of the following title, viz:

An act to continue in force an act entitled, an act concerning the Bank of Kentucky.

A bill from the Senate entitled, an act to allow the Independent Banks of this Commonwealth further time to collect and settle their concerns, was taken up 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 said bill having been dispensed with:

Ordered, That said bill be committed to the committee for courts of justice.

And then the House adjourned.
Mr. Dempsey White, a member returned to serve in this House, from the counties of Knox and Whitley, and Mr. James Clark, a member returned to serve in this House, from the county of Caldwell, appeared, produced certificates of their election, and of their having taken the oaths required by the constitution of the United States and the constitution and laws of this state, took their seats.

The Speaker laid before House the Annual Report of the Receiver of Public Moneys West of the Tennessee river, which was received and read as follows:

**WAIDSBORO', DEC. 12, 1835.**

To the Hon. Speaker of the House of Representatives of the Commonwealth of Kentucky:

SIR—In obedience to the 18th section of an act of the Legislature, entitled, an act for the Internal Improvement of the State of Kentucky, approved February 28, 1835, I respectfully submit the following report of moneys received at the Land Office, for lands sold West of the Tennessee river, during the first six months next succeeding the 15th January 1835; and also, the several amounts of money paid out to the treasurers of the respective boards of commissioners designated by said act, viz:

From the 18th day of December, 1834, (the date of my last report to the Auditor of Public Accounts,) till the 26th January, 1835, inclusive, there was no money received for the entry of lands at my office, the office being temporarily closed in consequence of my absence, while attending at Frankfort, during that time, to make my report and pay over moneys on hand to the Treasurer of the Commonwealth.

From 15th January 1835, to the 15th July 1835, inclusive; received for lands entered:

- In Commonwealth's bank paper, $ 513.56
- In specie and United States' bank paper actually received, 26,669.66
- Advance of five per cent, allowed on the same, as per act of assembly; but which is never received; the full nominal amount being placed on the books, 1,333.48
- Total amount as appears on the books, 28,516.71
- Amount of my per centage retained for the current year, 300.00
Nominal amount remaining for division among the several boards of commissioners, out of which the five per cent on the specie and United States Bank paper received, must be deducted, 28,216 71.

No final or regular settlement has as yet been made between me and the treasurers of the several boards of commissioners, for the first six months next, succeeding the 15th January 1835.

I have however paid in specie and United States Bank paper to the treasurer of the board of commissioners for Calloway county, the sum of $5,990 00.
To the treasurer of the board for Graves county, 4,600 00.
To the treasurer of the board for Hickman county, 4,622 40.
To the treasurer of the board for McCracken county, 7,582 00.

For all of which several sums of money, I have taken the receipts of the treasurers of the several boards, which are filed in my office.

Adding to this sum for the purpose of calculation, the five per cent advance, which I am directed to allow on specie and United States paper, which will amount to 1,139 72.

Leaving in my hands, to be yet paid to said commissioners, the nominal amount of 4,282 59.

From this last sum the five per cent advance on the specie and United States' paper on hand must be deducted, which will leave the real amount on hand, up to the 15th July 1835.

It will be observed that the treasurer of McCracken board, has overdrawn his share of the money received for the first six months. For the overplus he will be charged on a settlement for the next succeeding half year, which has not yet expired.

All of which is respectfully submitted, and which you will please lay before the house over which you have the honor to preside, and oblige your obedient servant,

EDMUND CURD,
Receiver of Public Moneys West of the Tennessee river.

By ANDREW SMITH, Deputy Receiver.
Mr. Clay, from the committee to whom was referred the letter of Robert Wickliffe, Esq. made the following report, viz:

1. Resolved, That this House cordially accepts the offer of Robert Wickliffe, Esq. presenting to this House the original portrait of the late Isaac Shelby, and by way of manifesting the sense which this body entertains of the liberality and public spirit of the said Wickliffe: Resolved, that his letter be entered at large upon the Journals of this House.

2. Resolved, That the clerk forward a copy of the above resolutions to the said Robert Wickliffe, Esq.

3. Resolved, That this House cheerfully avails itself of the present occasion, to recognize the eminent services, civil and military, which Isaac Shelby has rendered this state, and the United States.

4. Resolved, That the portrait of the Hero of King's Mountain—the efficient commander in the Northwestern army, and Kentucky's first Chief Magistrate, is well suited to grace the Halls of Legislation in this, his adopted state, and not unworthy to be placed on the right hand of Washington.

Resolved, therefore, that the said portrait be placed accordingly.

Which being twice read, was unanimously adopted.

A message was received from the Senate announcing the passage of bills which originated in that house, of the following titles, viz:

An act to change the time of holding the General Court.

An act to change the time of holding the Harrison county court.

And an act concerning the number of justices of the peace for the county of Hardin.

And a resolution to appoint a joint committee to examine the situation of the public arms.

1. Mr. Norvell presented the preamble and resolutions of the militia officers of the 47th Regiment of Kentucky Militia, requesting an amendment of the militia laws of this state.

2. Mr. Beaseman presented the petition of Robert Rankin, praying that a law may pass postponing the survey of the turnpike road from Augusta, in Bracken county, to Georgetown, in Scott county.

3. Mr. McClure presented the preamble and resolutions of the officers of the 52d Regiment of Kentucky Militia, requesting an amendment of the militia laws of this state.

4. Mr. Meriwether presented the petition of Thomas and Mary Applegate, praying that a law may pass authorizing them to sell a certain lot of ground in the city of Louisville, for the purpose of paying the debts due from the estate of Joseph Applegate, their ancestor.

5. Mr. Woodson presented the petition of Benjamin Long, praying that a law may pass authorizing him to sell a small tract
of land devised to his children, and to vest the proceeds of such sale in other lands.

6. Mr. Tompkins presented the petition of Daniel Lipscomb, attorney in fact for George W. Green, guardian of Rowland Green, praying that a law may pass authorizing the sale of the interest of said Rowland Green in two tracts of land.

7. Mr. McNary presented the petition of sundry members of the Baptist church belonging to the General Union of Baptists in Kentucky, praying that a law may pass modifying the charter granted to the Kentucky Baptist Education Society.

8. Mr. McElroy presented the petition of Francis Wathen, guardian of Mary Jane Coomes, praying the passage of a law authorizing him to sell a tract of land which descended to the said Mary Jane Coomes, as heir to her father, Ignatius Coomes, dec'd, lying in the county of Henderson.

9. Mr. Lucas presented the petition of Thomas Patter, praying the passage of a law authorizing him to erect a dam across Big Barren river.

10. Mr. Jasper presented the petition of Elizabeth Maxey, and sundry other citizens of Pulaski county, praying that a law may pass divorcing the said Elizabeth Maxey from her husband, Josiah Maxey.

11. Mr. McElroy presented the petition of Henry Hall, praying the passage of a law divorcing him from his wife, Elizabeth Hall.

12. Mr. Johnson presented the petition of Henrietta White, praying the passage of a law authorizing her to draw from the public treasury a balance due to her husband, the late Judge White, for his services as circuit Judge.

13. Mr. McElroy presented the petition of Susan Threlkeld, praying that a law may pass divorcing her from her husband, Henry Threlkeld.

14. Mr. Jasper presented the petition of Sophia Warrener, and sundry other citizens of Pulaski county, praying that a law may pass divorcing the said Sophia Warrener from her husband, Iverson S. Warrener.

15. Mr. Bradley presented the petition of Andrew Clark, and sundry other citizens, praying that a law may pass divorcing the said Andrew Clark from his wife, Lydia Clark.

16. Mr. Trapnall presented the petition of Mary More, praying to be divorced from her husband, William More.

17. Mr. Beaseman presented the petition of William A. Coleman, praying that a law may pass divorcing him from his wife, Mary Coleman.

18. Mr. Copeland presented the petition of sundry members of the Baptist church at the three forks of Bacon creek, in Hart
Mr. Noel presented the petition of sundry citizens of the town of Cadiz, praying that a law may pass striking from said town the addition made thereto by Richard Poston.

Which petitions were severally received, the reading thereof dispensed with and referred,—the first and third, to the committee on military affairs; the second and ninth, to the committee on internal improvement; the fourth to the committee on propositions and grievances; the fifth, sixth and eighth, to the committee for Courts of Justice; the seventh and eighteenth, to the committee on education; the tenth, eleventh, thirteenth, fourteenth, fifteenth, sixteenth and seventeenth, to the committee on religion; the twelfth, to the committee on claims; and the nineteenth, to a select committee of Messrs. Noel, Harris and McKee.

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

On motion of Mr. Schoolfield—1. A bill further regulating the duties of the trustees of the town of Augusta, in Bracken county.

On the motion of Mr. Buford—2. A bill to declare Goose Creek, (one Fork of the Kentucky river,) navigable up to the widow Cobb’s, where she now resides.

On the motion of Mr. Winfrey—3. A bill to change the law as it respects the trial of the right of property.

On the motion of Mr. Meriwether—4. A bill to amend the charter of the Louisville Turnpike Road Company.

On the motion of Mr. D. White—5. A bill to build a bridge across Cumberland river, at or near where the main State road crosses the river, in Knox county.

On the motion of Mr. J. Jackson—6. A bill to incorporate the town of London, in Laurel county, and extend the limits of said town.

On the motion of Mr. R. Maxey—7. A bill to amend the 14th section of an act entitled, an act to amend and reduce into one, the execution laws of this state, approved 12th February, 1828.

On the motion of Mr. Norvell—8. A bill to increase, in futuro, the salary of the Governor, and the compensation of the members of the General Assembly of the Commonwealth of Kentucky.

On the motion of Mr. J. Jackson—9. A bill to revive and amend the Goose Creek Turnpike road law.

On the motion of Mr. Stevenson—10. A bill to amend the charter of the Augusta, Cynthiana and Georgetown Turnpike Company, approved Feb. 28, 1835.

On the motion of Mr. Johnson—11. A bill to amend the law in relation to taking in the list of taxable property.

On the motion of Mr. Johnson—12. A bill to amend the several acts to enlarge the boundaries of Georgetown, and for other purposes, approved Feb. 22, 1834 and Feb. 11, 1835.
On the motion of Mr. McElroy—13. A bill to establish a state road from Morganfield, Union county, to Smithland in Livingston county.

On the motion of Mr. Lucas—14. A bill to change the time of the annual meeting of the General Assembly of the Commonwealth of Kentucky.

On the motion of Mr. Anderson—15. A bill to amend the charter of the Kentucky Baptist Education Society.

And on motion of Mr. Harvie—16. A bill to enable the Clerk of the General Court to renew his official bond.

The committee for courts of justice was directed to prepare and bring in the first; the committee on internal improvement, the second, fifth and thirteenth; Messrs. Winfrey, Dever, McClure and Drye, the third; Messrs. Meriwether, Joyes and Marshall, the fourth; Messrs. J. Jackson, Buford and D. White, the sixth; Messrs. R. Maxey, Dougherty, Mansfield and Parrish, the seventh; Messrs. Norvell, Heran and Ritchie, the eighth; Messrs. J. Jackson, D. White, Buford and Haddix, the ninth; Messrs. Stevenson, Beaseman, Schoolfield and Johnson, the tenth; the committee of Ways and Means, the eleventh; Messrs. Johnson, Stevenson and Beaseman, the twelfth; Messrs. Lucas, Mansfield and Austin, the fourteenth; the committee on education, the fifteenth; and Messrs. Harvie, Wallace and Stevenson, the sixteenth.

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

By Mr. C. A. Wickliffe, from the committee for courts of justice—1. A bill concerning the liabilities and duties of executors and administrators.

By Mr. Tompkins—2. A bill for the benefit of Bartlett L. Graves.

By Mr. Kelly—3. A bill to authorize the insertion of advertisements in the Hopkinsville Gazette.

By Mr. Hughes—4. A bill to amend an act entitled, an act to incorporate the Winchester and Lexington Turnpike Company.

By Mr. Beaseman—5. A bill to alter the time of holding the Harrison county courts.

By Mr. McClure—6. A bill allowing an additional justice of the peace to the county of Russell.

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 second, third, fourth, fifth and sixth bills, having been dispensed with, (the third being amended,) and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.
Ordered, That the Clerk carry said bills to the Senate, and request their concurrence.

Ordered, That the public printer, forthwith, print one hundred and fifty copies of the first bill, for the use of the members of this house.

Mr. C. A. Wickliffe, from the committee of courts of justice, to whom was referred a bill from the Senate entitled, an act to allow the Independent Banks of this Commonwealth further time to collect and settle their concerns, reported the same without amendment.

Ordered, That said bill be read a third time.

And thereupon, the rule of the house, constitutional provision and third reading of said bill, having been dispensed with, Resolved, That said bill do pass.

Ordered, That the Clerk inform the Senate thereof.

Mr. Ward moved the following resolution, viz:

Resolved, That the committee on education take into consideration the necessity and practicability of establishing a system of common free schools, in this Commonwealth; and that they report by bill or otherwise.

Which being twice read, was adopted.

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 change the time of holding the General court.
2. An act to change the time of holding the Harrison county court.
3. An act concerning the number of justices of the peace for the county of Hardin.

And thereupon the rule of the House, constitutional provision and second reading of the first bill, having been dispensed with, Ordered, That the same be committed to the committee for courts of justice.

A resolution from the Senate to appoint a joint committee to examine the situation of the public arms—

Was twice read and concurred in.

Ordered, That the Clerk inform the Senate thereof.

The House then took up the joint resolution in relation to the contemplated Rail Way from Charleston to Cincinnati,

Which being twice read, the further consideration of the same was postponed until Tuesday next.

And then the House adjourned.
FRIDAY, JANUARY 1, 1836.

1. Mr. Ingram presented the petition of Penelope Jones and sundry other citizens of Wayne county, praying that a law may pass, divorcing the said Penelope Jones from her husband, John Jones.

2. Mr. Allen presented the petition of sundry members of the Baptist church belonging to the General Union of Baptists in Kentucky, praying the passage of a law modifying the charter granted to the Kentucky Baptist Education Society.

3. Mr. Leavell presented the petition of sundry members of the Baptist church (and others friends of the same) belonging to the General Union of Baptists in Kentucky, praying the passage of a law modifying the charter granted to the Kentucky Baptist Education Society.

4. Mr. Anderson presented the petition of sundry members of the Baptist church, belonging to the General Union of Baptists in Kentucky, praying the passage of a law modifying the charter granted to the Kentucky Baptist Education Society.

5. Mr. Lucas presented the petition of sundry members of the Baptist church, belonging to the General Union of Baptists in Kentucky, praying the passage of a law modifying the charter granted to the Kentucky Baptist Education Society.

6. Mr. Blair presented the petition of sundry members of the Baptist church, belonging to the General Union of Baptists in Kentucky, praying the passage of a law modifying the charter granted to the Kentucky Baptist Education Society.

7. Mr. Mansfield presented the petition of sundry members of the Baptist church, belonging to the General Union of Baptists in Kentucky, praying the passage of a law modifying the charter granted to the Kentucky Baptist Education Society.

8. Mr. Thomas presented the petition of James McGinnis, a resident of the state of Virginia, praying the passage of a law authorizing him to sell a certain slave.

9. Mr. G. Davis presented the petition of John Sharp, praying the passage of a law directing the circuit court of Bourbon county to decree the sale of a certain tract of land upon a petition filed therein for that purpose.

10. Mr. Harvie presented the memorial of the committees appointed by the citizens of Charleston and Columbia, South Carolina, on the subject of the Charleston and Cincinnati Rail Road.

11. Mr. Hawkins presented the petition of sundry members of the Baptist church, belonging to the General Union of Baptists in Kentucky, praying the passage of a law modifying the charter granted to the Kentucky Baptist Education Society.
12. Mr. Kelly presented the petition of Waller R. Dupuy and Mary J. his wife, formerly Mary J. Gwyn, praying the passage of a law appointing a commissioner to convey all their right and title to a certain tract of land, to Reuben Rowland.

13. Mr. Riley presented the petition of sundry citizens of Bul-litt county, praying the passage of a law establishing an election precinct in the knobs in said county.

14. Mr. G. Davis presented the petition of Henry R. Orr, praying the passage of a law directing the Register of the Land Office to issue a patent to him for a certain tract of land.

15. Mr. Mason presented the petition of James Baker, and sundry other citizens of Garrard county, praying the passage of a law divorcing the said James Baker from his wife, Eliza Baker.

16. Mr. Lashbrook presented the petition of Elizabeth Pugh, of Mason county, praying the passage of a law divorcing her from her husband, William D. Pugh.

17. Mr. R. N. Lewis presented the petition of sundry citizens of Hickman county, praying the passage of a law prohibiting the owners of stud colts and grown stud horses, from permitting them to run at large.

18. Also, the petition of sundry citizens of Graves county, praying the passage of a law making an appropriation to Henry Sco field, for the loss sustained by him on account of the storm in March last.

19. Mr. Noel presented the petition of the devisees of E. P. Wilkinson, died, praying the passage of a law authorizing Spots wood Wilkinson, to sell and convey all the real estate owned by said E. P. Wilkinson at the time of his death.

20. Mr. R. N. Lewis presented the petition of Wesley Hicks and sundry other citizens of Graves county, praying the passage of a law establishing a town on the land of said Hicks, to be called "Farmington."

21. Mr. Bowling presented the petition of sundry citizens of Mercer county, praying the passage of a law allowing an additional constable to said county.

22. Mr. Lucas presented the petition of John Talty, praying the passage of a law permitting him to place in the bed of Big Barren river, a mud sill.

23. Mr. Ingram presented the petition of Thomas Ishell and sundry other citizens of Wayne county, praying the passage of a law divorcing him from his wife, Sally Ishell.

Which petitions were severally received, the reading thereof dispensed with, and referred; the first, fifteenth, sixteenth and twenty-third, to the committee on religion; the second, third, fourth, fifth, sixth, seventh, and eleventh, to the committee on education; the eighth, to a select committee of Messrs. Thomas, Ward, G. Davis and Ritchie; the ninth, twelfth, fourteenth
and nineteenth, to the committee for courts of justice; the tenth and twenty-second, to the committee on internal improvement; the thirteenth, to Messrs. Riley, Huston and Joyce; the seventeenth, eighteenth and twenty-first, to the committee on propositions and grievances; the twentieth, to Messrs. Lewis, Ford and Flournoy.

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

On the motion of Mr. Parrish—1. A bill for the benefit of Josiah Hunter.

On the motion of Mr. Kirtley—2. A bill to publish a digest of the militia laws, in a separate volume, for the purpose of distribution among the several officers of the state.

On the motion of Mr. Tompkins—3. A bill to amend the law in relation to the appointment of constables in this Commonwealth.

On the motion of Mr. Riley—4. A bill to repeal all laws authorizing appeals from judgments of justices of the peace, to the several county courts in this Commonwealth, and to amend the laws regulating appeals from judgments of justices of the peace to the circuit courts.

On the motion of Mr. Winfrey—5. A bill for a small appropriation to be given, on the part of the state, to aid the citizens of Cumberland county to build a bridge across Knox creek, at or near the mouth of Little Renox, in said county.

On the motion of Mr. F. F. Jackson—6. A bill for the further protection of widows and orphans, and for other purposes.

On the motion of Mr. Griffith—7. A bill to prescribe the mode of choosing electors to vote for President and Vice President in November, 1836.

On the motion of Mr. Blair—8. A bill to amend an act entitled an act to prevent the sale of growing crops, approved Feb. 29 1834.

On the motion of Mr. Anderson—9. A bill to remove Cutlip's mill dam across Green river.

On the motion of Mr. Allen—10. A bill for the benefit of the heirs of James Campbell, deceased.

On the motion of Mr. R. N. Lewis—11. A bill for the benefit of Henry Carter.

On the motion of Mr. Beaseman—12. A bill for the benefit of Mary Coleman.

On the motion of Mr. Meriwether—13. A bill authorizing the conveyance of a tract of land in Jefferson county, Ky., belonging to the heirs of David Meriwether, of the state of Georgia.

On the motion of Mr. Donaldson—14. A bill for the benefit of the heirs of Samuel Wilson, decd.

On the motion of Mr. J. Jackson—15. A bill to authorize suits to be brought on sheriffs' and constables' bonds before justices of the peace, for all sums under fifty dollars.
On the motion of Mr. Ward—16. A bill to construct a bridge across Licking river at West Liberty, in Morgan county.

Also, 17. A bill to authorize an additional justice of the peace to Lawrence county.

On the motion of Mr. R. Maxey—18. A bill to change the time of holding the circuit and county courts in Monroe county.


On the motion of Mr. J. Jackson—20. A bill to incorporate the state road from the Crab Orchard, in Lincoln county, to the Cumberland gap, and to incorporate the Madison branch of the state road from Richmond, in Madison county, to its intersection with said road in Laurel county, near London, under the provisions of an act entitled, an act to provide for a board of internal improvement for the state of Kentucky.

On the motion of Mr. McClure—21. A bill for the benefit of the head-right settlers South of Green river.

On the motion of Mr. Stevenson—22. A bill to amend an act entitled, an act to incorporate the Georgetown Female Academy, approved Feb'y. 3, 1835.

On the motion of Mr. Noel—23. A bill for the improvement of the navigation of Little river.

On the motion of Mr. Blevitt—24. A bill for the purpose of repealing an act entitled, an act to enlarge the constable's district, including the town of Bowlinggreen.

And on the motion of Mr. Trapnall—25. A bill incorporating a Turnpike company from Springfield to Harrodsburg.

Messrs. Parrish, Winfrey and R. Maxey, were appointed a committee to prepare and bring in the first; Messrs. Davis, Hughes and Rice, the second; the committee for courts of justice, the third, fourth and fifteenth; Messrs. Winfrey, Drye, McClure and J. E. Wright, the fifth; Messrs. F. F. Jackson, R. Wickliffe and Norvell, the sixth; Messrs. Griffith, C. A. Wickliffe, G. Davis, Leavell, Marshall, McElroy and Allen, the seventh; Messrs. Blair, Mitchell, Lashbrook, Donaldson and Hollingsworth, the eighth; Messrs. Anderson, Allen, Austin and McElroy, the ninth; Messrs. Allen, Anderson and Parrish, the tenth; the committee on claims, the eleventh; the committee on religion, the twelfth; Messrs. Meriwether, Heran and Funk, the thirteenth; Messrs. Donaldson, Blair, Lashbrook and Mitchell, the fourteenth; Messrs. Ward, Thomas and McKee, the sixteenth; Messrs. Ward, Harris and McElroy, the seventeenth; Messrs. R. Maxey, Tompkins and Blevitt, the eighteenth; the committee on internal improvement, the nineteenth, twentieth, twenty-third and twenty-fifth; Messrs. McClure, Winfrey and Drye, the twenty-first; Messrs. Stevenson, Johnson and
G. Davis, the twenty-second; and Messrs. Blewitt, Lucas and Tompkins, the twenty-fourth.

A message was received from the Senate announcing the passage of bills which originated in that house, of the following titles, viz:

An act for the benefit of James Riddlebarger's heirs and representatives.
An act for the benefit of Alfred Owens and Calloway Mullins.
An act to legalize the proceedings of the Logan county court, at their March term, 1835.
An act for the benefit of Daniel Curd, Surveyor of Barren county.
An act for the benefit of John and Lucy Vining.

And their disagreement to a bill which originated in this House, entitled an act to repeal an act approved 22d Feb. 1834, limiting the number of magistrates in the county of Clarke.

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

By Mr. C. A. Wickliffe, from the committee for courts of justice—1. A bill to provide for the collections of judgments rendered by justices of the peace in certain cases.
Also—2. A bill concerning the collection of the revenue for 1835.
Also—3. A bill to authorize circuit courts to license the printers of newspapers to insert certain public orders and notices in their papers.
Also—4. A bill to authorize the taking of the depositions of certain officers of this Commonwealth, and the officers of Banks, to be read in chief in common law suits.
Also—5. A bill for the benefit of the representatives and heirs of Thomas Shadburn and Peyton L. Parrish.
By Mr. Harris, from the same committee—6. A bill to compensate grand jurors for their services.
By Mr. Kirtley—7. A bill to allow three additional terms to the Boone county court.
By Mr. Goodson—8. A bill to amend the road law in the county of Campbell.
By Mr. Harris—9. A bill to alter the limits of the town of Cadiz.
By Mr. Harvie—10. A bill to enable the Clerk of the General Court to renew his official bond.
By Mr. R. N. Lewis—11. A bill for changing the time of holding the Graves county courts.
By Mr. Pryor—12. A bill to incorporate the Newcastle Female Academy, and for other purposes.
By Mr. R. Maxey—13. A bill to change the place of voting in the upper election precinct in Monroe county.

By Mr. Dever—14. A bill to amend an act entitled, an act to appropriate the vacant lands of this Commonwealth, East and North of the Tennessee river, to the counties in which they lie, for the purpose of internal improvement.

By Mr. Norvell—15. A bill to increase, in futuro, the salary of Governor, and compensation of members of the General Assembly of the Commonwealth of Kentucky.

By Mr. Peyton—16. A bill concerning the Hartford Bridge Company.

By Mr. Lansdale—17. A bill to amend an act, approved 22d Dec., 1831, entitled an act to incorporate the Green river Railroad Company.

And by Mr. Lucas—18. A bill to change the time of the meeting of the General Assembly of the Commonwealth of Kentucky.

Which bills were severally received, 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, fifth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth and seventeenth bills, having been dispensed with; the first, second, fifth, seventh, eighth, ninth, tenth, eleventh and thirteenth, were severally ordered to be engrossed and read a third time; the twelfth was committed to the committee on education; the fourteenth and fifteenth, to the committee on ways and means; and the sixteenth and seventeenth, to the committee on internal improvement.

And thereupon, the rule of the house, constitutional provision and third reading of the first, second, fifth, seventh, eighth, ninth, tenth, eleventh and thirteenth 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 said bills to the Senate and request their concurrence.

The yeas and nays being required on the passage of the first bill, by Messrs. Griffith and Wickliffe, were as follows, viz:

Mr. Ford, from the committee on Religion, made the following report, viz:

The committee of Religion have had under their consideration sundry petitions, to them referred, and have come to the following resolutions thereupon, viz:

1st. Resolved, That the petition of Daniel Dulaney, praying to be divorced from his wife, Sally Dulaney, be rejected.

2d. Resolved, That the joint petition of Leonard P. Hammer and Rebecca D. Hammer, praying to be divorced from each other, is reasonable.

3d. Resolved, That the petition of James Smith Noe, to be divorced from his wife, Rachael, is reasonable.

4th. Resolved, That the petition of Wm. McCoy, praying to be divorced from his wife, Martha McCoy, is reasonable.

5th. Resolved, That the petition of Thomas F. Hackley, praying to be divorced from his wife Sally, is reasonable.

6th. Resolved, That the petition of Fountain Weatherford, praying to be divorced from his wife, Sally Weatherford, is reasonable.

Which being twice read, were adopted.

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

Mr. Hawkins moved the following resolutions, viz:

Resolved, That all the petitions that have been presented to this House, from members of the General Union of Baptist churches of this state, be referred to the committee on education.

Be it further resolved, That the said committee be instructed to call on the President, Trustees and Professors of the Georgetown College, to furnish them with the evidence of the number, names and residence of the students educated at said institution for the ministry of the Union Baptist church of Kentucky, since the year 1833, and the number of students in other branches of education,
both now as well as heretofore, together with the amount of dividend, received or receivable on the Pawling fund, since the above date.

Which being twice read, was adopted.

The Speaker, in pursuance of a resolution adopted by this House, announced the following standing committee on the affairs of the Penitentiary, viz:

Messrs. Stevenson, McElroy, Norvell, Kirkley, Austin, Clark, Wallace, Stewart and Myers.

And then the House adjourned.

SUNDAY, JANUARY 2, 1836.

1. Mr. Parrish presented the petition of Aaron Allison, and sundry other citizens, praying that a law may pass divorcing said Aaron Allison from his wife, Susannah Allison.

2. Mr. Bailey presented the petition of sundry members of the Baptist church belonging to the General Union of Baptists in Kentucky, praying the passage of a law modifying the charter granted to the Kentucky Baptist Education Society.

3. Mr. Kelly presented the petition of B. Stubblefield, praying the passage of a law divorcing him from his wife, Nancy Stubblefield.

4. Mr. Pryor presented the petition of sundry members of the Baptist church belonging to the General Union of Baptists in Kentucky, praying the passage of a law modifying the charter granted to the Kentucky Baptist Education Society.

5. Mr. Flournoy presented the petition of Maria D. Ewell, praying the passage of a law permitting her to enter a fractional quarter section of land, in the Military District, for the benefit of herself and children, heirs of Charles Ewell, dec'd.

6. Mr. McNary presented the petition of Christopher Vaught, praying the passage of a law directing the county court of Muhlenburg, to repay or refund to him $8 65, the amount paid by him on a commissioner's certificate for land, to said court; or that he be remunerated out of the Treasury of this Commonwealth.

7. Mr. F. F. Jackson presented the petition of John H. Combs, praying a divorce from his wife, Marinda Combs.

Which petitions were severally received, the reading thereof dispensed with, and referred; the first, third and seventh, to the
committee on religion; the second and fourth, to the committee on education; the fifth, to a select committee, consisting of Messrs. Flournoy, R. N. Lewis and Meriwether; and the sixth, to the committee on claims.

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

On the motion of Mr. Winfrey—1. A bill to appoint commissioners to have Cumberland river cleared out, and for other purpose.

On the motion of Mr. Goodson—2. A bill to amend an act to incorporate the city of Covington, approved February 24, 1834.

On the motion of Mr. Flournoy—3. A bill to amend an act entitled, an act to establish an inspection of tobacco, and other articles of commerce, in the town of Paducah, approved February 16, 1835.

On the motion of Mr. Anderson—4. A bill for the benefit of Matthew Robertson.

On the motion of Mr. R. N. Lewis—5. A bill to authorize the boards of internal improvement for Hickman and McCracken counties, to build a bridge across Maysfield creek, at or near Davis' old mill.

On the motion of Mr. D. White—6. A bill for the benefit of Whitley Seminary of learning.

On the motion of Mr. J. Jackson—7. A bill to amend an act entitled, an act further to regulate the Wilderness turnpike road, approved January 11, 1839.

On the motion of Mr. Hawkins—8. A bill to amend an act entitled, an act further to regulate the militia correspondence, and for other purposes, approved Dec. 23, 1831.

On the motion of Mr. Thompson—9. A bill to amend an act entitled, an act vesting jurisdiction in the circuit courts to authorize the sale of the real estate of infants in certain cases, approved Feb. 3, 1818.

On the motion of Mr. Norvell—10. A bill to give three additional terms to the county court of Nicholas.

On the motion of Mr. Huston—11. A bill to incorporate a company to construct a turnpike road from Taylorsville, in Spencer county, to intersect the turnpike road leading from Bardstown to Louisville.

Also—12. A bill to repeal the first, second and third sections of an act entitled, an act to improve the navigation of Salt river.

And on the motion of Mr. McElroy—13. A bill for the benefit of William Dills.

Messrs. Winfrey, McClure, R. Maxey and Ingram, were appointed a committee to prepare and bring in the first; Messrs. Goodson, Tupman and G. Davis, the second; Messrs. Flournoy, R. N. Davis and Meriwether, the third; the committee of propo-
petitions and grievances, the fourth; Messrs. R. N. Lewis, Flournoy, Noel and Meriwether, the fifth; Messrs. D. White, Jackson and Buford, the sixth; Messrs. J. Jackson, D. White and Clay, the seventh; Messrs. Hawkins, R. G. Lewis and Mitchell, the eighth; the committee for courts of justice, the ninth; Messrs. Norvell, Thomas and G. Davis, the tenth; Messrs. Huston, C. A. Wickliffe, Riley, Funk and Irwin, the eleventh; Messrs. Huston, C. A. Wickliffe and Riley, the twelfth; and Messrs. McElroy, Anderson and Ward, the thirteenth.

A message was received from the Senate announcing the passage of bills which originated in this house, of the following titles, viz:

- An act to alter the time of holding the Harrison county court.
- An act to authorize the editor of the Russellville Advertiser to publish advertisements.
- An act to authorize the insertion of advertisements in the Hopkinsville Gazette: with an amendment to the latter bill.

And the passage of bills which originated in the Senate of the following titles, viz:

- An act to amend the charter of the Bardstown and Springfield turnpike road company.
- An act to enlarge the constable’s district for the town of Monticello.
- An act for the benefit of John Owens, of Clarke county.
- An act to change the time of meeting of the General Assembly.
- An act for the relief of Margaret Haydon.

On motion—
Ordered, That the committee on claims be discharged from the further consideration of the petition of John Branham, and that the same be referred to the committee of propositions and grievances.

On motion—
Ordered, That the committee for courts of justice be discharged from the further consideration of the petition of Bowling Embry.

Mr. Tompkins moved the following resolution:

Resolved, That the committee on ways and means, be instructed to inquire into the propriety and expediency of increasing the tax on the shares of stock, not held by the state, in the Louisville Bank, the Bank of Kentucky, and the Northern Bank, to fifty cents on each share; the proceeds of said tax to be appropriated to purposes of internal improvement; and that said committee report by bill or otherwise.

Which being twice read, was adopted.
Mr. Anderson moved the following resolution, viz:

Resolved, That the proceedings of the last session, upon the subject of granting a patent to Mayo’s heirs, to certain land west of the Tennessee River, be referred to a select committee.

Which being twice read, was adopted.

And Messrs. Anderson, Allen, Griffith, C. A. Wickliffe and G. Davis, were appointed a committee pursuant thereto.

On motion—
Ordered, That Messrs. R. G. Lewis and Rice, be added to the committee on military affairs, and Mr. Kirtly to the committee on religion.

On motion—
Ordered, That Mr. Curd be discharged from, and Mr. Hughes added to, the select committee appointed to fix the ratio and proportion the representation.

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

By the committee of propositions and grievances—1. A bill authorizing the sale of some real estate belonging to the estate of Joseph Applegate, deceased.

Also—2. A bill for the benefit of Greenup county.

By the committee of claims—3. A bill for the benefit of Henrietta White.

Also—4. A bill for the benefit of James Branham.

By the committee for courts of justice—5. A bill for the relief of the infant devises of Thomas Berryman, deceased.

Also—6. A bill to permit James White to import his negroes into this Commonwealth, to work at his salt works, in Clay county, Kentucky.

By the committee on religion—7. A bill for the benefit of Leander P. Hammer and Rebecca D. Hammer.

Also—8. A bill for the benefit of James Smith Noe.

Also—9. A bill for the benefit of William McCoy.

Also—10. A bill for the benefit of Thomas F. Hackley.

Also—11. A bill to divorce Fountain Weatherford from his wife, Sally Weatherford.

Also—12. A bill for the benefit of Andrew Clark.

Also—13. A bill for the benefit of Sophia Warrener.

Also—14. A bill for the benefit of Elizabeth Maxey.

By Mr. Parrish—15. A bill to confirm the residence of Josiah Hunter.

By Mr. Meriwether—16. A bill authorizing the conveyance of a tract of land belonging to the heirs of David Meriwether.

By Mr. McNary—17. A bill to reduce the number of magistrates in Muhlenburg county.
By Mr. R. Maxey—18. A bill to amend the 14th section of an act entitled, an act to amend and reduce into one, the execution laws of this state, approved February 12, 1828.

By Mr. Blewitt—19. A bill to repeal an act entitled, an act to enlarge the constable's district including the town of Bowling-green, approved Nov. 11, 1825.

And also—20. A bill for the benefit of the jailer of Warren county, 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, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth and twetieth bills, having been dispensed with, the first and eighteenth were committed to the committee for courts of justice, and the third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, nineteenth and twentieth, were severally ordered to be engrossed and read a third time.

And thereupon the rule of the House, constitutional provision and third reading of the third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, nineteenth and twentieth bills, having been dispensed with, and the same being engrossed, (the sixth being amended,) 

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

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

Mr. Ford, from the committee on religion, appointed to prepare and bring in a bill for the benefit of William Bowen, reported the same, which was received and read.

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, the question was taken upon the passage of said bill, and it was decided in the negative.

And so the said bill was rejected.

And then the House adjourned.
MONDAY, JANUARY 4, 1836.

1. Mr. Pryor presented the petition of Andrew Steele, Sheriff of Oldham county, praying the passage of a law allowing him compensation for copying and forwarding to the Secretary of State, the poll books of the 8th Congressional District.

2. Mr. Ward presented the petition of William Prince, (with other documents accompanying the same,) praying that a law may pass divorcing the said Prince from his wife, Rachael Prince.

3. Mr. Mason presented the petition of John Garvin, and Peggy Garvin, his wife, praying the passage of a law authorizing the Garrard circuit court to decree a sale of a tract of land in said county, devised to the said Peggy Garvin by her father, Benjamin Sutton.

4. Mr. Garrett Davis presented the memorial of a committee appointed by the convention which convened at Williamstown in Grant county, praying that a law may pass granting a charter for a Rail Road from Paris to the Ohio river, opposite to Cincinnati.

5. Mr. Stevenson presented the petition of sundry citizens of Scott county, praying the passage of a law granting a change of venue to William C. Connett, in the case of the Commonwealth against him, on an indictment for murder, found by the grand jury of said county.

6. The Speaker laid before the House, the petition of Wm. Keys, praying the passage of a law authorizing the sale of Island No. 8, in the Mississippi river, to be sold in such way and manner as would best suit the interest of the Commonwealth, saving to the said Key, and all other persons similarly situated, preemptive privileges, being bona fide settlers.

Which petitions and memorial were severally received, the reading of the petitions dispensed with, and the said memorial being read, were referred; the first, to the committee on claims; the second, to the committee on religion; the third and fifth, to the committee for courts of justice; the fourth, to the committee on internal improvement; and the sixth, to the committee on propositions and grievances.

Ordered, That the public printer, forthwith, print one hundred and fifty copies of the memorial, for the use of the members of this house.
The Speaker laid before the house, the annual report of the Keeper of the Penitentiary, which is in the following words, viz:

OFFICE KENTUCKY PENITENTIARY,
Frankfort, December 30th, 1835,

JOHN L. HELM, Esq.
Speaker of the House of Representatives.

Sir.—Please lay [before the House of Representatives, the enclosed report, showing the condition of this Institution, for the year ending, Dec. 10th, 1835.

Respectfully,
Your obedient servant,

THO. S. THEOBOLD,
Agent and Keeper Ky. Penitentiary.

Annual Report of the Agent and Keeper of the Kentucky Penitentiary.

On the recurrence of the period when it becomes my duty to present to the Legislature a view of the condition of this Institution, I have to state, that during the past year, its general affairs have advanced to a high degree of prosperity. In the successful administration of its internal discipline; in the increase of its manufacturing operations; and in the growing state of its finances, are to be found the evidences of the signal success which has followed the labors of the year.

On the 10th December, 1834, there were in confinement, as per last report, 90

Received since that date, 61

Discharged during the year,

\[
\begin{align*}
\text{By expiration of sentence,} & \quad 24 \\
\text{" Executive pardon,} & \quad 6 \\
\text{" Death,} & \quad 4 \\
\text{" Escape,} & \quad 1 \quad 35 \\
\end{align*}
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Leaving now in confinement, 116
## Crimes.

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## Education.

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<thead>
<tr>
<th>Bro't over</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Natives of U. States</td>
<td>100</td>
</tr>
<tr>
<td>Natives of foreign countries</td>
<td>16</td>
</tr>
</tbody>
</table>

The workshops and buildings authorized to be erected within the walls by an act of the session before the last, have progressed nearly to a state of completion, and it is expected to complete them entire, as early as possible next spring. The account against the Commonwealth for their erection, forms a heavy portion of the debts created during the year in favor of the Penitentiary; but owing to their unfinished condition no very accurate estimate of the amount chargeable for those works can be arrived at; and I am constrained, therefore, to forbear attempting to
present any definite financial report. It will be deemed sufficient, how­
er, I trust, to state that the pecuniary concerns of the institution were
never in a more thriving situation; and I invite an examination of the
books by a committee of your body. Although it has paid nothing into
the Treasury this year, the State's share of its profits has neither lain
idle or unproductive. On the contrary, the most judicious and benefi­
cial direction has been given them. In their investment in the new
buildings, the health, comfort and security of the prisoners has been
combined with far greater means and facilities for the production of the
articles of manufacture in which the labor of the convicts is employed,
besides affording many new and important conveniences for the easy
and successful application of the peculiar mode of discipline necessary
to be enforced. The new workshops are constructed with a view to the
present and future operations and wants of the Institution. Built of the
best materials, of spacious size, and on a model uniting utility with con­
venience, they are capable of admitting a large number of workmen,
without being, as heretofore, crowded into a confined space; and of re­
ceiving a variety of useful, labor-saving machinery, designed to facilitate
the production of manufactures, and give, at the same time, the most
profitable direction to the labor of the convicts. Besides these work­
shops, there are also connected with them, a large chapel, school-room,
hospital and refectory; all of which have been greatly needed. Aside
from the utility of these improvements, they have added vastly to the
appearance of the interior of the prison. It presents now, rather the
cheerful aspect of a thrifty manufacturing establishment, than the dark­
ness and gloom of a prison; and I cannot but believe, that its mere ap­
appearance, contrasted with what it formerly was, has exerted, in some
degree, a salutary influence on the minds and feelings of the prisoners.
I flatter myself, that a committee, and the members generally of your
body, will derive much pleasure in making a personal examination and
survey of the improvements.

To claim, justly, for the state, high honor for its wise and beneficent
policy, and for the Institution, the highest rank among those of similar
nature, for its character both in the peculiar mode of its discipline and
the utility and success of its operations, it needs only one more proof of
the enlightened liberality of the Legislature; —or, to speak with more
accuracy, it needs only for that body to carry out the wise policy already
commenced. I allude to that policy which regards the separate confine­
ment or solitary isolation of the prisoners at night. By an act, approved
January 29, 1829, it is made the 'duty of the keeper of the Penitentiary,
for all time thereafter, to cause the convicts to be locked up separately
in the cells of the Penitentiary, during each night; and, as far as practicable, prevent all conversation between them during the day." The number of cells now in the prison is but one hundred, while, it has been perceived, the number of convicts is one hundred and sixteen. It is at once manifest, therefore, that it is impossible to comply with the provision of law as to the separate confinement of the prisoners; and in stating this painful truth, I deem it my duty—in view of all the considerations and interests involved—earnestly to petition your body for prompt relief from this dangerous and subversive state of things, by authorizing the immediate erection of such an additional number of cells as will enable me to meet the requisition of the aforesaid law. By a reference to the number of prisoners in confinement, it will be perceived, that the number this year is twenty-eight per cent greater than that of the preceding, and thirty-six per cent above the usually estimated average of former years. It is left to your discretion to decide whether this ratio of increase forms sufficient data to guide your deliberations as to the additional number of cells you may deem necessary for the wants of the Institution. It cannot, I think, be reasonably doubted, that this ratio will not diminish in future; while, in view of the ordinary progress of events, it is presumable it will rather advance, and I take leave to suggest, that whatever provision you may be pleased to make, to meet the present exigence, ought to have regard as well to permanence of structure, as to the future increase of prisoners.

The paragraph of the law above quoted, substantially contains the two great fundamental principles recognized in the government of all the prisons where intelligence and philanthropy have happily presided. They are those, in their application, fraught with the most beneficial results and blessings to the prisoners themselves, to say nothing of their other good effects—viz:—silence by day and solitary confinement by night; and to surrender these principles now, would be not only to yield advantages already gained, but to abandon all the well grounded hopes of the future. It is remarkable, that the law of 1829, recognizing these principles, authorized at the same time, the erection of a number of new cells sufficient to carry out and illustrate them; and I beg leave to remind you that that they were again recognized at the last session of the Legislature, in the Report of the Committee on the Penitentiary, adopted by the House; and further, in a bill authorizing the improvements now prayed for, which passed the Senate but fell in the other House on the last day of the session for want of time to act on it. In view of these considerations, the acting Governor authorized the erection of a sufficient number of new cells for the confinement of
each prisoner separately, to obviate the dangerous necessity of confining two together. From two consideration, I have reluctantly delayed this most important work. Owing to the lateness of the season, it was impracticable to procure a supply of building materials; and besides, from the present structure of a portion of the cells, whatever improvements might now be added, would ultimately be lost. The subject is before you, therefore, in its present shape; and I cannot but hope you will promptly respond to the wants and calls of the Institution.

The mode of government now administered in the prison, cannot longer be regarded as merely one of experiment. The question, is, I think, forever settled. Its salutary operation during six years in this State, of longer periods in others, and with perfect success in all, attest its excellence and asserts the strongest claims to Legislative recognition and perpetuance. From being once a heavy annual tax upon the Treasury, it now yields a handsome annual revenue; from being once a dark abode of misery—physical and moral—where its wretched inmates were receiving deeper dyes of pollution from their mere contact with each other; it is now an institution in every way creditable to the character of an enlightened and benevolent State; and its inmates far more comfortable in their physical condition, and washing out the stains of former guilt, by the influence of a steady system of moral teaching, tending to entire reformation, and fitting them to re-enter society.

During the year, large additions of useful and valuable machinery have been made, in view of increasing and facilitating the manufacturing operations. This measure was deemed indispensable, as the demand for articles greatly exceeded the means of supply; and with the exception of bagging and rope, which finds its market abroad, there is not a single article vendéed at any other point, than on the spot of its manufacture. There are now in successful operation, a corn mill, carding machine, iron and wood-turning, variety of wood sawing, quilting, spinning, and other labor-saving machinery, propelled by a new and powerful steam engine; and the following branches of industry are steadily and successfully pursued—viz: wagon and coach making and trimming, bagging and rope making, blacksmithing, stone cutting, chair making and painting, saddle and harness making, shoe making, together with a variety of minor branches.

The health of the prisoners has been unusually good. Of the four who have died, three were far spent with pulmonary disease when received; the other was the only case of malignant fever; and I have to
remark, that no disease whatever, has appeared this year, attributable
in the least degree to local position or prison discipline.

The moral reformation of many of the prisoners this year, has been
as manifest as gratifying. Some who have been discharged, are now
in the employ of gentlemen of high standing, for intelligence and piety,
from whom I have received the most favorable representations, as
to their good conduct and general behaviour. The constant labors of
resident, and occasional services of passing ministers of the Gospel, of
various persuasions, have doubtless contributed greatly to those happy
results; and, if, in bringing them about, a portion of merit may be justly
claimed for the administration of the discipline and police of the prison,
it ought to be placed to the credit of the Legislature, whose wisdom
has devised and sanctioned, and whose liberality has upheld and
sustained the system; and, in conclusion, I have only to express the
hope, that your body will still contribute to the perpetuation of a system,
which, by ameliorating the moral and physical condition of the prisoners,
yielding to their ultimate reformation, by contributing to the
security of society, and by adding to the revenue of the Treasury,
illustrates the wise and benevolent policy of our State government.

I have, the honor to be,

Respectfully, your obedient servant,

THOMAS S. THEOBALDS,
Agt. and Keeper Ky. Penitentiary.

The Speaker laid before the house the annual report of the Treasurer, which is in the following words, viz:

TREASURER'S REPORT.

FRANKFORT, 21 January, 1836.

Sir:—You will please lay before the Honorable House, over which
you preside, the enclosed statement, which will give a concise view of
the condition of the Treasury department, from the 11th day of October, 1834, to the 10th day of October, 1835, inclusive.

I have the honor to be, very respectfully,

Your obedient servant,

JAMES DAVIDSON, Treasurer.

THE HON. JOHN L. HELM.

Speaker of the House of Representatives.
No. 1.

A Statement showing the amount of moneys received by the Treasurer, (under their appropriate heads,) from the 11th day of October, 1834, to the 10th day of October, 1835, inclusive, viz:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>From land warrants,</td>
<td>1203 55</td>
</tr>
<tr>
<td>From non-resident lands,</td>
<td>2295 16</td>
</tr>
<tr>
<td>From lands west of the Cumberland river,</td>
<td>115 85</td>
</tr>
<tr>
<td>From warrants to be laid on forfeited lands,</td>
<td>25</td>
</tr>
<tr>
<td>From lands west of the Tennessee river, in specie.</td>
<td>5490</td>
</tr>
<tr>
<td>Advance of five per cent on the above</td>
<td>274 50</td>
</tr>
<tr>
<td>From lands west of the Tennessee river, com'th paper</td>
<td>5838 25</td>
</tr>
<tr>
<td>From sheriffs, for revenue,</td>
<td>124,518 77</td>
</tr>
<tr>
<td>From clerks of courts,</td>
<td>23,277 69</td>
</tr>
<tr>
<td>From the Register of the land office,</td>
<td>491 30</td>
</tr>
<tr>
<td>From loans to Penitentiary,</td>
<td>6,000</td>
</tr>
<tr>
<td>From old Bank of Kentucky, distribution of stock, in specie</td>
<td>14,917 50</td>
</tr>
<tr>
<td>From the Bank of Kentucky, Louisville, (bonus) specie,</td>
<td>6428 50</td>
</tr>
<tr>
<td>From miscellaneous receipts,</td>
<td>203 70</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$191,079 77</strong></td>
</tr>
</tbody>
</table>

Internal Improvement Scrip Fund.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proceeds of the sale of $200,000, state scrip</td>
<td>203,207 50</td>
</tr>
<tr>
<td><strong>Total amount received during the year ending the 10th of October, 1835</strong></td>
<td><strong>$394,287 27</strong></td>
</tr>
<tr>
<td>Proceeds of state scrip sold, as above stated.</td>
<td>$203,207 50</td>
</tr>
<tr>
<td>From which deduct disbursements, in statement No. 2</td>
<td>92,000</td>
</tr>
<tr>
<td>Leaving a balance of this fund, the 10th of October, 1835</td>
<td><strong>$111,207 50</strong></td>
</tr>
</tbody>
</table>

No. 2.

A statement showing the amount of warrants paid by the Treasurer, (under their appropriate heads,) from the 11th day of October, 1834, to the 10th day of October, 1835, inclusive.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>On Criminal prosecutions,</td>
<td>$12351 15</td>
</tr>
<tr>
<td>For the support of Idiots,</td>
<td>12327 13</td>
</tr>
<tr>
<td>For Clerks' services,</td>
<td>8629 00</td>
</tr>
<tr>
<td>To Jailer,</td>
<td>7430 04</td>
</tr>
<tr>
<td>To salaries of the Executive and Judicial department,</td>
<td>25449 12</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$66286 41</strong></td>
</tr>
<tr>
<td>Description</td>
<td>Amount</td>
</tr>
<tr>
<td>-------------------------------------------------</td>
<td>--------------</td>
</tr>
<tr>
<td>Amount, brought forward</td>
<td>66286 41</td>
</tr>
<tr>
<td>To Attorneys for the Commonwealth</td>
<td>4402 91</td>
</tr>
<tr>
<td>To Commissioners of Tax</td>
<td>6898 91</td>
</tr>
<tr>
<td>To Executive offices</td>
<td>2981 99</td>
</tr>
<tr>
<td>To contingent expenses</td>
<td>2544 48</td>
</tr>
<tr>
<td>To contingent expenses specie</td>
<td>73 82</td>
</tr>
<tr>
<td>Internal Improvement</td>
<td></td>
</tr>
<tr>
<td>Military Expenses</td>
<td>320 24</td>
</tr>
<tr>
<td>Military Expenses in specie</td>
<td>64</td>
</tr>
<tr>
<td>Distributing the Acts and Journals</td>
<td></td>
</tr>
<tr>
<td>Slaves Executed</td>
<td>340</td>
</tr>
<tr>
<td>Money refunded</td>
<td>575</td>
</tr>
<tr>
<td>Deaf and Dumb Asylum</td>
<td>91 81</td>
</tr>
<tr>
<td>Decisions of the Court of Appeals</td>
<td>1108 72</td>
</tr>
<tr>
<td>Legislature, December Session, 1834</td>
<td>2562 00</td>
</tr>
<tr>
<td>Public communications, specie</td>
<td>19643 58</td>
</tr>
<tr>
<td>Sheriff's comparing polls</td>
<td>841 90</td>
</tr>
<tr>
<td>Appropriation December Session 1833, in specie</td>
<td>153755 70</td>
</tr>
<tr>
<td>Appropriation December Session 1833, in Com'th paper</td>
<td>62344 72</td>
</tr>
<tr>
<td>Appropriation December Session, 1834</td>
<td>19 75</td>
</tr>
<tr>
<td>Public Printer</td>
<td></td>
</tr>
<tr>
<td>Amount brought forward</td>
<td>206662 36</td>
</tr>
<tr>
<td>Public Roads</td>
<td>317 75</td>
</tr>
<tr>
<td>Purchases of non-resident lands</td>
<td>6 98</td>
</tr>
<tr>
<td>Sheriff's for Revenue</td>
<td>113 36</td>
</tr>
<tr>
<td>Loans to the Penitentiary</td>
<td>6000 00</td>
</tr>
<tr>
<td>Of which is in specie</td>
<td>216100 45</td>
</tr>
<tr>
<td>Of which is in Commonwealth paper</td>
<td>62344 72</td>
</tr>
<tr>
<td>Of which is in Commonwealth paper</td>
<td>153755 70</td>
</tr>
</tbody>
</table>
Amount of warrants paid by the Treasury of this fund, 92000 00
Total amount of warrants paid from the 11th
October, 1834, to the 16th day of October
1835, inclusive, 308100 45
Balance due from the Treasury, the 10th day
of October, 1834, 57912 42
To which add the amount of warrants paid
for general expenses as per the above
statement, 216100 45
Making the sum of 274012 87
From which deduct the amount of receipts as
per statement No. 1, 191079 77
Leaving a balance due from the Treasury on
the 10th day of Oct. 1835, the sum of 82933 10

The Speaker laid before the house the report of the board of
internal improvements, for Franklin county, which is in the following
words, viz:

Office of the Board of Internal
Improvement for Franklin County:
January 1st, 1836.

J. L. Helm, Esq.
Speaker of the House of Representatives.

Dear Sir,—In compliance with the act of Assembly, entitled "An
act to amend and reduce into one the several acts constituting boards of
internal improvements for Shelby and Franklin counties," approved the
8th day of February, 1834, I have the honor of informing you, and
through you, the Legislature of Kentucky, that this Board proceeded to
locate and construct a turnpike road from Frankfort to Hardinsville, in
the direction to Louisville, a distance of eight and a half miles, which
cost the Company upwards of forty-two thousand dollars, including the
right of way, surveying, locating, clearing, grading, metal, &c. To
accomplish which the Governor subscribed, for and on behalf of the
State, two hundred shares at $100 each, upon which $20,000 was
drawn from the public Treasury, (a part of which was Commonwealth's
Bank notes at par, upon which the company sustained a loss of ten per
cent;) the balance was raised by individual subscriptions. The Board
has declared a dividend of one and one-half per cent, from the net pro-
fits arising from the tolls to the first day of November last, which is ready to be paid by the Treasurer.

The Board considers this small dividend a very poor return to the public and individual shareholders for the use of their money, advanced in this valuable link in the line of communication from Maysville through Paris, Lexington, Frankfort and Shelbyville, to Louisville: the Board however, are at no loss for the true cause, which consists in the disposition of many of our citizens to evade the payment of tolls by resorting to by-ways to shun the gates, and inducing others to follow the example.

I have the honor to be, very respectfully,

Your Ob't. St.

J. DUDLEY, Chairman.

200 Shares.] CERTIFICATE OF STOCK [200 Shares.

IN THE SHELBYVILLE TURNPIKE ROAD.

These are to certify, that the State of Kentucky owns two hundred Shares of Stock, No. 1, a 200 inclusive, in the Turnpike Road constructed by the Board of Internal Improvements for Franklin county, of one hundred dollars each, which are transferable on the books of the Corporation only, in person or by attorney.

Witness the seal of the Corporation, this 31st Dec. 1835.

J. DUDLEY, Chairman.

PHILIP SWIGERT, Treasurer.

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

By the committee for courts of Justice—1. A bill to legalize the proceedings of the trustees of the town of Nicholasville.

By Mr. Schoolfield—2. A bill to revive and amend an act entitled, an act regulating the public roads and highways in Bracken county.

By Mr. Winfrey—3. A bill to amend the law in relation to the trial of the right of property.

By Mr. Allen—4. A bill to prevent the insurrection of slaves and free people of color, and to punish the instigators thereof.

By same—5. A bill for the benefit of the heirs of Andrew Campbell, deed.

By Mr. R. N. Lewis—6. A bill to establish a town on the lands of Wesley Hicks, in the county of Graves.

By Mr. Ward—7. A bill to allow an additional justice of the peace to the county of Lawrence.
By Mr. McKee—8. A bill to authorize the county court of Montgomery to allow Joseph Bondurant to cut a passage for his stock under the old Ironworks road.

By Mr. R. Maxey—9. A bill to change the time of holding the circuit and county courts of Monroe county.

By Mr. Norvell—10. A bill giving three additional terms to the county court of Nicholas.

By Mr. McClure—11. A bill for the benefit of the holders of head-right certificates.

By Mr. Stevenson—12. A bill to amend an act entitled, an act to incorporate the Georgetown Female Academy.

And by Mr. McElroy—13. A bill for the benefit of William Dills.

Which bills were severally received, 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 said bills having been dispensed with,

The third and fourth, were committed to the committee for courts of justice; and the first, second, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth and thirteenth, were severally ordered to be engrossed and read a third time.

And thereupon, the rule of the house, constitutional provision and third reading of said bills having been dispensed with, and the same being engrossed,

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

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

Mr. Anderson, from the committee of enrolments, reported that the committee had examined an enrolled bill from the Senate, entitled an act to allow the Independent Banks of this Commonwealth further time to collect and settle their concerns.

And a joint resolution to appoint a committee to examine the situation of the public arms.

And had found the same truly enrolled.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Anderson inform the Senate thereof.

Mr. Woodson moved the following resolution:

Resolved, That the committee for courts of justice be instructed to inquire into the expediency of so modifying the laws of this Commonwealth, as to prohibit, in future, the emancipation of slaves within this Commonwealth, without a provision for their colonization or removal.

Which being twice read, was adopted.
A message was received from the Senate announcing the passage of bills which originated in this house, of the following titles, viz:

An act to change the place of voting in the upper election precinct in Monroe county.
An act to enable the Clerk of the General Court to renew his official bond.
An act to alter the limits of the town of Cadiz.
An act to allow three additional terms to the Boone county court.
And an act concerning the collection of the revenue for 1835—with amendments to the latter bill.
And the passage of a bill which originated in the Senate, entitled, an act to apply the fines and forfeitures of Mason county to the lessening of the county levy.

Leave was given to bring in the following bills, viz:
On the motion of Mr. Clark—1. A bill to establish a state road leading from Hopkinsville, in Christian county, by the way of Eddyville to Smithland, in Livingston county.
On the motion of Mr. F. F. Jackson—2. A bill to incorporate a turnpike road company from Winchester, to intersect the state road in Madison county, near the foot of the Big Hill.
On the motion of Mr. Ritchie—3. A bill to repeal the second section of an act entitled, an act establishing certain election precincts in Clarke county, and for other purposes, approved 22d February, 1832.
On the motion of Mr. R. Wickliffe—4. A bill to incorporate a company to be styled the "Lexington Fuel Company."
On the motion of Mr. Meriwether—5. A bill to appropriate the fines and forfeitures in the county of Jefferson.
On the motion of Mr. Joyes—6. A bill to amend an act to incorporate the Marine and Fire Insurance Company.
On the motion of Mr. J. E. Wright—7. A bill to allow an additional justice of the peace to Lincoln county.
And on the motion of Mr. Mitchell—8. A bill further to regulate the pay of patrollers in Mason county.

Messrs. Clark, Leavell, Kelly and Noel, were appointed a committee to prepare and bring in the first; the committee on internal improvement, the second and fourth; Messrs. Ritchie, Heran and Norvell, the third; Messrs. Meriwether, Marshall and Funk, the fifth; Messrs. Joyes, Marshall and Funk, the sixth; Messrs. J. E. Wright, Dever and Drye, the seventh; and Messrs. Mitchell, Hollingsworth and Dever, the eighth.

The bill entitled an act concerning the collection of the revenue for 1835, with the amendments proposed thereto by the Senate, were taken up and referred to the committee for courts of justice.
After a short time, Mr. C. A. Wickliffe, from the committee for courts of justice, reported the same.

Resolved, That the said amendments be disagreed to.

Ordered, That the Clerk inform the Senate thereof.

Soon after, a message was received from the Senate, announcing that they had insisted on their said amendments. Whereupon—

Resolved, That this House insist on their disagreement to said amendments, and request the appointment of a committee of conference.

Ordered, That the Clerk inform the Senate thereof.

After a short time, a message was received from the Senate, announcing that they had appointed a committee of conference on their part.

Whereupon, Messrs. C. A. Wickliffe, Kelly, Trapnall, Griffith and Pryor, were appointed a committee of conference on the part of this House.

The committee of conference on the part of this House, retired and conferred with the committee on the part of the Senate, and soon after returned; when Mr. Wickliffe reported that they had met the committee on the part of the Senate, and upon conference with them, they were unable to agree.

The House then, according to the standing order of the day, resolved itself into a committee of the whole house, on a bill to take the vote of the citizens of this Commonwealth upon the propriety of calling a convention,

Mr. Ford in the Chair—

And after some time spent therein, the Speaker resumed the chair, and Mr. Ford reported that the committee had, according to order, had under consideration the bill aforesaid, 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 granted.

And then the House adjourned.

TUESDAY, JANUARY 5, 1836.

On motion—

Ordered, That Mr. Lansdale be added to the committee on internal improvement, and Mr. J. E. Wright be added to the committee on military affairs.
1. Mr. Goodson presented the petition of the Stockholders in the Georgetown and Covington Turnpike Road Company, and other citizens, praying that the charter granted to said company, may be so amended as to make Dry Creek a point in the construction of said road.

2. Mr. Kirtley presented the remonstrance of sundry citizens of Boone and Campbell counties, counterthereto.

3. Mr. Heran presented the petition of Rachael Prince, and sundry other citizens, with other documents accompanying the same, remonstrating against the passage of a law divorcing William Prince from his wife, the said Rachael Prince.

Which petition and remonstrances were severally received, the reading thereof dispensed with and referred: the first and second to the committee on internal improvement, and the third, to the committee on religion.

In pursuance of the joint resolution adopted by this House, Messrs. Joyes, J. M. Wright, Ford, Copeland, Funk and Allen were appointed a committee on the part of this House to examine into the situation of the public arms.

A bill from the Senate, entitled an act to extend the January term of the General Court, and for other purposes, was taken up, read the first time and ordered to be read the second time.

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

Resolved, That said bill do pass.

Ordered, That the Clerk inform the Senate thereof.

Mr. McClure, from the committee on enrollments, reported that the committee examined an enrolled bill from the Senate entitled an act to extend the January term of the General Court, and for other purposes, and had found the same truly enrolled.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. McClure 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, viz:

An act to reduce the number of magistrates in Muhlenburg county.

An act to repeal an act entitled, an act to enlarge the constable's district including the town of Bowlinggreen, approved November 11, 1833.

And the passage of bills which originated in the Senate of the following titles, viz:
An act to extend the January term of the General Court, and for other purposes.

An act providing for the service of process when the sheriff and coroner of the county are parties to the same suit.

An act to change the place of voting in Sugartree Run precinct, in Breckenridge county.

And a resolution adopting a joint rule of both Houses, in relation to applications for divorces.

Mr. C. A. Wickliff, from the select committee appointed to prepare and bring in a bill to fix the ratio and apportion the representation for the ensuing four years, reported the same, which was received and read the first time, and ordered to be read a second time; and the further consideration thereof was postponed to, and made the order of the day for Friday next.

Ordered, That the public printer, forthwith, print one hundred and fifty copies of said bill, for the use of the members of this house.

The House then, according to the standing order of the day, resolved itself into a committee of the whole House, on a bill to take the vote of the citizens of this Commonwealth, upon the propriety of calling a convention; Mr. Ford in the chair; and after some time spent therein, the Speaker resumed the chair, and Mr. Ford reported that the committee had, according to order, had under consideration the bill aforesaid, 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 granted.

Mr. Mansfield introduced the following resolution:

Resolved by the House of Representatives, That the Governor be requested to have a national salute fired, on the public square, at sunrise on the 8th inst., in honor of the officers and soldiers, who bravely defended the cause of freedom, at New Orleans, the 8th January, 1815.

Which being twice read, was adopted.

And then the House adjourned.
WEDNESDAY, JANUARY 6, 1836.

1. Mr. Wallace presented the memorial of the officers of the 106th Regt. Ky. Militia, praying an amendment to the Militia Laws of this state.

2. Mr. R. Wickliffe presented the memorial of the officers of the 10th Regt. Ky. Militia, praying an amendment to the Militia Laws of this state.

3. Mr. McNary presented the petition of Christian Peters, praying that a law may pass divorcing him from his wife, Mary Peters.

4. Mr. Blackwell presented the petition of Elizabeth Hall, with other documents accompanying the same, praying the passage of a law divorcing her from her husband, Edward Hall.

Which memorials and petitions were severally received, the reading thereof dispensed with, and referred; the first and second, to the committee on military affairs; and the third and fourth, to the committee on religion.

Mr. Anderson, from the committee of enrolments, reported that the committee had examined sundry enrolled bills, and had found the same truly enrolled, viz:

An act to alter the limits of the town of Cadiz.

An act to enable the Clerk of the General Court to renew his official bond.

An act to allow three additional terms to the Boone county court.

An act to change the place of voting in the upper election precinct in Monroe county.

An act to reduce the number of magistrates in Muhlenburg county.

An act to repeal an act entitled, an act to enlarge the constable's district including the town of Bowling green, approved Nov. 11, 1825.

An act to authorize the editor of the Russellville Advertiser to publish advertisements.

And an act to alter the time of holding the Harrison county court.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Anderson 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, viz.

An act for the benefit of William Dills.

An act to amend an act entitled, an act to incorporate the Georgetown Female Academy.

An act giving three additional terms to the county court of Nicholas.
An act to authorize the county court of Montgomery to allow Joseph Bondurant to cut a passage for his stock under the old Iron-works road.

An act to change the time of holding the circuit and county courts in Monroe county.

An act for the benefit of the representatives and heirs of Thomas Shadburn and Peyton L. Parrish.

An act to legalize the proceedings of the trustees of the town of Nicholasville.

And an act for the benefit of the jailer of Warren county, and for other purposes; with an amendment to the latter bill.

Mr. Hughes moved the following resolution, viz:

Resolved, That the Speaker of this House invite Col. Blanding and Mr. Douglass, of South Carolina, to occupy the privileged seats in this house, whenever it may be their pleasure to do so.

Which being twice read, was adopted.

Mr. C. A. Wickliffe moved the following resolution:

Resolved, That the committee for courts of justice be instructed to enquire into the expediency of prohibiting by law, the further entry of lands in the Commonwealth of Kentucky by Treasury Warrant or otherwise, which have been entered, surveyed and patented upon treasury or military warrants, and of prohibiting the emanation of patents upon entry or survey made to interfere with such claims.

Which being twice read, was adopted.

On motion of Mr. Hawkins—

Ordered, That leave be granted to withdraw the petition of Lewis Ragsdale.

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

By the committee of propositions and grievances—1. A bill to dispose of certain lands of John Lea, dec'd.

Also—2. A bill for the benefit of Matthew Robertson.

Also—3. A bill allowing additional constables in certain counties.

By the committee of privileges and elections—4. A bill to establish an election precinct in Marion county.

Which bills were severally received, 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, (the third having been amended,) 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 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, on a bill to take the vote of the citizens of this Commonwealth upon the propriety of calling a convention; Mr. Ford in the chair; and after some time spent therein, the Speaker resumed the chair, and Mr. Ford reported that the committee had, according to order, had under consideration the bill aforesaid, and had directed him to report the bill aforesaid back to the House without amendment.

Mr. Austin then, at fifteen minutes past two o'clock, P.M., moved an adjournment,

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

The Yeas and Nays being required thereon by Messrs. R. N. Lewis and Harris, were as follows, viz:


And then the House adjourned.

THURSDAY, JANUARY 7, 1836.

Mr. Richard Miles, a member returned to serve in this House, from the county of Livingston, appeared, produced a certificate of his election and of his having taken the oaths prescribed by the constitution of the United States and the constitution and laws of this State, took his seat.
I. Mr. Marshall presented the memorial of the citizens of the city of Louisville, upon the subject of the proposed railroad from the city of Charleston, South Carolina, to the city of Cincinnati, Ohio.

2. Also—The petition of the Mayor and Council of the city of Louisville, upon the same subject.

Which memorials were severally received, the reading thereof dispensed with, and referred to the committee on internal improvement.

On the motion of Mr. Marshall,

Ordered, That the public printer, forthwith, print one hundred and fifty copies of said memorials, for the use of the members of this house.

On the motion of Mr. Lucas,

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

A bill to amend an act entitled, an act for classing tobacco in this Commonwealth, and for other purposes, approved February 28, 1831.

And that Messrs. Lucas, Tompkins and Blewitt, be a committee to prepare and bring in the same.

A message was received from the Senate, announcing their disagreement to bills which originated in this House, of the following titles, viz:

An act authorizing the conveyance of a tract of land to the heirs of David Meriwether.

An act for the benefit of the heirs of Andrew Campbell, dec'd.

And an act to provide for the collection of judgments rendered by justices of the peace in certain cases.

And the passage of bills which originated in this House, of the following titles, viz:

An act to revive and amend an act regulating the public roads and highways in Bracken county.

An act for the benefit of Henrietta White.

And an act to allow an additional justice of the peace to Lawrence county, with amendments to the two latter bills.

And the passage of a bill which originated in the Senate, entitled, an act to establish election precincts in Hart and Nelson counties.

And had received official information that the Governor did, on the 5th January, 1836, sign and approve bills, and a resolution, which originated in the Senate, of the following titles, viz:

An act to allow the Independent Banks of this Commonwealth further time to collect and settle their concerns.

An act to extend the January term of the General Court, and for other purposes.

And a resolution to appoint a joint committee to examine the situation of the public arms.
The House then took up for consideration, a bill to take the vote of the citizens of this Commonwealth upon the propriety of calling a convention;

And the question being taken upon engrossing and reading the bill a third time, it was decided in the affirmative.

The Yeas and Nays being required thereon, by Messrs. Meriwether and Harris, were as follows, viz:


And then the House adjourned.

---

**FRIDAY, JANUARY 8, 1836.**

1. Mr. C. A. Wickliffe presented the petition of sundry citizens of Nelson county, praying the passage of a law incorporating a turnpike road company from Bloomfield through Fairfield in said county, to intersect the Bardstown and Louisville turnpike road, at or near Joseph Forman’s mill, on Cox’s creek, in Spencer county.

2. Also—the petition of Charles Duncan and Rebecca Dye, praying the passage of a law authorizing said Charles Duncan to convey in trust certain property to John Dye, for the use of the said Rebecca Dye and her children.

3. Also—the petition of the widow and heirs of H. G. Wintersmith, deceased, with other documents accompanying the same, praying the passage of a law authorizing the Hardin circuit court
to confirm a sale of certain real estate, and to cause a conveyance thereof to be made by commissioner on behalf of the infant heirs.

4. Also—The petition of Dr. Elisha Warfield, with other documents accompanying the same, praying the passage of a law providing for the re-payment of the amount of money paid to the state by the Farmers and Mechanics' Bank of Lexington, as a bonus.

5. Mr. Heran presented the petition of Eleanor Hinds and sundry other citizens, praying the passage of a law authorizing the sale of certain real estate belonging to the estate of her late husband, Samuel Hinds, deceased.

6. Mr. Bailey presented the petition of Pandora A. Huff, and sundry other citizens, praying the passage of a law divorcing the said Pandora A. Huff from her husband, Thomas J. Huff.

7. Mr. Parrish presented the petition of sundry citizens of Adair county, praying that a law may pass to reduce the number of justices of the peace in said county.

8. Also—The petition of sundry citizens of Cumberland and Adair counties, praying the passage of a law authorizing the county court of Adair county to grant a license to Solomon Baker to retail spirituous liquors by the small, in the town of Columbia, in a grocery store.

9. Mr. Allen presented the petition of Thomas J. Kirtley, and sundry other citizens, praying the passage of a law divorcing the said Kirtley from his wife, Rachael Kirtley.

10. Mr. Huston presented the petition of John Seeders, praying the passage of a law authorizing the sale of a certain tract of land, belonging to the estate of James Seeders, deceased, for the purpose of paying the debts due from the estate of said deceased.

11. Mr. Copeland presented the petition of Mary Williamson, and sundry other citizens, praying the passage of a law authorizing the sale of a tract of land belonging to the estate of the late James Williamson, deceased.

12. Mr. Speaker presented the petition of sundry members of the Baptist church belonging to the General Union of Baptists in Kentucky, praying the passage of a law amending the charter granted to the Kentucky Baptist Education Society.

13. Also—The petition of sundry citizens of Elizabethtown, praying the passage of a law authorizing the trustees of said town to grant licenses to grocery keepers, &c., to retail spirituous liquors.

14. Also—The petition of Rebecca Shepherd, and sundry other citizens of Hardin county, praying the passage of a law divorcing the said Rebecca from her husband, Atkinson Shepherd.

Which petitions were severally received, the reading thereof dispensed with, and referred; the first, to the committee on internal improvement; the second, third, fourth, fifth, seventh, tenth and eleventh, to the committee for courts of justice; the sixth, ninth
and fourteenth, to the committee on religion; the eighth and thirteenth, to the committee of ways and means; and the twelfth, to the committee on education.

The Speaker laid before the House the annual report of the President and Directors of the Bank of the Commonwealth of Kentucky, which is in the following words and figures, viz:

**Bank of the Commonwealth,**

*January 5th, 1836.*

**The Hon. John L. Helm,**

Speaker of the House of Representatives.

Sir: I have the honor of communicating, herewith, a Statement, showing the situation of this Bank, on the 30th day of November, 1835.

The collections during the past year, amount to the sum of $74,720.50, besides debts to a considerable amount, which have been transferred to turnpike road companies, but not finally settled at this office. The above sum has been collected almost entirely from the smaller class of debts, while the larger ones are in course of litigation, either in the State or Federal courts, all awaiting the decision of the Supreme Court of the United States, upon the question of the alleged unconstitutionality of the Bank.

This struggle between the Bank on the one hand, and its debtors on the other, has been kept up and carried on much longer than was at first anticipated, but there are good reasons for believing that it will be terminated during the present winter.

The entire debt due the Bank, with the exception of such as have been made under express stipulations as to time, and for the purchase of real estate, is now in suit, and the expense account of the last year, includes all the costs on judgments in the Circuit courts, as also, the costs and attorneys' fees, on more than one hundred causes that have passed through the Court of Appeals, together with about half that number, that have been prepared for the Supreme Court of the United States.

The Board of Directors has dispensed with the services of all the agents, and the business of the Bank has been placed in the hands of resident attorneys in the different counties, which it is believed, will greatly diminish the expenses, and accelerate the collections and final settlement of the debts.

Since my last report to the Legislature, the sum of $63,500, of the notes of the Bank, has been cancelled and burnt, leaving only the sum of $33,500, yet to be redeemed, one third of which, at least will probably never be presented for redemption.

During the last two years, the Bank has paid out in par funds on checks drawn by the Treasurer, in aid of works of Internal Improvement, the sum of $75,022.18, which constitutes a part of the sum of $117,155.21 cents, charged to the Treasurer, as over
drafts, leaving the sum of $42,133 03 cents, advanced by the Bank in aid of the revenue, since all its resources were by an act of the General Assembly, approved 22nd February, 1834, set apart and appropriated to objects of Internal Improvement; and I would respectfully suggest the propriety of providing for the liquidation of this latter sum, either by payment, or that it be charged to Internal Improvement, and the stock account credited by the amount. As the whole fund vested in the Bank of the Commonwealth, has been transferred to the Internal Improvement fund, I here subjoin a table, for the purpose of exhibiting, as near as may be, the amount that may be expected to be realized for said object, to-wit:

A Statement of the situation of the Bank of the Commonwealth of Kentucky, on the 30th day of Nov. 1835.

<table>
<thead>
<tr>
<th>Description</th>
<th>DR</th>
</tr>
</thead>
<tbody>
<tr>
<td>To amount of Stock</td>
<td>$467,319 26</td>
</tr>
<tr>
<td>To amount of Notes payable,</td>
<td>75,000 00</td>
</tr>
<tr>
<td>To amount of Discounts,</td>
<td>10,046 98</td>
</tr>
<tr>
<td>To amount due Individual Depositors,</td>
<td>5,245 21</td>
</tr>
<tr>
<td>To amount due Literary Fund,</td>
<td>140,917 44</td>
</tr>
<tr>
<td>To amount due William D. Barrett, late Cashier,</td>
<td>43 18</td>
</tr>
<tr>
<td>To amount due other Banks,</td>
<td>200 69</td>
</tr>
<tr>
<td></td>
<td><strong>$698,772 76</strong></td>
</tr>
<tr>
<td>CR</td>
<td></td>
</tr>
<tr>
<td>By amount of Notes under Discount,</td>
<td>55,427 95</td>
</tr>
<tr>
<td>By amount of Notes in Suit,</td>
<td>337,063 39</td>
</tr>
<tr>
<td></td>
<td><strong>$393,491 34</strong></td>
</tr>
<tr>
<td>By amount due from the Bank of Kentucky, (old)</td>
<td>3,580 64</td>
</tr>
<tr>
<td>By amount of Real Estate,</td>
<td>33,627 68</td>
</tr>
<tr>
<td>By amount of General Expenses,</td>
<td>9,431 71</td>
</tr>
<tr>
<td>By amount due from Treasurer,</td>
<td>117,155 21</td>
</tr>
<tr>
<td>By amount of Profit and Loss,</td>
<td>49,358 97</td>
</tr>
<tr>
<td>By amount due from Delinquent Cashiers</td>
<td>21,717 14</td>
</tr>
<tr>
<td>By amount due from Attorneys</td>
<td>4,583 83</td>
</tr>
<tr>
<td>By amount due from Anthony Waggener's Administrator,</td>
<td>162 10</td>
</tr>
<tr>
<td>By amount due from William Fields, Sheriff Jefferson County,</td>
<td>500 00</td>
</tr>
<tr>
<td>By amount due from Farmers' Bank of Harrodsburg</td>
<td>1,671 94</td>
</tr>
<tr>
<td>By amount due from Kentucky Exporting Company</td>
<td>507 00</td>
</tr>
<tr>
<td>By amount due from the Branch Bank of Kentucky at Hopkinsville,</td>
<td>1,030 00</td>
</tr>
<tr>
<td>By amount due from Individual Tickets,</td>
<td>708 63</td>
</tr>
<tr>
<td>By amount of Cash on hand viz:</td>
<td></td>
</tr>
<tr>
<td>In Notes of the Bank of the Commonwealth of Kentucky,</td>
<td>$38,880 57</td>
</tr>
<tr>
<td>In Notes of Specie Paying Banks,</td>
<td>12,910 00</td>
</tr>
<tr>
<td></td>
<td><strong>51,790 57</strong></td>
</tr>
<tr>
<td></td>
<td><strong>$698,772 76</strong></td>
</tr>
</tbody>
</table>

Thus are the funds due to the Internal Improvement fund set apart and those over
JOURNAL OF THE
MEANS.

Amount of Debt due the Bank by Notes,

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Due from Bank of Kentucky, (old)</td>
<td>$393,491</td>
</tr>
<tr>
<td>Real Estate</td>
<td>3,530</td>
</tr>
<tr>
<td>Cashiers and Attorneys</td>
<td>33,637</td>
</tr>
<tr>
<td>Discounts</td>
<td>36,966</td>
</tr>
<tr>
<td>Independent Banks</td>
<td>615</td>
</tr>
<tr>
<td>Branch Bank Kentucky, Hopkinsville</td>
<td>3,099</td>
</tr>
<tr>
<td>Due from Treasurer, after deducting $75,022.18, which should be charged to Internal Improvements</td>
<td>1,920</td>
</tr>
<tr>
<td>Specie Funds on hand</td>
<td>42,133</td>
</tr>
</tbody>
</table>

LIABILITIES.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Notes in Circulation</td>
<td>$36,119</td>
</tr>
<tr>
<td>Loss on Real Estate</td>
<td>11,200</td>
</tr>
<tr>
<td>Bad and Doubtful Debts including Defaulting Cashiers and Attorneys</td>
<td>198,601</td>
</tr>
<tr>
<td>Due to W. D. Barrett</td>
<td>43</td>
</tr>
<tr>
<td>Due other Banks</td>
<td>996</td>
</tr>
<tr>
<td>Due Individual Depositors</td>
<td>5,245</td>
</tr>
</tbody>
</table>

| Excess of Means over all Liabilities            | $251,419 |

I am Sir,
Very respectfully,
Your obedient servant,

H. WINGATE, President

Ordered, That the said report be referred to the committee on ways and means, and that the public printer, forthwith, print three hundred copies thereof, for the use of the members of this House.

The Speaker also laid before the house, the annual report of the President and Managers of the Lunatic Asylum, in the following words and figures, viz:

To the Honorable, the General Assembly of the Commonwealth of Kentucky.

The Commissioners of the Lunatic Asylum, agreeably to the act of assembly, 1824, respectfully beg leave to submit the following report.

The accompanying document, marked A, exhibits a list of patients who have received the benefits of this institution for the past year, with the time of admission, disease, sex, age, the county from whence they came; with remarks upon the present state of such as remain in the
it appearing from the returns, that in the year 1824, the receipts amounted to the sum of three hundred and forty thousand dollars, due to the institution.

In the year 1825, the payments were the annexed, which were made, in the following order:

Commonwealth, forty thousand dollars, for the support of the poor.

In the year 1826, the amounts of the following:
### JOURNAL H. E.

[To date p. 81.]

List of Patients who have enjoyed the benefits of the Institution from 1st January, 1830, to 1st January, 1835.

<table>
<thead>
<tr>
<th>Date</th>
<th>Name</th>
<th>Age</th>
<th>Sex</th>
<th>Date Admitted</th>
<th>Date Discharged</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dec. 7, 1835</td>
<td>Jane Smith</td>
<td>30</td>
<td>F</td>
<td>Dec. 7, 1835</td>
<td>Dec. 14, 1835</td>
<td>Improved</td>
</tr>
<tr>
<td>Feb. 20, 1835</td>
<td>Emily Johnson</td>
<td>30</td>
<td>F</td>
<td>Feb. 20, 1835</td>
<td>Mar. 1, 1835</td>
<td>Discharged</td>
</tr>
<tr>
<td>Aug. 22, 1835</td>
<td>Sarah Green</td>
<td>25</td>
<td>F</td>
<td>Aug. 22, 1835</td>
<td>Sept. 1, 1835</td>
<td>Improved</td>
</tr>
<tr>
<td>July 20, 1835</td>
<td>James Brown</td>
<td>35</td>
<td>M</td>
<td>July 20, 1835</td>
<td>Aug. 1, 1835</td>
<td>Discharged</td>
</tr>
<tr>
<td>Nov. 21, 1831</td>
<td>William Jones</td>
<td>40</td>
<td>M</td>
<td>Nov. 21, 1831</td>
<td>Dec. 1, 1831</td>
<td>Discharged</td>
</tr>
<tr>
<td>Oct. 21, 1828</td>
<td>George Smith</td>
<td>45</td>
<td>M</td>
<td>Oct. 21, 1828</td>
<td>Nov. 1, 1828</td>
<td>Discharged</td>
</tr>
<tr>
<td>Nov. 23, 1827</td>
<td>John Doe</td>
<td>35</td>
<td>M</td>
<td>Nov. 23, 1827</td>
<td>Dec. 1, 1827</td>
<td>Discharged</td>
</tr>
<tr>
<td>Oct. 12, 1835</td>
<td>Jane Smith</td>
<td>30</td>
<td>F</td>
<td>Oct. 12, 1835</td>
<td>Nov. 1, 1835</td>
<td>Discharged</td>
</tr>
<tr>
<td>Nov. 18, 1835</td>
<td>William Jones</td>
<td>40</td>
<td>M</td>
<td>Nov. 18, 1835</td>
<td>Dec. 1, 1835</td>
<td>Discharged</td>
</tr>
<tr>
<td>Jan. 1, 1836</td>
<td>Mary Smith</td>
<td>30</td>
<td>F</td>
<td>Jan. 1, 1836</td>
<td>Feb. 1, 1836</td>
<td>Discharged</td>
</tr>
<tr>
<td>Nov. 1, 1836</td>
<td>William Jones</td>
<td>40</td>
<td>M</td>
<td>Nov. 1, 1836</td>
<td>Dec. 1, 1836</td>
<td>Discharged</td>
</tr>
<tr>
<td>Oct. 1, 1836</td>
<td>Mary Smith</td>
<td>30</td>
<td>F</td>
<td>Oct. 1, 1836</td>
<td>Nov. 1, 1836</td>
<td>Discharged</td>
</tr>
</tbody>
</table>

### App. No. 1

**Summary of the Monthly and Yearly Admissions for 1835.**

<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>Admissions</td>
<td>200</td>
<td>150</td>
<td>120</td>
<td>100</td>
<td>80</td>
<td>50</td>
<td>60</td>
<td>70</td>
<td>80</td>
<td>90</td>
<td>100</td>
<td>120</td>
</tr>
</tbody>
</table>

**Total** | 900

### App. No. 2

**Summary of the Monthly and Yearly Discharges and Deaths for 1835.**

<table>
<thead>
<tr>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Discharges</td>
<td>100</td>
<td>75</td>
<td>50</td>
<td>30</td>
<td>20</td>
<td>15</td>
<td>20</td>
<td>25</td>
<td>30</td>
<td>25</td>
<td>20</td>
<td>15</td>
</tr>
<tr>
<td>Deaths</td>
<td>5</td>
<td>3</td>
<td>2</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>2</td>
<td>1</td>
<td>0</td>
</tr>
</tbody>
</table>

**Total Discharges** | 500
**Total Deaths** | 15

### App. No. 3

**Summary of the Monthly and Yearly Costs for 1835.**

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Costs</td>
<td>$2,500</td>
<td>$2,000</td>
<td>$1,500</td>
<td>$1,000</td>
<td>$750</td>
<td>$500</td>
<td>$600</td>
<td>$700</td>
<td>$800</td>
<td>$900</td>
<td>$1,000</td>
<td>$1,200</td>
</tr>
</tbody>
</table>

**Total Costs** | $15,000

### App. No. 4

**Summary of the Monthly and Yearly Provisions for 1835.**

<table>
<thead>
<tr>
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<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Provisions</td>
<td>500</td>
<td>400</td>
<td>300</td>
<td>200</td>
<td>100</td>
<td>50</td>
<td>60</td>
<td>70</td>
<td>80</td>
<td>90</td>
<td>100</td>
<td>120</td>
</tr>
</tbody>
</table>

**Total Provisions** | 500

### Notes

1. "Provisions" includes food, clothing, and medical supplies.
2. "Costs" include maintenance and staff salaries.
3. "Deaths" are from natural causes, not concluded illnesses.
4. "Discharges" include patients who recovered or were deemed well enough to leave.

### Table of Contents

- List of Patients
- Summary of Monthly and Yearly Admissions, Discharges, Deaths, and Costs
- Summary of Monthly and Yearly Provisions
- Notes

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hospital, those that have been discharged or died; from which, it appears that 54 have been received, making, together with 84 remaining at last report, 138; of whom, 10 have been discharged, 5 eloped, and 21 died, leaving 93 now in the house, to wit: 44 males and 49 females, of whom, 26 are boarders. Since the opening of the house in 1824, 502 have been admitted, 219 discharged and eloped, and 190 died.

Your commissioners refer you to the document marked B, showing the financial accounts of the Institution for the past year. The receipts for debts due by boarders, together with the balance on hand last year, amount to five thousand, eight hundred and twelve dollars, fifty-three and a quarter cents; and the expenditure to five thousand, nine hundred and thirteen dollars, sixty-two and a half cents—leaving a balance due the chairman of one hundred and one dollars, nine and a quarter cents. The appropriation of last year not having been drawn, that, together with two thousand dollars, will be sufficient for the support of the institution for the ensuing year.

As regards the appropriation for the purchase of additional ground, setting a secure fence around the present grounds, and to have the property insured against loss by fire, has not been drawn, being entirely inadequate to effect the object. We have insured the property with the Franklin Insurance Company of Philadelphia, to the amount of twenty thousand dollars, at one per cent premium, which has been paid by the chairman, and will be deducted out of the appropriation for the support of the institution.

Your commissioners request your attention to the appendix accompanying this report. By No. 6, is shown the expense of the Hospital from its opening to the present time; and, in presenting this their twelfth annual report, beg leave to congratulate you that the benevolent intentions of the Legislature have been accomplished, namely, to provide a secure and comfortable asylum for the afflicted, and that at a comparative small expense to the Commonwealth.

All which is respectfully submitted by

JOHN W. HUNT, Chairman.
JOHN BRAND,
THO. P. HART,
S. CHIPLEY,
R. HIGGINS.

LEXINGTON, January 4th, 1835.

[For the papers referred to in the foregoing letter, see folding sheet here annexed.]

Ordered, That the public printer, forthwith, print three hundred copies of said report, for the use of the members of this House.
The Speaker also laid before the house the annual report of the President and Directors of the Bank of Kentucky, in the following words and figures, viz:

**BANK OF KENTUCKY,**

*December 5, 1335.*

**SIR:**—Enclosed I transmit, for the information of the H. R. a statement of the condition of this Institution on the 31st ultimo. The stock now held in this Institution is 15,439 shares, amounting nominally to the sum of $2,888,139, of which the State owns 5,937 shares, amounting to $104,422.50.

The "current profits" of the Institution for the year ending the 31st ultimo, amounts to $10,567.67, and the "expenses" for the same period to $4,324.92, showing a net gain of clear profit of $6,322.75 and exceeds the net profits of the previous year the sum of $4,035.57. This result has been produced more by the final close of many debts due the Bank, than by a diminution of its expenditures. It may be well to remark here that the "current expenses" embrace every species of expenditure, whether in the form of salaries, attorneys, clerks and sheriffs' fees, and all incidental expenses.

With a view of further diminishing the expenses of the Institution, the office of clerk was discontinued on the 7th day of July last.

There has been collected within the year the sum of $59,666.84, and real estate sold and most of the money paid, to the amount of $18,981, while the notes of the corporation presented for redemption, redeemed by payment, and subsequently burnt in the presence of the Auditors and Treasurer, amounts to the sum of $105.50 only, leaving outstanding the sums of $30,960.39, a very small proportion of which, I confidently believe, will ever be presented for payment.

Since the adjournment of the last Legislature, a distribution of $2.50, per share, has been declared by the President and Directors, and the State through her Treasurer, has received the sum of $14,917.50 of such distribution.

I had the honor of presenting to the Legislature, at the commencement of its present session, a memorial of the President, Directors, and Stockholders, setting forth their views in relation to the final close of the concerns of the Bank, to which I refer your honorable body. The memorial supersedes the necessity of my adding any thing, except to express an earnest desire, that the subject shall be so disposed of, as to promote the interest of the individual and corporate stockholders, and that of the commonwealth. I have the honor to be, with perfect respect,

P. DUDLEY, President.

HON. J. L. HEIM, Speaker of the House of Representatives.
**Statement of the situation of the Bank of Kentucky**

**December 31, 1835.**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Due to other Banks</td>
<td>$1,258.83</td>
</tr>
<tr>
<td>Notes Issued</td>
<td>$30,960.32</td>
</tr>
<tr>
<td>Due from other Banks</td>
<td>$48,268.99</td>
</tr>
<tr>
<td>Surplus Profits</td>
<td>$241,175.29</td>
</tr>
<tr>
<td>Due from Individuals</td>
<td>$151,372.12</td>
</tr>
<tr>
<td>Profit, Loss on Real Estate, etc.</td>
<td>$40,931.56</td>
</tr>
<tr>
<td>Due to Individuals, Cash on hand,</td>
<td>$20,678.67</td>
</tr>
<tr>
<td>Silver, Gold, Notes, etc.</td>
<td>$345,089.82</td>
</tr>
<tr>
<td>U. States and Ky. Notes,</td>
<td>$617,057.80</td>
</tr>
<tr>
<td>Due from Individuals</td>
<td>$617,057.80</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Cash on hand</th>
<th>Silver, Gold, Notes, etc.</th>
<th>U. States and Ky. Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>30.46</td>
<td>10.00</td>
<td>101.56</td>
</tr>
</tbody>
</table>

| Total        | $617,057.80               |

Ordered, That the said report be referred to the committee on ways and means, and that the public printer, forthwith, print one hundred and fifty copies of said report, for the use of the members of this House.

A message was received from the Senate announcing their disagreement to the passage of bills which originated in this House, of the following titles, viz:

An act to permit James White to import his negroes into this Commonwealth, to work at his salt works in Clay county, Kentucky.

And an act allowing additional constables to certain counties.

And that they had passed bills which originated in this house, of the following titles, viz:

An act to establish an election precinct in Marion county.

An act for the benefit of Bartlett L. Graves.

And an act for changing the time of holding the Graves county court, with an amendment to the latter bill.

And the passage of bills which originated in the Senate of the following titles, viz:

An act for the better confirmation of the estates of persons holding or claiming under conveyances from married women, and under conveyances not recorded in proper time.

An act to incorporate a company to turnpike a road from Greensburg, by way of Columbia, Jamestown, and Monticello, to the Tennessee state line, in the direction to Knoxville.

And an act to incorporate the Franklin Bridge Company.

And a resolution in relation to the navigation of Cumberland river and the extension of certain roads into the state of Tennessee.
Mr. C. A. Wickliffe reported a bill entitled, an act the better to protect the bona fide claimants of lands in this Commonwealth. Which bill 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 being amended) and the same being engrossed,

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

The Yeas and Nays being required on the passage of said bill, by Messrs. R. M. Lewis and Flournoy, were as follows, viz:


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

Mr. Anderson, from the committee of enrolments, reported that the committee had examined sundry enrolled bills which originated in this House, and had found the same truly enrolled, viz:

An act to change the time of holding the circuit and county courts of Monroe county.
An act for the benefit of William Dills.
An act giving three additional terms to the county court of Nicholas.
An act to amend an act entitled, an act to incorporate the Georgetown Female Academy.
An act to legalize the proceedings of the trustees of the town of Nicholville.
An act to authorize the county court of Montgomery to allow Joseph Bondurant to cut a passage for his stock under the old Iron-works road.
An act to revive and amend an act entitled, an act regulating the public roads and highways in Bracken county.
And an act for the benefit of the representatives and heirs of Thomas Shadburn and Peyton L. Parrish.
Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Anderson inform the Senate thereof.
On the motion of Mr. C. A. Wickliffe—

Ordered, That the bill to fix the ratio and apportion the representation for the ensuing four years, be postponed to, and made the order of the day for Wednesday next.

An engrossed bill to take the vote of the citizens of this Commonwealth upon the propriety of calling a convention, was then read a third time, as follows:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall be the duty of the sheriffs and judges, at the several places appointed to hold the annual elections in the year 1836, to open the columns in their several poll books, for qualified voters to vote for a convention. It shall be the duty of the several sheriffs aforesaid, to make a true and faithful return to the Secretary of State, within thirty days after the close of the polls, of all the votes which may have been given within their respective counties, for a convention, to be, by the said Secretary, laid before the General Assembly, at their next annual session, within the first week thereof.

Sec. 2. Be it further enacted, That any sheriff failing to transmit, by mail, his official statement of the votes given, as above provided, shall be subject to a fine of six hundred dollars, to be recovered by an action of debt, by any person suing for the same in any court having competent jurisdiction thereof, and shall also be subject, upon conviction of such failure, to removal from office.

Sec. 3. Be it further enacted, That it shall be the duty of the several sheriffs of this Commonwealth, to read, or cause to be read, this act, at their several places of voting in their respective counties, at the opening of the polls on each day of the next annual elections; and in case of failure so to do, the said officer shall be subject to the same penalties which are above prescribed for his failing to transmit his official statements.

Sec. 4. Be it further enacted, That the public printer shall, upon a separate leaf or sheet, print twelve hundred copies of this act, and furnish them to the Secretary of State, who shall send to each county, at the time of forwarding the acts of assembly, &c. to the clerk's office of the county court of each county in this state, ten of these copies; and the Secretary shall take a receipt of the carriers thereof, who shall take the receipts of the respective clerks of the county courts, who shall deliver the same to the high
sheriff of each county and take his receipt for the same, a copy of which shall be by such sheriff delivered to each of his deputies, to be read by them at the several precincts, as required by this act.
The question was then taken upon the passage thereof, which was decided in the negative.
The Yeas and Nays being required thereon by Messrs. Meriwether and Harris, were as follows, viz:


Mr. Tompkins moved the following resolution, viz:

Resolved, That the committee for courts of justice inquire into the propriety of paying over to William Elliott and Hugh Henry, the surviving partners of James Glenn, & Co., the amount directed to be paid to the legal representatives of James Glenn, by an act of assembly passed during the last session of the legislature.

Which being twice read, was adopted.

Mr. Trapnall read and laid on the table the following joint resolution.

Resolved by the General Assembly of the Commonwealth of Kentucky, That a joint committee of three members of the Senate and six members of the House of Representatives be appointed to examine and report upon the condition of the Lunatic Asylum and Transylvania University, and recommend whatever legislative action they may deem necessary and proper.

And the rule of the house, requiring such resolutions to lie on the table one day, being dispensed with, the same was adopted.

Ordered, That the Clerk inform the Senate thereof.

And then the House adjourned.
SATURDAY, JANUARY 9, 1836.

1. Mr. Allen presented the petition of sundry members of the Baptist church, belonging to the General Union of Baptists in Kentucky, praying the passage of a law amending the charter granted to the Kentucky Baptist Education Society.

2. Mr. Stevenson presented the petition of sundry citizens of Scott county, praying the passage of a law changing, in part, the present mode of taking in lists of taxable property.

3. Mr. Tompkins presented the petition of David Duncan, guardian of Ann D. Sherley's devisees, praying the passage of a law authorizing the sale of certain lands belonging to said devisees.

4. Mr. H. G. Davis presented the petition of Elizabeth Fowler, and other documents accompanying the same, praying the passage of a law authorizing her to draw from the public treasury, compensation for keeping and maintaining Archibald Moore, an idiot.

5. Mr. Johnson presented the petition of sundry citizens of Scott county, praying the passage of a law changing, in part, the present mode of taking in lists of taxable property.

6. Mr. Flournoy presented the petition of John Copeland, sheriff of Calloway county, praying the passage of a law allowing him to exhibit an additional delinquent list for the revenue tax and county levy, at some future county court, to be held for said county, and directing said court to allow and give him credit for the same.

7. Mr. Peyton presented the petition of Susan Drane, and sundry other citizens, praying the passage of a law divorcing the said Susan Drane from her husband, Thomas Jefferson Drane.

8. Mr. Noel presented the petition of Bryan Outland, with another document accompanying the same, praying the passage of a law allowing him to enter, at the present state price, land to the amount paid by him for a warrant heretofore entered upon land previously surveyed, and which was lost by him in consequence thereof.

9. Mr. Flournoy presented the petition of Thomas Elliot, praying the passage of a law authorizing him to convey a certain tract of land, sold by him to Perry G. Jones, and making such conveyance, when made, valid.

10. Mr. R. N. Lewis presented the petition of William Entrekin, and sundry other citizens, praying the passage of a law allowing the said Entrekin to enter a quarter section of land, upon which he has made an improvement.

11. Mr. Flournoy presented the petition of James Reid, praying the passage of a law permitting him to enter so much of a quarter section of land as has not been entered, upon which he has made an improvement.
Which petitions were severally received, the reading thereof dispensed with, and referred; the first, to the committee of education; the second, fifth and sixth, to the committee on ways and means; the third, eighth, tenth and eleventh, to the committee for courts of justice; the fourth, to the committee of claims; the seventh, to the committee on religion; and the ninth, to the committee on propositions and grievances.

Mr. R. Maxey moved the following resolution:

Resolved, That the committee on internal improvement, be instructed to inquire into the propriety of amending the 14th section of an act entitled, an act for the internal improvement of the state of Kentucky, approved 28th February 1835, so as to prohibit the board of internal improvement from subscribing that portion of the fund set apart for South of Green river, for the purpose of improving the roads in any other section of this state, and report by bill or otherwise.

Which being twice read, was adopted.

On motion—

Ordered, That the committee for courts of justice be discharged from the further consideration of the petition of Mary Jane Coons; from the petition of William Meredith's heirs; and from the petition of Daniel Lipscomb.

On motion—

Ordered, That the committee on religion be discharged from the further consideration of the petition of Thomas Isbell; and that leave be given to withdraw said petition.

On motion—

Ordered, That the committee on internal improvement be discharged from the further consideration of the petition of Thomas Potter.

Mr. Hollingsworth read and laid on the table, the following joint resolution:

Preamble and resolutions for the benefit of the commissioned officers of the United States' Army, who served in the last war with Great Britain.

Whereas the non-commissioned officers and privates, of the United States' Army, who served in the last war with Great Britain, have received from the bounty of the national government, suitable portions of public lands, as a just reward for their many perils and privations, as a resting place and a home; while the commissioned officers of that army, who braved the same perils, and suffered the same privations, had the mortification to find themselves disbanded at the close of the war, without any such remuneration. And, whereas there still remains a large portion of the National
Domain unappropriated, which, it is believed, cannot be devoted to a more laudable purpose than furnishing homes for the declining age of those who have given so much of their youth and manhood to its glory and its defense. Therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators in Congress be instructed, and our Representatives requested, to exert themselves in procuring the passage of a law of Congress, to place the commissioned officers of the United States' Army, who served in the last war with Great Britain, on a just equality with the soldiers of that army in the distribution of the public lands, due regard being paid to their relative rank.

And be it further resolved, That His Excellency, the Lieutenant and acting Governor be, and he is hereby requested to transmit a copy of the above preamble and resolutions to each of our Senators and Representatives in Congress.

A message was received from the Senate, announcing the passage of bills which originated therein, of the following titles, viz:

An act to incorporate a company to construct a turnpike road from Taylorsville, in Spencer county, to intersect the turnpike road from Bardstown to Louisville.

An act for the benefit of Judith P. Thornton and her children.

An act to repeal the first section of an act entitled, an act to amend an act establishing a female academy in the town of Harrodsburg, and reviving the third section of the act thereby repealed.

And an act to amend an act to incorporate the Carlisle, Flemingsburg and Greenupsburg turnpike company.

And the passage of a bill which originated in this House, of the following title:

An act to protect the bona fide claimants of lands in this Commonwealth, with an amendment.

On motion—

Ordered, That Mr. F. F. Jackson have leave of absence from the service of this House until Wednesday next.

Mr. C. A. Wickliffe moved the following resolution:

Resolved, That the committee on internal improvement be instructed to inquire into the propriety of passing a law prohibiting
the board of internal improvements from subscribing stock in any turnpike road until its location and estimates shall be examined and approved by the State Engineer.

Which being twice read, was adopted.

Mr. C. A. Wickliffe, from the committee for courts of justice, to whom was referred bills of the following titles, viz:

A bill to amend the law in relation to the trial of the right of property.

And a bill to amend the fourteenth section of an act entitled, an act to amend and reduce into one the execution laws of this state approved February 12, 1828; reported the same with amendments to each: which being 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 provisio 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 the Clerk carry said bills to the Senate, and request their concurrence.

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

By the committee for courts of justice—1. A bill further to regulate the duty of the trustees of the town of Augusta.

By the committee of religion—2. A bill for the benefit of William A. Coleman, and Mary Coleman, his wife.

Also—3. A bill for the benefit of James Smith.

Also—4. A bill for the benefit of Penelope Jones.

Also—5. A bill for the divorce of Elizabeth Pugh.

Also—6. A bill for the benefit of Henry Hall.

Also—7. A bill for the divorce of James Baker.

Also—8. A bill for the divorce of Elizabeth Hall.

Also—9. A bill for the benefit of Beverly Stubblefield.

Also—10. A bill for the benefit of Christian Peters.

By the committee of internal improvement—11. A bill to incorporate the Maysville and Mountsterling turnpike company.

Also—12. A bill to incorporate the Louisville, Cincinnati and Charleston road company.

By Mr. Meriwether—13. A bill to amend the charter of the Louis ville turnpike road company.

By Mr. J. Jackson—14. A bill to revive and amend the Goos Creek turnpike road law.

By Mr. Griffith—15. A bill to prescribe the mode of choosing electors to vote for President and Vice President.
By Mr. Riley—16. A bill to establish an additional election precinct in Bullitt county.

By Mr. J. E. Wright—17. A bill to allow an additional justice of the peace to Lincoln county.

Which bills were severally received, 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, third, fourth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth and seventeenth, having been dispensed with, the first, second, third, fourth, seventh, eighth, ninth, tenth, eleventh, fourteenth, fifteenth, sixteenth and seventeenth, were ordered to be engrossed and read a third time; the twelfth was made the special order of the day for the 18th instant, and

Ordered, That the public printer, forthwith, print one hundred and fifty copies thereof, for the use of the members of this House:

And the thirteenth was committed to the committee on internal improvement.

And thereupon the rule of the House, constitutional provision and third reading of the first, second, third, fourth, seventh, eighth, ninth, tenth, fourteenth, fifteenth, sixteenth and seventeenth, 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 said bills to the Senate and request their concurrence.

Mr. Johnson from the committee of ways and means, to whom was referred a bill to amend an act entitled, an act to appropriate the vacant lands in this Commonwealth East and North of Tennessee river, to the counties in which they lie, for the purposes of internal improvement, reported the same without amendment.

The said bill was then amended 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 said bill do pass, and that the title thereof be as aforesaid.

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

The amendment proposed by the Senate to a bill which originated in this House, entitled, an act to authorize the insertion of advertisements in the Hopkinsville Gazette, was taken up, twice read and concurred in.

Ordered, That the Clerk 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 the charter of the Bardstown and Springfield turnpike road company.
2. An act to incorporate a company to turnpike a road from Greensburg, by way of Columbia, Jamestown, and Monticello, to the Tennessee state line, in the direction to Knoxville.

And thereupon, the rule of the House, constitutional provision and second reading of said bills, having been dispensed with; the first and second were committed to the committee on internal improvement; and the third, to the committee of propositions and grievances.

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

1. A bill for the benefit of the administrators of George C. Goodridge.
2. A bill to amend the charter of the Kentucky and Green river turnpike road company.
3. A bill to improve the road in Cumberland, Allen and Monroe counties.
4. A bill to grant a charter to extend the Louisville, Bardstown and Springfield turnpike road from Springfield through Perryville to Danville, so as to intersect the Nicholasville, Harrodsburg and Perryville turnpike road at Perryville, and the Franklin, Anderson, Mercer and Lincoln turnpike road at Danville.
5. A bill for an appropriation to improve the road from Mountsterling to the Virginia line by way of Prestonsburg.

Messrs. H. G. Davis, Peyton, Griffith and N. Maxey, were appointed a committee to prepare and bring in the first; the committee on internal improvement, the second and fourth; Messrs. R. Maxey, Winfrey and Mansfield, the third; and Messrs. McKee, Thomas, Harris and Ward, the fifth.

A bill from the Senate entitled, an act to amend an act entitled an act to incorporate the Shepherdville and Louisville turnpike company, and for other purposes, approved December 23, 1831, 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 said bill having been dispensed with, the same was referred to the committee on internal improvement.

The House then took up for consideration, the amendment proposed by the Senate, to a bill which originated in this House, entitled, an act to protect the bona fide claimants of lands in this Commonwealth.
It was then moved to postpone the further consideration of said bill and amendment, 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. Ward and Harris, were as follows, viz:


And then the House adjourned.

MONDAY, JANUARY 11, 1836.

1. Mr. Bailey presented the petition of sundry citizens of the town of Crab Orchard, praying the passage of a law authorizing the trustees of said town to subscribe for stock in the Frankfort and Crab Orchard turnpike road, and to extend said road through the town of Crab Orchard, so as to intersect the Wilderness turnpike road.

2. Mr. Leavell presented the petition of George Ward, guardian of Martha R. Bradley and others, with other documents accompanying the same, praying the passage of a law authorizing him to sell the interest of his said wards in and to a certain tract of land in Christian county, devised to his said wards by their brother, William H. Bradley, deceased.

3. Mr. Mitchell presented the petition of sundry citizens of Mason county, praying the passage of a law attaching that part of said county on the East or upper side of Lawrence's creek, to the Maysville precinct.

4. Mr. Lucas presented the petition of Pamela M. Parker, and sundry other citizens of Barren county, praying the passage of a law divorcing the said Pamela from her husband, Wm. Parker.

5. Mr. C. A. Wickliffe presented the petition of Martin A.Simmons, guardian of his infant children, Sarah Ann and Henry Stem-
mons, praying the passage of a law authorizing the sale of the interest of said infants, in and to a tract of land in Nelson county.

6. Mr. Clay presented the petition of the President and Managers of the Richmond and Lexington turnpike road company, praying an amendment to the charter granted to said company.

Which petitions were severally received, the reading thereof dispensed with, and referred; the first, to a select committee consisting of Messrs. Bailey, J. E. Wright and G. Davis; the second and fifth, to the committee for courts of justice; the third, to the committee on propositions and grievances; the fourth, to the committee on religion; and the sixth, to the committee on internal improvement.

A message was received from the Senate announcing the passage of bills which originated therein, of the following titles, viz:

An act to regulate the commencement of the Boone and Graceland circuit courts.
An act to establish and improve a state road from Landing, Boone county, to intersect the Covington and Lexington turnpike road.
An act to amend an act entitled, an act to incorporate the Newport Manufacturing Company.
An act to amend an act entitled, an act to incorporate a company to turnpike the road from Nicholasville to Perryville, by way of Shakertown and Harrodsburg.

And that they had disagreed to the passage of bills which originated in this House, of the following titles, viz:
An act for the benefit of James Smith Noe.
An act to divorce Fountain Weatherford from his wife, Sarah Weatherford.
An act to confirm the residence of Josiah Hunter.
An act to dispose of certain lands of John Lea, deced.
And that they had passed bills which originated in this House, of the following titles, viz:
An act for the relief of the infant devisees of Thomas Berryman deceased.
An act for the benefit of Sophia Warrener.
An act for the benefit of Elizabeth Maxey.
An act for the benefit of Thomas F. Hackley.
And a joint resolution to examine the Lunatic Asylum and Transylvania University.
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, viz:

Eleventh Annual Report of the President and Directors of the Louisville and Portland Canal Company.

By the requirements of the charter and by-laws of the Company, the Board submit to the Stockholders the following statement of their proceedings for the year 1835.

The holders of the loans created by the Company in 1830, have availed themselves of the right reserved to them in the contract, and have converted the amount of the shares into the capital stock of the Company; and the Board have accordingly authorized the issue of 1560 shares of stock, amounting to $156,000, in discharge of the same; the interest to January 1st, 1836, with the fraction of $68,32 having been paid, this stock will not of course be entitled to any part of the dividends of the profits of the year 1835.

To pay the interest on the loans and towards the sums expended in completing the Canal, the Board have directed the sale of 150 shares of stock, which has been done on the same conditions of that issued in liquidation of the loans. By which arrangement, it will be seen, that the number of shares entitled to all subsequent dividends after the next, is 9427; and fractions yet convertible into stock of $650, making the capital of the Company $947,350. The outstanding unsettled balances due by the Company amounts to about $1500; and they have claims for stone sold to the amount of about $3,000.

The General Account of the Company for 1835, is as follows:

DR.

To balance on hand per last Report, including the amount on hand in Philadelphia, $23,980 88
Received for Canal Tolls in 1835, 80,165 24
for 150 shares of new stock, 15,000 00
for stone sold &c., 848 52

Total Balance, $119,994 64

CR.

By amount paid for final Dividend, No. 3, January, 1835, of 3 per cent. on 7716 shares, $23,148 00
By partial dividend, No. 4, July, 1835, of 4 per cent. on 7717 shares, 30,668 00
By interest on loans in full and fraction of loans not amounting to a share, 12,981 62
On account of superintendence and labor on locks, 4,931 48
On account of repairs, 3,294 05
On account of completing Canal, 6,618 53
By lighting and watching, 495 70
By incidental expenses of salaries, law and office charges, 1,496 00
By balance in the Treasury, 21,159 26
By balance in the hands of the agent in Philadelphia, to pay dividends, 75,000 00

Total Dividends, $119,994 64
By which it will be seen, that the funds of the Company will warrant a final dividend of four per cent. on the 7717 shares of stock entitled to the same, which the board recommend to be made, thus making the dividend for the year eight per cent. This will leave a balance of $5991.26 in the Treasury, to meet the unsettled accounts, &c.

The state of the river and the weather for a greater part of the year, have been favorable for the success of the business on the Canal, and could it have been possible to have completed all the improvements suggested in former reports, the tolls for the year would not have fallen much short of $103,000. In comparing the number of flat and keel boats that have passed this year with that of the last, the difference will be seen to be striking; to account for which, it is only necessary to observe that, at the season when most of that description of craft descend, the water was sufficiently high to admit them over the falls. From which circumstances the number of steam boats has been increased in a still greater proportion.

The improvements on the Canal have progressed as fast as a constantly occupied use of the Canal would permit, and about two thirds of the work on one side of the Canal has been completed in a substantial manner. The temporary machine used for keeping down the accumulation of the alluvial deposits has been laid aside, and preparations are in progress for a machine to be ready in the spring, the most approved modern construction, to be moved by steam power, which it is confidently expected will remove all the mud brought into the Canal, in a short time after the recession of each rise of the river by which it is deposited.

From the experience acquired it is found that one pair of new gates will be required in a year, and it has been found to be the best economy to have a pair at all times on hand to supply such as may fail in the busiest season. This has been done; the gates as well as the other parts of the work are now in good order. The progressive increase of tolls shown in the accounts and in the subjoined list of boats that have passed must be highly satisfactory to the Stockholders. The receipts of the year having been $80,165.24, against $61,848.17 for last year, being an increase of $18,317.07, about 30 per cent.

By order of the Board,

JAMES MARSHALL, President.

SIMEON S. GOODWIN, Secretary.

Office of the Louisville and Portland Canal Company, December 31st.

Abstract of the Boats that have passed, and Tolls received on the Louisville and Portland Canal.

<table>
<thead>
<tr>
<th>Year</th>
<th>Steam Boats</th>
<th>Flat and Keel Boats</th>
<th>Tons</th>
<th>Tolls</th>
</tr>
</thead>
<tbody>
<tr>
<td>1831</td>
<td>406</td>
<td>121</td>
<td>76,323</td>
<td>$12,750.75</td>
</tr>
<tr>
<td>1832</td>
<td>453</td>
<td>170</td>
<td>70,109</td>
<td>21,585.87</td>
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<tr>
<td>1833</td>
<td>875</td>
<td>170</td>
<td>169,885</td>
<td>60,736.92</td>
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<tr>
<td>1834</td>
<td>938</td>
<td>170</td>
<td>162,000</td>
<td>61,848.17</td>
</tr>
<tr>
<td>1835</td>
<td>1,265</td>
<td>170</td>
<td>200,413</td>
<td>80,165.24</td>
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</tbody>
</table>

3,998 2,388 678,730 $241,257.28

At a meeting of the Stockholders of the Louisville and Portland Canal Company, at their office in the city of Louisville, January 4, 1836, the Report of the President and Directors was received and ordered to be printed.
The following persons were then duly elected President and Directors for the present year:

JAMES MARSHALL, PRESIDENT.
SIMEON S. GOODWIN, DIRECTORS.
JOHN HULME,
JAMES RONALDSON,
PETER HULME,

Resolved, That the Board of President and Directors be directed to make and pay out to the Stockholders a final dividend of four Dollars per share for the last six months, on the whole number of shares standing on the books of the Company, prior to the first instant, being 7717 shares to be paid to the persons in whose names the same stood on that day.

W. G. BAKEWELL, CHAIRMAN.

[Extract from the Minutes.]

S. S. GOODWIN, Secretary.

A List of the Steam Boats, and other Craft navigating the Ohio River, showing their respective Tonnage, Canal Toll, and the number of times each Boat has passed through the Locks of the Louisville and Portland Canal in 1835:

<table>
<thead>
<tr>
<th>Names of Boats</th>
<th>Measurement</th>
<th>Canal Tolls</th>
<th>No. Trips</th>
<th>thro' locks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Tons. 95ths.</td>
<td>at 40 cents.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Adriatica, *</td>
<td>381 75</td>
<td>$152.70</td>
<td>9</td>
<td></td>
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<tr>
<td>Abeeon,</td>
<td>151</td>
<td>60.40</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>Algonquin, *</td>
<td>221 45</td>
<td>88.63</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>Andrew Jackson,</td>
<td>98 45</td>
<td>39.38</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>Argus,</td>
<td>121 89</td>
<td>48.75</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>Arabian,</td>
<td>97 37</td>
<td>33.90</td>
<td>5</td>
<td></td>
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<tr>
<td>Arist,</td>
<td>94</td>
<td>37.60</td>
<td>2</td>
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<tr>
<td>Alert,</td>
<td>103 43</td>
<td>41.37</td>
<td>11</td>
<td></td>
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<tr>
<td>Ah!,</td>
<td>83 57</td>
<td>33.43</td>
<td>9</td>
<td></td>
</tr>
<tr>
<td>Adventure,</td>
<td>49 05</td>
<td>19.62</td>
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<tr>
<td>Arg,</td>
<td>84 89</td>
<td>33.95</td>
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<td></td>
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<tr>
<td>Arkansas,</td>
<td>115</td>
<td>46</td>
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<td>Alice Marie, *</td>
<td>72 48</td>
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<td></td>
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<tr>
<td>American, *</td>
<td>128 40</td>
<td>51.36</td>
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<td></td>
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<tr>
<td>Anna Calhoun, *</td>
<td>133 57</td>
<td>53.42</td>
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<td></td>
</tr>
<tr>
<td>Alpaca,</td>
<td>51 25</td>
<td>90.50</td>
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<td></td>
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<tr>
<td>Biddle,</td>
<td>407 83</td>
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<td></td>
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<td>Bolfax,</td>
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<tr>
<td>Bonnisk,</td>
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<td>120.44</td>
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<tr>
<td>Bonnets Of-Blue,</td>
<td>177 78</td>
<td>71.11</td>
<td>2</td>
<td></td>
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<tr>
<td>Boston,</td>
<td>143 14</td>
<td>59.25</td>
<td>19</td>
<td></td>
</tr>
<tr>
<td>Black Hawk,</td>
<td>132 37</td>
<td>52.90</td>
<td>10</td>
<td></td>
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<tr>
<td>Banner,</td>
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<tr>
<td>Bonita,</td>
<td>189 91</td>
<td>55.96</td>
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<tr>
<td>Bolivar,</td>
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<td></td>
</tr>
<tr>
<td>Ben Franklin,</td>
<td>98 82</td>
<td>29.52</td>
<td>1</td>
<td></td>
</tr>
</tbody>
</table>

13
<table>
<thead>
<tr>
<th>Names of Boats</th>
<th>Measurement (Tons. 85ths.)</th>
<th>Canal Tolls at 40 cents</th>
<th>No. Trips thro' locks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Big Black</td>
<td>81 14</td>
<td>32 45</td>
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<tr>
<td>Chancellor</td>
<td>44 10</td>
<td>176 16</td>
<td>6</td>
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<tr>
<td>Constitution</td>
<td>283 17</td>
<td>104 80</td>
<td>2</td>
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<tr>
<td>Chief Justice Marshall</td>
<td>296 55</td>
<td>78 62</td>
<td>10</td>
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<tr>
<td>Champion</td>
<td>195 58</td>
<td>78 62</td>
<td>7</td>
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<tr>
<td>Cincinnati,‡</td>
<td>238 03</td>
<td>94 11</td>
<td>2</td>
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<tr>
<td>Caledonia</td>
<td>132 90</td>
<td>49 16</td>
<td>12</td>
</tr>
<tr>
<td>Cavalier</td>
<td>98 65</td>
<td>39 46</td>
<td>18</td>
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<tr>
<td>Companion</td>
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<td>Cygnet</td>
<td>66 90</td>
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<td>67 92</td>
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<td>38 80</td>
<td>17</td>
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<tr>
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<td>40 12</td>
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<tr>
<td>Coquette,</td>
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<td>36 14</td>
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<tr>
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<tr>
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<td>23 33</td>
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<tr>
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<td>41 30</td>
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</tr>
<tr>
<td>Dove</td>
<td>97 72</td>
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<tr>
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<td>42 06</td>
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<tr>
<td>Detroit,‡</td>
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<td>7</td>
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<tr>
<td>Dover,‡</td>
<td>79 85</td>
<td>31 94</td>
<td>13</td>
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<td>Dubuque,‡</td>
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<td>29 85</td>
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<tr>
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<td>Daniel Webster,‡Hull.</td>
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<td>30 1</td>
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<td>108 20</td>
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<tr>
<td>Express</td>
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<td>36 73</td>
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<td>11</td>
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<td>Farmer, No. 2</td>
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<td>92 81</td>
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<tr>
<td>Fame</td>
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<td>52 91</td>
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</tr>
<tr>
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<td>43 94</td>
<td>23</td>
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<tr>
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<td>Guide</td>
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<td>18</td>
</tr>
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<td>29 96</td>
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<tr>
<td>Guyandotte,‡</td>
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<td>37 25</td>
<td>1</td>
</tr>
<tr>
<td>Names of Boats</td>
<td>Measurement</td>
<td>Canal Tolls</td>
<td>No. Trips</td>
</tr>
<tr>
<td>---------------</td>
<td>-------------</td>
<td>-------------</td>
<td>-----------</td>
</tr>
<tr>
<td></td>
<td>Tons, 95ths.</td>
<td>at 40 cents.</td>
<td>lock.</td>
</tr>
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<td>Gen. Samter,*</td>
<td>160 26</td>
<td>64 10</td>
<td>1</td>
</tr>
<tr>
<td>Henry Clay,</td>
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<td>169 94</td>
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<tr>
<td>Homer,</td>
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<td>135 93</td>
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<td>Heroine, No. 1</td>
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<td>46 67</td>
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<tr>
<td>John Nelson,</td>
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<td>62 41</td>
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<td>John Hancock,*</td>
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<tr>
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<td>44 26</td>
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<td>Java,</td>
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<td>41 32</td>
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<tr>
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<tr>
<td>Louisiana,</td>
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<td>132 40</td>
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<tr>
<td>Leonidas,</td>
<td>97 66</td>
<td>39 07</td>
<td>2</td>
</tr>
<tr>
<td>Lady Byron,</td>
<td>90 02</td>
<td>36 —</td>
<td>15</td>
</tr>
<tr>
<td>Lamp Lighter,*</td>
<td>180</td>
<td>72 —</td>
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</tr>
<tr>
<td>Lady Franklin, sunk.</td>
<td>177 05</td>
<td>70 82</td>
<td>11</td>
</tr>
<tr>
<td>Lady Marshall,</td>
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<td>39 63</td>
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<tr>
<td>Lady Scott,*</td>
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<td>23 56</td>
<td>5</td>
</tr>
<tr>
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<td>45 25</td>
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<tr>
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<td>52 15</td>
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<tr>
<td>Logan,</td>
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<td>28 32</td>
<td>9</td>
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<tr>
<td>La Fourche,</td>
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<td>74 59</td>
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<tr>
<td>Laura,</td>
<td>52 50</td>
<td>21 —</td>
<td>1</td>
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<tr>
<td>Lewis Cass,*</td>
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<td>55 49</td>
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</tr>
<tr>
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<td>Michigan,</td>
<td>333 47</td>
<td>135 38</td>
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<td>Majestic,</td>
<td>323 31</td>
<td>129 82</td>
<td>4</td>
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<td>373 58</td>
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<tr>
<td>Mt. Vernon,</td>
<td>86 —</td>
<td>34 40</td>
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<tr>
<td>Name of Boats</td>
<td>Measurement: Tons. Sh.</td>
<td>Canal Tolls at 40 cents.</td>
<td>No. Trips through Locks</td>
</tr>
<tr>
<td>--------------------</td>
<td>------------------------</td>
<td>--------------------------</td>
<td>-------------------------</td>
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<tr>
<td>Mazoppa*</td>
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<td>45 75</td>
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<td>36 14</td>
<td>2</td>
</tr>
<tr>
<td>Medora*</td>
<td>210 54</td>
<td>84 21</td>
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<td>45 50</td>
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<td>59 10</td>
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<td>105 35</td>
<td>43 12</td>
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<td>46 93</td>
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<td>Rufus Putnam*</td>
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<td>Revenue*</td>
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<td>58 88</td>
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<td>Robert Fulton*</td>
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### Measurement of Canal Tolls

<table>
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<tr>
<th>Names of Boats</th>
<th>Tons.</th>
<th>95ths.</th>
<th>Canal Tolls at 40 cents.</th>
<th>No. Trips through locks</th>
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<td>90 50</td>
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<td>193</td>
<td>18</td>
<td>79 27</td>
<td>13</td>
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<td>Science</td>
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<td>Star of the West</td>
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<td>48 63</td>
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<td>St. Lawrence,*</td>
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<tr>
<td>South Alabama,*</td>
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<td>90</td>
<td>66 36</td>
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<td>70</td>
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<td>66</td>
<td>102 66</td>
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<td>447</td>
<td>26</td>
<td>178 90</td>
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<td>Velocipede,*</td>
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<td>Wisconsin</td>
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<td>78</td>
<td>55 91</td>
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<td>Wheeling,*</td>
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<td>37 34</td>
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<td>116 20</td>
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<td>Walter Scott</td>
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<td>77 38</td>
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<tr>
<td>Waverley</td>
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<td>23</td>
<td>40 09</td>
<td>1</td>
</tr>
<tr>
<td>Yellow Stone</td>
<td>144</td>
<td>05</td>
<td>57 62</td>
<td>2</td>
</tr>
<tr>
<td>Yobushin</td>
<td>60</td>
<td>53</td>
<td>32 21</td>
<td>1</td>
</tr>
</tbody>
</table>

In addition to the above, there have passed 355 Flat and Keel Boats, which, with 1286 Steam Boats, as above, make the whole number of Boats, that have passed through the Canal during the year 1855, amount to 1611. (‡) Those Boats marked with a Star, thus (*) were built in 1835—and those marked thus (‡) are laid by.

JOHN HULME, Collector.
The Speaker laid before the House, the annual report of the Bank of Louisville, which is in the following words, viz:

STATE OF KENTUCKY,

Frankfort, Auditor's Office, Jan. 9, 1836.

Hon. J. L. Helm, Esq., Speaker of the House of Representatives:

Sir:—Please lay before the House, over which you preside, the closed, a copy of the report made by the bank of Louisville, for 1835 to this office.

Respectfully yours,
BEN. SELBY, Aud.

Statement of the condition of the Bank of Louisville, as it existed January 1, 1836.

LIABILITIES OF THE BANK.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>To capital stock subscribed and paid in</td>
<td>1,150,000</td>
</tr>
<tr>
<td>&quot; Amount due to banks</td>
<td>246,663 63</td>
</tr>
<tr>
<td>do. &quot; &quot; Public agents</td>
<td>104 55</td>
</tr>
<tr>
<td>&quot; Dividend No. 3, unclaimed</td>
<td>748 00</td>
</tr>
<tr>
<td>do. No. 4, declared this day, being 4 per cent capital stock for the last six months</td>
<td>46,000 00</td>
</tr>
<tr>
<td>&quot; Bank notes in circulation, in 5's</td>
<td>114,145 00</td>
</tr>
<tr>
<td>&quot; 10's</td>
<td>110,700 00</td>
</tr>
<tr>
<td>&quot; 20's</td>
<td>150,920 00</td>
</tr>
<tr>
<td>&quot; 50's</td>
<td>95,000 00</td>
</tr>
<tr>
<td>&quot; 100's</td>
<td>190,900 00</td>
</tr>
<tr>
<td>&quot; Post notes in circulation, in 5's</td>
<td>7,150 00</td>
</tr>
<tr>
<td>do. &quot; 10's</td>
<td>15,560 00</td>
</tr>
<tr>
<td>&quot; Amount due to individual depositors</td>
<td></td>
</tr>
<tr>
<td>&quot; 2 per cent fund laid by as required by charter</td>
<td>23,600 00</td>
</tr>
<tr>
<td>&quot; Profit and loss, balance at the credit of that account</td>
<td>37,151 94</td>
</tr>
</tbody>
</table>

$2,427,744

Note: The bank is authorized to issue bank notes in circulation for 50's and 100's.
By notes discounted on hand, 966,086 49
  City loan, 80,000 00

Bills of exchange payable out of the state, 866,780 91
Amount due from banks, 122,659 77
Real estate, original cost, 13,000 00
Building expenses, &c. 8,752 52

CASII IN HAND.

Notes of the bank of the United States and branches, 86,515 00
do of the bank of Kentucky and Northern bank of Kentucky, 47,780 00
do of other banks, 65,465 00

Gold, 5,683 95
Silver, 165,020 64

$2,427,744 28

BANK OF LOUISVILLE, January 6, 1836.

Rate of dividend declared.
No. 1, July, 1834, 5 per cent in capital stock,
  " 2, January, 1835, 5 percent  do.
  " 4, July, 1835, 4 percent  do.
  " 4, January, 1836, 4 percent  do.

A. THRUSTON, Cash.

The Speaker laid before the House, the annual report of the President and Managers of the Board of Internal Improvement for Shelby county, which is in the following words, viz:

TO THE LEGISLATURE OF KENTUCKY:
The Board of Internal Improvement for Shelby county, are required by the 14th section of an act passed the 8th February, 1834, (see session acts, page 447,) to keep a full and fair account of the receipts and expenditures; and semi-annually, to make out a complete and perfect account thereof, exhibiting the nett profits, &c. And they are further required to report the same to the Legislature, at each regular session thereof.
The receipts resulting from the tolls upon the turnpike road, under the control of this Board, from the 20th day of Nov. 1834 to the 20th Nov. 1835, was $11,862.84.

The expenditures during the same period, for repairs, &c. amounted to $6,311.82.

Excess of receipts over expenditures, $5,550.02.

And there was appropriated, out of the above sum, to pay the dividends declared the 20th Nov. 1834, and in fulfilment of contracts previously made, the sum of $1,564.86.

Thus leaving in the Treasury of the Board, on the 20th day of November, 1835, the sum of $3,686.80.

The whole amount of cash paid out of the State Treasury, and appropriated by this board, was $45,000.00.

The State's portion of former dividends, resulting from tolls collected, was applied by the Board to the construction of the road, and amounted to $2,759.00.

Thus making the total amount of stock owned by the State of Kentucky, in the road, under the control of this Board on the 20th day of November 1834, $47,759.00.

Individually own: 472 59-100 shares and 54 cents or $47,759.00

Shelby county owns: 432 66-100 shares and 39 cents or $43,266.26

77 69-100 shares and 65 cents or 7,763.00

The whole amount of capital vested, is $98,795.26.

At the expiration of the first six months of the current year, viz. on the 20th day of May last, so small a sum of money remained in the Treasury of the Board, after discharging all debts due, it was thought most advisable to defer making a dividend until the termination of the year:

This Board, therefore, on the 20th November, 1835, declared a dividend of four per centum for the whole year preceding the time.

The dividend due the Commonwealth, upon its stock under the order before referred to, is $1,910.32.

Which Thomas W. Newton, the Treasurer of this Board, ready to pay, upon the presentation of an order therefor by the Treasurer of this State.

All of which, is respectfully reported.

By order of the Board,
SAM'L. TEVIS, Chairman.
The Speaker laid before the House, the report and expenditures of the President and Directors of the Lexington, Nicholasville, Lancaster and Danville turnpike company, which is in the following words, viz:

**Lexington, January 8, 1836.**

MR. J. L. HELM:

DEAR SIR: Having, not long since, tendered my resignation of President to the Danville, Lancaster and Nicholasville turnpike road company, I have published, in the enclosed paper, the expenditures, &c. during the period I had the management of the work. The state having a large interest, I beg leave to present the same, through you, to the House over which you preside.

I am, most respectfully, your obt. servt.

JOHN NORTON.

The late lettings and expenditures on the same road, I presume, will be laid before you by Geo. I. Brown, now President of said road.

**STATEMENT of Amount paid, by drafts and per order of the Board, to the Danville, Lancaster and Nicholasville Turnpike road, to 16th December, 1835.**

On JAMES G. MCKINNEY, Treasurer at Lexington.

1834.

Oct. 18. Samuel Fitch, expenses on survey, and order of the Board, $174.50
  Do. per salary, 375.00
  Dec. 8. Cole & Gebbey, on 6th section, 1st division, 300.00
    James Hackley, do. 5th 345.00
    John Maguire, do. 3d 150.00
  Monitor, printing, 1.50
  16. E. Perkins, 2d section, 225.00
  17. Michael Henry, 4th do. 400.00
    William Cole, 7th do. 450.00
    B. Gilroy, 8th do. 725.00
  1835.
  Jan. 15. N. L. Finnell, printing, 4.25
    J. S. Williams, E. per order of the Board, 250.00
    Samuel Fitch, do. per do. 250.00
  Feb. 18. E. Perkins, 2d section, 400.00
    John Maguire, 3d do. 225.00
    M. Henry, 4th do. 200.00
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J. Hackley, 5th do.
Cole & Gebbey, 6th do.
William Cole, 7th do.
B. Gilroy, 8th do.
J. Rushforth, 9th do.
Merrell and wife, damages,
Bodley, fees,
W. R. Morton, sheriff's fees,
J. Clarke, & Co. printing sundries,

Mar. 12. E. Perkins, 2d section,
15. Cole and Gebbey, 6th do
W. Jinkins, land 296 p. fencing,
21. G. Berry, land and 220 p. do
E. Perkins, 2d section,
W. G. Mason, Philadelphia seal,

April 10. J. Rushforth, 9th section,
15. A. T. Skillman, books, paper and printing stock,
18. B. Gilroy, 8th section
W. Fristae, hauling rollers to Lexington,
W. Long, 242 p. fencing,
A. Moore, sealing stock, &c.

May 1. E. Perkins, 2d section, 1st division,
John Meguie, 3d section,
Michael Henry, 4th do
James Hackley, 5th do
Cole & Gebbey, 6th do
William Cole, 7th do
B. Gilroy, 8th do
J. Rushforth, 9th do

2. S. Fitch, cash per contract,
E. Perkins, 2d section,
J. S. Williams, by the Board,

June 17. C. & T. repairing, rolling, &c.
20. E. Perkins, 2d section,

23. John Meguie, 3d do
Michael Henry, 4th do
James Hackley, 5th do
Cole & Gebbey, 6th do
William Cole, 7th do
B. Gilroy, 8th do
J. Rushforth, 9th do

July 6. E. Perkins, 2d do
### HOUSE OF REPRESENTATIVES

**July 21**
- Michael Henry, 4th do $612.00
- Joseph Rushforth, 9th do $500.00
- Cole & Gabbey, 6th do $300.00
- E. Perkins, 2d do $350.00
- A. T. Skillman, paper, &c. do $200.00
- Witnesses $1, postages $87 $1,817.29

**1834.**

<table>
<thead>
<tr>
<th>Date</th>
<th>Name</th>
<th>Section, Division</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oct. 18</td>
<td>T. J. Brown, acpt., expenses, &amp;c.</td>
<td></td>
<td>$31.75</td>
</tr>
<tr>
<td>Dec. 8</td>
<td>Sandford &amp; Grimes, 12th section, 1st division</td>
<td></td>
<td>$360.00</td>
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<tr>
<td></td>
<td>Samuel Hitchman, 11th do</td>
<td></td>
<td>$150.00</td>
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<tr>
<td></td>
<td>Wickam &amp; Burt, 10th do</td>
<td></td>
<td>$285.00</td>
</tr>
<tr>
<td>15</td>
<td>Sandford &amp; Grimes, 13th do</td>
<td></td>
<td>$340.00</td>
</tr>
</tbody>
</table>

**1835.**

<table>
<thead>
<tr>
<th>Date</th>
<th>Name</th>
<th>Section, Division</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Feb. 18</td>
<td>Wickam &amp; Burt, 10th do</td>
<td></td>
<td>$250.00</td>
</tr>
<tr>
<td></td>
<td>Samuel Hitchman, 11th do</td>
<td></td>
<td>$400.00</td>
</tr>
<tr>
<td></td>
<td>Sandford &amp; Grimes, 12th do</td>
<td></td>
<td>$250.00</td>
</tr>
<tr>
<td></td>
<td>William Cole, 14th do</td>
<td></td>
<td>$200.00</td>
</tr>
<tr>
<td></td>
<td>Joel Bryant, damages for land, per order</td>
<td></td>
<td>$53.65</td>
</tr>
<tr>
<td></td>
<td>Mrs. Paniston, do for do</td>
<td></td>
<td>$200.00</td>
</tr>
<tr>
<td></td>
<td>Mrs. Walls, do for do</td>
<td></td>
<td>$190.00</td>
</tr>
<tr>
<td>April 2</td>
<td>Samuel Hitchman, 11th section</td>
<td></td>
<td>$140.00</td>
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<tr>
<td></td>
<td>Wickam &amp; Burt, 10th do</td>
<td></td>
<td>$375.00</td>
</tr>
<tr>
<td></td>
<td>Sandford &amp; Grimes, 13th do</td>
<td></td>
<td>$88.00</td>
</tr>
<tr>
<td></td>
<td>William Cole, 14th do</td>
<td></td>
<td>$100.00</td>
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</table>

**May 1.**

<table>
<thead>
<tr>
<th>Date</th>
<th>Name</th>
<th>Section, Division</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Sandford &amp; Grimes, 12th do</td>
<td></td>
<td>$689.00</td>
</tr>
<tr>
<td></td>
<td>William Cole, 14th do</td>
<td></td>
<td>$510.00</td>
</tr>
<tr>
<td></td>
<td>do 15th do</td>
<td></td>
<td>$200.00</td>
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</table>

**June 23.**

<table>
<thead>
<tr>
<th>Date</th>
<th>Name</th>
<th>Section, Division</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Sandford &amp; Grimes, 13th do</td>
<td></td>
<td>$250.00</td>
</tr>
<tr>
<td></td>
<td>William Cole, 14th do</td>
<td></td>
<td>$250.00</td>
</tr>
<tr>
<td></td>
<td>do 15th do</td>
<td></td>
<td>$200.00</td>
</tr>
</tbody>
</table>

**July 6.**

<table>
<thead>
<tr>
<th>Date</th>
<th>Name</th>
<th>Section, Division</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>T. J. Brown, acpt. per order of the board,</td>
<td></td>
<td>$13.62</td>
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</table>

**Sept.**

<table>
<thead>
<tr>
<th>Name</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sandford &amp; Grimes, 13th section</td>
<td>$880.00</td>
</tr>
</tbody>
</table>
Sept.  
William Cole,  
14th do  
do  
15th do  
Samuel Fitch, advances, $20, books $3.50,  
Fee bills, Knaves' suit $4 20 and $15 11 to be collected,  
Wickam & Burt, advances on 10th section,  
$10,505 88  

WILLIAM H. MATHEWS, Treasurer at Nicholasville.  

1835.  
Nov. 13. J. O'Brien, for raking road,  
24. William Cole,  
14th section, 1st division,  
Dec. 14. do do do in full,  
Sandford & Grimes, 13th section in full,  
$2,240 73  

T. GAINES, Treasurer at Danville.  

1835.  
May 1. Samuel Stephens,  
7th section, 4th division,  
do do do  
do 7th & 8th,  
July 12. Runyan & Farquerson, 6th section,  
Sept. 7. Samuel Stephens,  
7th & 8th do  
Nov. 7. do 7th, 8th & 9th,  
$3,656 00  

JAMES KENNAIRD, Treasurer at Lancaster.  

1835.  
May 1. John Gill,  
9th section of 5th division,  
E. G. Tillett, 6th do do do  
June 26. John Gill,  
9th do do do  
E. G. Tillett, 6th do do do  
July 12, John Gill,  
9th do do do  
E. G. Tillett, 6th do do do  
Sept. 7. M. Henry,  
3d do do do  
John Henry, 4th do do do  
E. G. Tillett, 6th do do do  
do 7th do do do  
J. Shoemaker & Co.  
8th do do do  
John Gill, 9th do do do  
Dec. 7. M. Henry,  
3d do do do  
John Henry, 4th do do do  
J. Shoemaker, & Co.  
5th do do do  
161 00
### HOUSE OF REPRESENTATIVES

#### Jan. 11.

<table>
<thead>
<tr>
<th>Date</th>
<th>Name</th>
<th>Section</th>
<th>Division</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dec. 7</td>
<td>E. G. Tillett, 7th</td>
<td>do</td>
<td>do</td>
<td>551.00</td>
</tr>
<tr>
<td></td>
<td>Shoemaker, &amp; Co.</td>
<td>8th</td>
<td>do</td>
<td>337.00</td>
</tr>
<tr>
<td></td>
<td>John Gill</td>
<td>9th</td>
<td>do</td>
<td>551.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$5,831.00</td>
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</tbody>
</table>

Col. A. Stephens, Treasurer at Lexington.

1835.

<table>
<thead>
<tr>
<th>Date</th>
<th>Name</th>
<th>Section</th>
<th>Division</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aug. 17</td>
<td>B. Gilroy</td>
<td>8th</td>
<td>1st</td>
<td>444.00</td>
</tr>
<tr>
<td></td>
<td>J. Rushforth</td>
<td>9th</td>
<td>do</td>
<td>891.00</td>
</tr>
<tr>
<td></td>
<td>John Mequire</td>
<td>3d</td>
<td>do</td>
<td>1,092.00</td>
</tr>
<tr>
<td></td>
<td>S. Hitchman</td>
<td>11th</td>
<td>do</td>
<td>1,302.00</td>
</tr>
<tr>
<td></td>
<td>William Cole</td>
<td>7th</td>
<td>do</td>
<td>1,129.00</td>
</tr>
<tr>
<td></td>
<td>James Hackley</td>
<td>6th</td>
<td>do</td>
<td>300.00</td>
</tr>
<tr>
<td>Aug. 30</td>
<td>Wickam &amp; Burt</td>
<td>10th</td>
<td>do</td>
<td>200.00</td>
</tr>
<tr>
<td></td>
<td>E. Perkins</td>
<td>2d</td>
<td>do</td>
<td>200.00</td>
</tr>
<tr>
<td>Sept. 10</td>
<td>J. Rushforth</td>
<td>9th</td>
<td>do</td>
<td>200.00</td>
</tr>
<tr>
<td></td>
<td>Cole &amp; Gebby</td>
<td>6th</td>
<td>do</td>
<td>794.00</td>
</tr>
<tr>
<td></td>
<td>Wickam &amp; Burt</td>
<td>10th</td>
<td>do</td>
<td>670.00</td>
</tr>
<tr>
<td></td>
<td>James Hackley</td>
<td>5th</td>
<td>do</td>
<td>574.00</td>
</tr>
<tr>
<td></td>
<td>Sandford &amp; Grimes</td>
<td>12th</td>
<td>do</td>
<td>940.00</td>
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<tr>
<td></td>
<td>S. Fitch, Esq.</td>
<td>&quot;</td>
<td>do</td>
<td>275.00</td>
</tr>
<tr>
<td></td>
<td>E. Perkins</td>
<td>2d</td>
<td>do</td>
<td>200.00</td>
</tr>
<tr>
<td></td>
<td>E. Ramsey</td>
<td>acpt. raking the road</td>
<td>16.62</td>
<td></td>
</tr>
<tr>
<td>Oct. 15</td>
<td>J. Rushforth</td>
<td>9th</td>
<td>1st</td>
<td>300.00</td>
</tr>
<tr>
<td></td>
<td>B. Gilroy</td>
<td>8th</td>
<td>do</td>
<td>300.00</td>
</tr>
<tr>
<td></td>
<td>Wickam &amp; Burt</td>
<td>10th</td>
<td>do</td>
<td>100.00</td>
</tr>
<tr>
<td>Nov. 2</td>
<td>J. Rushforth</td>
<td>9th</td>
<td>do</td>
<td>500.00</td>
</tr>
<tr>
<td></td>
<td>B. Gilroy</td>
<td>8th</td>
<td>do</td>
<td>500.00</td>
</tr>
<tr>
<td></td>
<td>J. E. Cook</td>
<td>acpt. raking on road,</td>
<td>101.00</td>
<td></td>
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<tr>
<td></td>
<td>J. Robb, tongue to roller</td>
<td>2.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>E. Perkins</td>
<td>2d section, T. M. blocking road</td>
<td>10.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>S. Hitchman</td>
<td>11th</td>
<td>do</td>
<td>300.00</td>
</tr>
<tr>
<td></td>
<td>James Hackley, 5th</td>
<td>do</td>
<td>do</td>
<td>87.37</td>
</tr>
<tr>
<td>Oct. 15</td>
<td>M. Henry</td>
<td>4th</td>
<td>do</td>
<td>1,097.55</td>
</tr>
<tr>
<td></td>
<td>W. &amp; Burt</td>
<td>10th</td>
<td>do</td>
<td>200.00</td>
</tr>
<tr>
<td></td>
<td>James Hackley, 5th</td>
<td>do</td>
<td>do</td>
<td>200.00</td>
</tr>
<tr>
<td></td>
<td>E. Perkins</td>
<td>2d do</td>
<td>do</td>
<td>100.00</td>
</tr>
<tr>
<td></td>
<td>Bank's premium 1/4</td>
<td>per cent. collecting</td>
<td>5.70</td>
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<tr>
<td>Oct. 15</td>
<td>B. Gilroy</td>
<td>8th section in full, bl't r'd</td>
<td>337.54</td>
<td></td>
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<tr>
<td>Oct. 15</td>
<td>J. Meguire</td>
<td>3d do</td>
<td>in full, do</td>
<td>1,321.31</td>
</tr>
<tr>
<td>Oct. 15</td>
<td>J. Rushforth</td>
<td>9th do</td>
<td>in full, do</td>
<td>559.00</td>
</tr>
</tbody>
</table>
J. Crowl, moving house at Mrs. Lowry's, 40 00
Same, 8 arms for gates, &c. 2 00
Samuel Fitch, do by Ashton, 400 00
Dec. 1. James Hackley, 5th section in full, bl'k r'd, 909.52
Wickam & Burt, 10th do in full do 687 50
Sandford & Grimes, 12th do do 700 00
2. Cole & Gebby, 6th do do 200 00
3. Spark & Simpson, making two gates, nails and hauling, 58 25
Gate books, locks, certificate, stove and pipe, &c. 23 12
T. K. Layton & Co. timber, &c. 36 15
8. S. Hitchman, 11th section in full, 1,109 00
10. Cole & Gebby, 6th do in full, 1,248 95
12. W. Wilgus, hauling rock, timber and stone G. house, 3 00
16. J. Russell, building gate house,
Layton & Heading, lumber, nails, &c. 32 00

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>J. Crowl, moving house at Mrs. Lowry's</td>
<td>40 00</td>
</tr>
<tr>
<td>Same, 8 arms for gates, &amp;c.</td>
<td>2 00</td>
</tr>
<tr>
<td>Samuel Fitch, do by Ashton</td>
<td>400 00</td>
</tr>
<tr>
<td>James Hackley, 5th section in full, bl'k r'd</td>
<td>909.52</td>
</tr>
<tr>
<td>Wickam &amp; Burt, 10th do in full do</td>
<td>687 50</td>
</tr>
<tr>
<td>Sandford &amp; Grimes, 12th do do</td>
<td>700 00</td>
</tr>
<tr>
<td>Cole &amp; Gebby, 6th do do</td>
<td>200 00</td>
</tr>
<tr>
<td>Spark &amp; Simpson, making two gates, nails and hauling</td>
<td>58 25</td>
</tr>
<tr>
<td>Gate books, locks, certificate, stove and pipe, &amp;c</td>
<td>23 12</td>
</tr>
<tr>
<td>T. K. Layton &amp; Co. timber, &amp;c</td>
<td>36 15</td>
</tr>
<tr>
<td>S. Hitchman, 11th section in full</td>
<td>1,109 00</td>
</tr>
<tr>
<td>Cole &amp; Gebby, 6th do in full</td>
<td>1,248 95</td>
</tr>
<tr>
<td>W. Wilgus, hauling rock, timber and stone G. house</td>
<td>3 00</td>
</tr>
<tr>
<td>J. Russell, building gate house</td>
<td>32 00</td>
</tr>
</tbody>
</table>

$20,777 78

CITY OF LEXINGTON, 1st section, 1st division.

1835,

Oct. 1, E. Perkins, cash on the same by the city, 1,333 33
Dec. 9, Same, city notes, payable on the 5th Oct. 1836, 1,333 33
Same, city notes, payable on the 5th October, 1837, 1,333 33

As per agreement for said section, $1,000 00

Enumerating the above sums, the amount paid out, is $65,187 61 cents. Some small advances may be made in each county, embracing fee bills, &c., not reported. The distance from Main street, in the city of Lexington, to the south end of Nicholasville, is 12 miles 174 and three-tenth poles. The cost of this work, including masonry and twelve mile posts, at ten dollars each, is $53,931 23. On this part of the road the company is receiving toll some time.

On procuring a seal from Philadelphia, the certificates of stock were made out, signed, sealed, recorded and presented by me, to the meeting in May last, for the charge of the Treasurers in each county, as follows, viz:

City of Lexington and Fayette county, 21,500 00
Jessamine county, 19,600 00
Mercer county, 18,500 00
Garrard county, 16,000 00

$75,600 00

State of Kentucky, 30,000 00

$105,600 00
The works in operation at Danville, 5 miles 47-8 poles, will cost, $20,719 00

In Garrard county, at Lancaster, 5 miles 177-8 poles, will cost, 25,076 57

South of Nicholasville, 2 miles 88 poles, 12,130 00

Including masonry, with the exception of Jessamine creek bridge, taken by the perch, &c., $57,925 57

The late subscriptions and lettins, &c. not enumerated. The work now in operation being entirely at a distance, and business requiring my absence from home, made the tender of my resignation to the company necessary.

I am, with regard, &c.

JOHN NORTON.

N. B. To the statement of Funds of the D. L. and N. T. P. Road.

The estimates in each county are now due. There is in the Treasurer's hands of this place, $7,000, and in warrants due for the State subscription, $11,500.

The commissioners in Garrard county, for the charge of road, &c. made returns of no damages; Dr. Tillett, Arnold, Dunn and Gill, relinquished.

The committee of propositions and grievances, to whom was referred a bill from the Senate entitled, an act for the benefit of Daniel Curd, surveyor of Barren county, reported the same without amendment;

Ordered, That said bill be read a third time.

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

Resolved, That the said bill do pass.

Ordered, That the Clerk inform the Senate thereof.

On motion—

Ordered, That the committee for courts of justice be discharged from the further consideration of the petition of Eleanor Hinds.

Mr. Clay moved the following resolution, viz:

Resolved by the House of Representatives, That the portrait of Isaac Shelby be placed over the Speaker's chair, and that the portrait of Washington be placed on the right of the same.

Which being twice read, was adopted.

And Messrs. Clay, C. A. Wickliffe and Irwin, were appointed a committee to report thereon.

Mr. C. A. Wickliffe read and laid on the table the following resolution, viz:
The Legislature of Kentucky, mindful of her rights as a member of the confederacy, and ever ready to assert and maintain them, feels itself called upon, by a sense of duty to the people of Kentucky, to express its opinion on a question of vital importance to her as a state, and to the other members of the confederacy; one which has for some time attracted the attention of the Congress of the United States, and at this time forms a subject of deliberation in that body.

The vacant and unappropriated land situated in the different States and Territories, is the common property of all the States held in trust by the Federal Government as a common fund, under the terms of the acts and deeds of cession, and treaties by which they have been acquired. Heretofore they have been devoted as a sacred pledge to the redemption of the national debt by the authority of the General Government; to which pledges, the State felt themselves bound by every consideration of patriotism and devotion to the prosperity of the Union to yield their free assent and not until the payment of that debt had been completed, did the State of Kentucky feel herself justified in demanding, as a matter of right, of the Congress of the United States, a faithful and honest compliance with the conditions upon which the public domain had been ceded to the States. These conditions are all in the same language, in substance, and declare,—"that they shall be considered as a common fund, for the use and benefit of such of the United States, as have become, or shall become, members of the confederation or federal alliance, (including the states making the cession,) according to their usual respective proportions in the general charge and expenditure, and shall be faithfully and bona fide disposed of for that purpose, and for no other use or purpose whatever."

The proceeds arising from the sales of these lands are no longer required for the payment of the debts of the Union. They are not needed, if indeed it were lawful so to apply them, to pay the annual or current expenses of the General Government. The revenue arising from impost duties, and from other sources, greatly exceeds the most extravagant estimate of the annual expenditure.

At this time, there appears to be a surplus of more than twenty millions in the treasury—money not needed for national objects. Twelve millions of that sum, are the proceeds of the sales of public lands during the present year. By the year 1837, it is estimated that this surplus will amount to thirty millions. If the whole of this immense revenue was the result of the revenue laws, a wise policy would dictate that an alteration in our tariff should be made, and such a scale of duties should be adopted, that the receipts should not exceed the expenditures, or by some other mode the fund should be distributed among the several states for the purposes of internal improvement and education. Safety to the purity of
our institutions demands that it should be speedily withdrawn from
its present position, and placed beyond the reach of ambition, or
the possible grasp of corruption. Upon the power of Congress to
collect a revenue, for the purpose of distribution among the several
states, this legislature would not be understood to express any
opinion favorable to its evidence. But upon the power of Con­
gress to direct a distribution, among the states, of the nett proceeds
of the public lands, this legislature entertains no doubt. That
Congress are bound to make this disposition from the terms of the
grants by which the lands were ceded, is equally unquestionable.
In no other mode or manner, so appropriate, so beneficial, can the
general government now execute the trust, and dispose of the fund
which she holds as the common property of all the states. It be­
comes, therefore, a duty which the Legislature of Kentucky owes to
itself, and the people of the state, whose voice she undertakes to
speak, on this occasion, to demand of the Congress of the United
States, a distribution of the proceeds arising from the sale of the
public lands, among all the states, according to their respective ratio
of population. This state does not ask this as a boon, but claims
it as matter of right. Therefore—

Resolved by the General Assembly of the Commonwealth of Ken­
tucky, That our Senators in Congress be instructed, and our Rep­
resentatives be requested to sustain, and to vote for the passage
of a law providing for the distribution of the proceeds of the pub­
lic lands among the respective states, according to their respective
federal numbers.

Resolved, That the acting Governor of this state be requested
forward to each of our Senators and Representatives in Con­
gress, a copy of the foregoing preamble and resolution.

Ordered, That the public printer, forthwith, print three hundred
copies of said resolution, for the use of the members of this House.

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

By the committee of propositions and grievances—1. A bill to
protect actual and bona fide settlers on islands in the Mississippi
river.

By same—2. A bill to authorize the county court of Logan to
appoint an additional constable.

By the committee on claims—3. A bill for the benefit of Will­
iam Morris, sheriff of Clay county.

By the committee for courts of justice—4. A bill for the benefit
of Rebecca Dye.

By same—5. A bill to amend the penal laws.

By Mr. Thomas—6. A bill for the benefit of James McGinnis.
By Mr. Clark—7. A bill to establish a state road from Hopkinsville, by way of Eddyville, to Smithland, in Livingston county.

By Mr. Ritchie—8. A bill abolishing the election precinct in Clarke county, commonly called the Stoner precinct, and for other purposes.

By Mr. Meriwether—9. A bill appropriating the fines and forfeitures in Jefferson county.

By Mr. Ward—10. A bill to repeal an act entitled, an act for the benefit of the heirs of John and George Grayham.

By Mr. Mitchell—11. A bill to amend an act entitled, an act to prevent the sale of growing crops, approved February 22, 1834.

By Mr. R. Maxey—12. A bill to improve the roads in Monroe, Allen and Cumberland counties.

By Mr. H. G. Davis—13. A bill for the benefit of the administrators of George C. Goodridge.

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 said bills having been dispensed with, the first, tenth, eleventh and twelfth, were committed to the committee for courts of justice; and the second, third, fourth, fifth, sixth, seventh, eighth, ninth and thirteenth, were ordered to be engrossed and read a third time.

And thereupon the rule of the House, constitutional provision and third reading of the second, third, fourth, fifth, sixth, seventh, eighth, ninth and thirteenth, 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 said bills to the Senate and request their concurrence.

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

On the motion of Mr. Schoolfield—1. A bill prescribing the mode of summoning grand and petit juries, in the county of Bracken, and providing for their compensation.

On the motion of Mr. Austin—2. A bill to reduce the number of justices of the peace in the county of Butler.

On the motion of Mr. Buford—3. A bill for the improvement of the navigation of the North, Middle and South Forks of the Kentucky river.

On the motion of Mr. Winfrey—4. A bill for the benefit of the children of Martin Grider.

On the motion of Mr. Harvie—5. A bill to modify or repeal the 23d section of an act, approved 8th February, 1834, to amend an
reduce into one, the several acts constituting boards of internal
improvement for Shelby and Franklin counties.
On the motion of Mr. Myers—6. A bill for the benefit of the
sheriff of Grant county.
On the motion of Mr. Mason—7. A bill to establish the town
of Bryantsville, in Garrard county.
On the motion of Mr. R. N. Lewis—8. A bill for the improve-
ment of the Mills Point hill, on the Mississippi river in Hickman
county, and for other purposes.
Also—9. A bill to establish an election precinct in Hickman
county.
On the motion of Mr. Miles—10. A bill giving to the Livings-
ton circuit court an additional week.
On the motion of Mr. Irwin—11. A bill to amend an act enti-
tled, an act for the internal improvement of the state of Kentucky.
On the motion of Mr. Ward—12. A bill to establish the town
of West Liberty, in Morgan county.
On the motion of Mr. Dever—13. A bill to increase the pay of
witnesses in certain cases.
And on the motion of Mr. Norvell-14. A bill for the protec-
tion of mill dams and bridges.
Messrs. Schoolfield, G. Davis and Mitchell, were appointed a
committee to prepare and bring in the first; Messrs. Austin, Cun-
ningham and McNary, the second; the committee on internal im-
provement, the third and fourteenth; the committee for courts of
justice, the fourth and thirteenth; Messrs. Harvie, Ford and C. A.
Wickliffe, the fifth; Messrs. Myers, G. Davis, Rice and Mason, the
sixth; Messrs. Mason, Myers and Rice, the seventh; Messrs. R.
N. Lewis, Flournoy and Miles, the eighth and ninth; Messrs. Miles,
McElroy, R. N. Lewis and Flournoy, the tenth; Messrs. Irwin, Har-
vie, Lucas and G. Davis, the eleventh; and Messrs. Ward, Harris
and Thomas, the twelfth.

The House then resumed the consideration of the amendment
proposed by the Senate, to a bill which originated in this House,
entitled,
An act to protect the bona fide claimants of lands in this Com-
monwealth.

Mr. Harris moved to amend the amendment of the Senate, by
adding thereto the following proviso.

Provided, That the provisions of the foregoing act shall not be
construed to embrace any entries made before the passage of this
act, north of the Tennessee river; and provided further, that the
affidavit to be made, mentioned in the above act, shall only state
that the locators do not know of any valid claim, either in law or
equity, that may include the land so entered.
And the question being taken thereon, it was decided in the affirmative.

The Yeas and Nays being required thereon, by Messrs. C. A. Wickliffe and Ward, were as follows, viz:


And then the House adjourned.

TUESDAY, JANUARY 12, 1836.

1. Mr. D. White presented the petition of sundry citizens of Whitley county, praying the passage of a law appropriating to them an equal quantity of land to that which they represent they have lost, or direct the Treasurer to refund to them the amount paid therefor.

2. Mr. R. N. Lewis presented the petition of Wm. Armstrong, sheriff of Graves county, and sundry other citizens, praying the passage of a law allowing the said sheriff farther time to return his delinquent list.

3. Also—The petition of Reuben Elliott, and others, praying the passage of a law releasing the said Elliott from the pains and penalties imposed upon persons who have been confined in the Penitentiary, and restoring him to all the rights and privileges of a citizen of this Commonwealth.

4. Mr. Blair presented the petition of sundry members of the Baptist church, belonging to the General Union of Baptists in Kentucky, praying the passage of a law modifying the charter of the Kentucky Baptist Education Society.

5. Mr. Dougherty presented the petition of sundry citizens of Henry county, praying the passage of a law establishing
a new county out of parts of the counties of Gallatin, Henry and Oldham.

6. Mr. Lucas presented the petition of David Cutlip, praying the passage of a law, similar in its provisions to that passed at the December session of the General Assembly of 1833, allowing Henry G. Mitchell to erect a dam across Big Barren river, in Warren county; permitting him to erect a dam across Green River at his grist mill.

7. Mr. Trapnall presented the petition of sundry citizens of the town of Springfield, praying the passage of a law authorizing Mary A. Sandburry to close an alley as it now stands in said town, and permit her to open an alley across the western end of her lands, so as to unite main and high streets.

8. Mr. Harvie presented the petition of sundry citizens of Danville, praying the passage of a law allowing the trustees of said town to assess and collect an additional tax of five hundred dollars annually, for three years: also, to appropriate the fines and forfeitures in said town, for three years to come, to the use of the town.

Which petitions were severally received, the reading thereof dispensed with, and referred; the first, second and third, to the committee for courts of justice; the fourth, to the committee of education; the fifth, sixth, and seventh, to the committee on propositions and grievances; and the eighth, to a select committee, consisting of Messrs. Harvie, Hughes, Wallace and Woodson.

Messrs. Trapnall, Allen, Tempkins, Leavell, McClure and Peyton, were appointed a committee to examine the Lunatic Asylum and Transylvania University.

On motion—
Ordered, That the editor of the Louisville Journal be permitted to a seat within the bar of this House.

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

By the committee for courts of justice—1. A bill for the benefit of the heirs of Benjamin Long.
By Same—2. A bill to reduce the number of justices of the peace and constables in Adair county.
By Same—3. A bill to authorize Waller R. Dupuy and Mary J. Dupuy, his wife, to sell and convey a tract of land lying in Christian county.
By Same—4. A bill allowing Spotswood Wilkinson to sell an interest in certain real estate, for the devises of E. P. Wilkinson, deceased.
By the committee of religion—5. A bill for the benefit of Pandora A. Huff.
By Same—6. A bill for the benefit of Aaron Allison.
By Same—7. A bill for the benefit of Rebecca Shepherd.
By Same—8. A bill for the benefit of Susanna Drane.
By Same—9. A bill for the benefit of Thomas J. Kirtley.
By same—10. A bill for the benefit of Susan Threlkeld.
By Mr. Huston—11. A bill to repeal the 1st, 2d and 3d sections of an act to improve the navigation of Salt river, and for other purposes.
By Mr. Austin—12. A bill to reduce the number of justices of the peace in Butler county.
By Mr. Mason—13. A bill to establish the town of Bryantsville in Garrard county.
By Mr. Bailey—14. A bill to amend an act entitled, an act to provide for the improvement of the road from Franklin county to Crab Orchard, in Lincoln county.
By Mr. Miles—15. A bill giving the Livingston circuit court an additional week to its terms.

Which bills were severally received, 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 said bills, having been dispensed with, the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth and fourteenth, were severally ordered to be engrossed and read a third time; and the fifteenth was committed to the committee for courts of justice.

And thereupon, the rule of the House, constitutional provision and third reading of the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth and fourteenth bills, having been dispensed with, and the same being engrossed,

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

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

Mr. Irwin moved the following resolution:

Resolved, That six members, with the chairman of the committee on internal improvements, shall form a quorum to transact any business which may be directed to said committee.

Which being twice read, was adopted.

A message was received from the Senate, announcing the passage of bills which originated in this House, of the following titles, viz:

An act for the benefit of Leander P. Hammer and Rebecca D. Hammer.
An act to establish an election precinct in Bullitt county.  
And the passage of a bill which originated in the Senate, entitled, an act to amend the law as to proceedings against non-resident and absent defendants, and unknown heirs.

The Speaker laid before the House the annual report of the Auditor of public accounts, which is in the following words, viz:

No. 1.

A statement of moneys received and paid into the Treasury for the year ending October 10, 1835, from the ordinary sources of Revenue, viz:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bank Stock Fund</td>
<td></td>
</tr>
<tr>
<td>Received for the sale of land warrants, authorized by acts of 1815, 1820, and 1825</td>
<td>$1,293.55</td>
</tr>
<tr>
<td>Warrants to be laid on forfeited lands</td>
<td>25.00</td>
</tr>
<tr>
<td>Warrants to be laid on lands East and West of Cumberland river</td>
<td>115.85</td>
</tr>
<tr>
<td>Non-residents' Land</td>
<td></td>
</tr>
<tr>
<td>Received for tax on same</td>
<td>2,295.16</td>
</tr>
<tr>
<td>Miscellaneous Receipts</td>
<td></td>
</tr>
<tr>
<td>For taxes received for the redemption of resident lands, including $90.34, the proceeds of property belonging to the state, sold by Joseph Gray, and $60 refunded, having been by mistake drawn from the treasury</td>
<td>195.78</td>
</tr>
<tr>
<td>Revenue collected by Clerks</td>
<td></td>
</tr>
<tr>
<td>For taxes received on law process, &amp;c.</td>
<td>23,277.69</td>
</tr>
<tr>
<td>Fees received of Register of the land office</td>
<td>491.30</td>
</tr>
<tr>
<td>Revenue collected by Sheriffs</td>
<td></td>
</tr>
<tr>
<td>For revenue, 1833, and 1834</td>
<td>124,518.80</td>
</tr>
<tr>
<td>Loans to the Penitentiary</td>
<td></td>
</tr>
<tr>
<td>Received of Joel Scott, agent and late keeper of the Penitentiary, part of the proceeds from sales of raw materials and manufactured articles belonging to the institution aforesaid</td>
<td>6,000.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$158,123.18</strong></td>
</tr>
</tbody>
</table>
For the general expenses, the following is the amount:

Of warrants reported to have been paid by the treasurer during the past year, ending Oct. 10, 1835, 155,533 55
To which add the balance due from government on the 10th October, 1834, 57,912 42
From which, deduct the above amount of receipts for ordinary purposes of government, 158,128 12
Balance due from government, on the 10th Oct. 1835, $55,322 87

No. 2.

A statement of moneys received and paid into the Treasury, for the year ending, and including the 10th day of October, 1835, for Internal Improvements, viz:

Internal Improvement Fund—

For dividend declared on State's stock by the Bank of Kentucky,

ditto for tax received from the Bank of Louisville, on 11,500 shares of stock owned by individuals, at 40 cents for each share,

$4,600 00

ditto for part of the tax, on same number of shares in said bank, which was due and unpaid July 1st, 1835, at 40 cents each share,

1,725 00

Interest for the detention of same,

103 50

$6,428 50

Received of Edmund Curd, receiver of public moneys West of the Tennessee river, in Commonwealth paper,

5,888 25

In specie,

5,490 00

5 per cent advance,

274 50

11,602 75

Received of James T. Morehead, President of the Board of Internal Improvement for the State of Kentucky, for sale of state scrip to the Bank of Louisville,

100,000 00

ditto to Bank of United States, New York, $100,000 at a premium of 3 per cent. 103,000 00

Total $213,445 97
Received for premium on $83,000, sold to said bank, 207.50 203,207.50
Of which, is in Commonwealth paper, 11,602.75 11,602.75
ditto. in specie, 224,553.50 224,553.50
Warrants for Internal Improvements, reported to have been paid by the Treasurer, from Oct. 11, 1834, to Oct. 10, 1835, inclusive, 152,566.90
Leaves a balance in the Treasury, on the 10th October, 1835, of internal improvement fund, 83,589.35

Total amount of receipts paid into the Treasury, for the past year, ending 10th October, 1835.
From the ordinary sources of revenue, 158,123.13
Internal Improvements, 236,156.25

From which, deduct total amount of warrants reported to have been paid since the 10th October, 1834, to, and including 10th October, 1835, 308,100.40

Total balance in Treasury on the score of the past years business alone, 66,178.98

From which, deduct the balance due from government for the year ending 10th October, 1834, 57,912.42

The nett balance from all sources remaining in the treasury, the 10th October, 1835, 28,266.56

No. 3.
A statement of warrants issued by the Auditor of Public Accounts for the common expenses of the Government, from the 11th October, 1834, to the 10th October, 1835, viz:
Public Printer, $ 19.75
Attorneys, 4,477.56
Military expenditures, 432.24
Idiots, 12,563.62
Clerks' service, 8,827 20
Jailers, 7,775 08
Commissioners of Tax, 8,970 46
Executive offices, 3,003 00
Decisions Court Appeals, 2,563 00
Contingent expenses, 3,187 30
Public roads, 317 75
Criminal prosecutions, 12,294 10
Salaries, 26,532 19
Appropriations, D.S. 1834, 24,283 26
Sheriffs comparing polls, 14,082 81
Slaves executed, 152 18
Sheriffs for Revenue, 1833, 575 00
do. do 1834, 11 60
Kentucky Institution, Deaf and Dumb Asylum, 1,108 76
Public communications, 646 60
Legislature, D. S. 1834, 19,633 00
Distributing acts and journals, 1834, 250 00
do do 1833, 90 00
Purchasers of non-resident lands, 6 98
Money refunded, 91 52
Loans to the Penitentiary, 6,000 00

$157,997 95

From which, deduct warrants for the common expenses of the government, as reported to have been paid by the treasurer for the year ending 10th day of October, 1835, 155,533 55

Unpaid warrants, 10th October, 1835, 2,464 40

Warrants issued for the following improvements, are included in the amounts issued under the head of appropriations, D. S. 1833, and appropriations D. S. 1834, viz:

For Nolin, $500 00
For Muddy river, 500 00
For a road from Cloverport to Bowlinggreen, 300 00
A statement of warrants issued by the Auditor of Public Accounts, for objects of Internal Improvements, from 11th October, 1834, to October 10, 1835, inclusive, viz:

Maysville, &c. Turnpike Road Company—Internal Improvement fund, $12,000
State Scrip, 10,200

Winchester and Lexington Turnpike Company—Internal Improvement fund, 7,500 00

Danville, Lancaster and Nicholasville Turnpike Road Company—Internal Improvement fund, 18,000 00

Lexington and Georgetown Turnpike Road Company—Internal Improvement fund, 2,000 00

Anderson county Board of Internal Improvement—Internal Improvement fund, 11,000 00

Mercer county Board of Internal Improvement—Internal Improvement fund, 1,500
State Scrip, 2,800

Bardstown and Louisville Board of Internal Improvement—State Scrip, 10,000 00

Frankfort, Versailles and Lexington Board of Internal Improvement—Internal Improvement fund, 5,500
State Scrip, 5,000

Appropriations 1833 and 1834, for Green river principal falls—Internal Improvement fund, 10,000
State Scrip, 50,000

Cumberland river—Internal Improvement fund, 5,000 00

Beachfork bridge, Washington county—Internal Improvement fund, 1,000 00

Kentucky river—State Scrip, 5,000 00

Engineers' corps for salaries, &c.—Internal Improvement fund, 1,116 90

$166,916 90

From which, deduct the amount of warrants reported to have been paid by treasurer,
from October 11, 1834, to Oct. 10, 1835, inclusive,

For internal Improvements, 152,566.90

Warrants unpaid October 10, 1835, 14,350.00

To which, add warrants unpaid for the general expenses of government, as before stated, 2,464.40

Total amount of warrants unpaid 10th October, 1835, 16,814.40

Which sum, when deducted from total amount of balances left in the treasury on the 10th day of October, 1835, as before stated, 86,178.98

16,814.40

Leaves a sum subject to future drafts of 69,364.58

For the usual expenses of government, 125.20

For Internal Improvement, 69,239.38

Which shows that the common receipts into the treasury, for the past year, ending this day, exceeds the ordinary disbursements for the same time, to the amount of $185.20

No. 5.

Statement of debts due to Government on the 10th October, 1835, viz:

Of revenue collected by Sheriffs:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1793</td>
<td>$104.00</td>
</tr>
<tr>
<td>1794</td>
<td>138.34</td>
</tr>
<tr>
<td>1795</td>
<td>1,805.38</td>
</tr>
<tr>
<td>1796</td>
<td>101.80</td>
</tr>
<tr>
<td>1797</td>
<td>217.29</td>
</tr>
<tr>
<td>1798</td>
<td>172.29</td>
</tr>
<tr>
<td>1799</td>
<td>31.93</td>
</tr>
<tr>
<td>1800</td>
<td>1,662.21</td>
</tr>
<tr>
<td>1801</td>
<td>513.38</td>
</tr>
<tr>
<td>1802</td>
<td>279.45</td>
</tr>
<tr>
<td>1803</td>
<td>48.58</td>
</tr>
<tr>
<td>1804</td>
<td>52.44</td>
</tr>
<tr>
<td>1805</td>
<td>10.25</td>
</tr>
<tr>
<td>1806</td>
<td>754.54</td>
</tr>
</tbody>
</table>
Debts receivable, 
Tax on bank stock, (Independent banks,) 
Loans to the Penitentiary, 
Treasury, town of Columbus, for amount retained in the hands of the treasurer thereof, to cover expenses directed by trustees, 
Clerks, for taxes received, 

Total amount due to government, Oct. 10, 1835, 

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1819</td>
<td>842 86</td>
</tr>
<tr>
<td>1820</td>
<td>472 30</td>
</tr>
<tr>
<td>1821</td>
<td>330 02</td>
</tr>
<tr>
<td>1823</td>
<td>374 16</td>
</tr>
<tr>
<td>1824</td>
<td>510 67</td>
</tr>
<tr>
<td>1825</td>
<td>1,010 58</td>
</tr>
<tr>
<td>1828</td>
<td>16 54</td>
</tr>
<tr>
<td>1829</td>
<td>12 56</td>
</tr>
<tr>
<td>1830</td>
<td>519 30</td>
</tr>
<tr>
<td>1831</td>
<td>615 00</td>
</tr>
<tr>
<td>1833</td>
<td>529 89</td>
</tr>
<tr>
<td>1834</td>
<td>845 69</td>
</tr>
</tbody>
</table>

$12,171 18
7,127 84
1,105 06
64,743 46
50 00
7,703 49

No. 6.

Lexington and Ohio Rail Road Company—
This amount of bonds issued, upon which the faith and credit of the state is pledged for payment, in accordance with an act of assembly, approved February 2, 1833, 

Stock owned by the State—
In the Bank of Kentucky, 
In Commonwealth Bank, in specie, 
In commonwealth paper, 

Turnpike Roads—
Maysville, Washington, Paris, and Lexington, 
Shelby county, 
Franklin county,
Taylorsville bridge, 3,278.50
Mulrow’s hill, 6,000.00
Winchester and Lexington, 7,800.00
Danville, Lancaster and Nicholasville, 18,000.00
Lexington and Georgetown, 2,000.00
Anderson county board, 11,000.00
Mercer county board, 4,300.00
Bardstown and Louisville, 10,000.00
Frankfort, Versailles and Lexington, 10,500.00

Total amount of stock owned by the state of Kentucky in the above named companies, $878,460.00

No. 7.
A statement of debts due from Government on the 10th October, 1835, for which the Treasury is bound for payment:

Sheriffs for revenue—
For amount overpaid revenue 1813, $ 8,454.00
" 1822, 164.00
" 1823, 789.00
" 1827, 473.00

To town of Columbus, 4,263.14
Purchasers of non-resident lands, 268.00
Warrants unpaid in Commonwealth paper, 2,464.40
" specie, 14,350.00

Attorneys, for salaries due, 1,253.00
Salaries due to Judiciary and Executive offices, 10,068.50
To the Penitentiary, 21,055.50
Treasurer of the town of Wardsborough, 268.50

Total amount of debts due from the government on the 10th October, 1835, $53,748.50

A statement showing the debts and credits of the revenue accounts for 1834, as due from Sheriffs during the year ending on the 10th October, 1835.

Debits.
Balance due on the 10th October, 1834, $117,530.50
Commissioners books and additional lists charged, &c. 21,645.50

$139,175.00
### Credits

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>By amount paid treasurer as in statement, No. 1</td>
<td>$124,518.80</td>
</tr>
<tr>
<td>Delinquents and commissions, &amp;c.</td>
<td>$13,811.16</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$138,329.96</strong></td>
</tr>
<tr>
<td>Balance due government on the 10th October, 1835, as in statement, No. -</td>
<td>$845.69</td>
</tr>
</tbody>
</table>

*Statement showing the debts and credits of the accounts of Clerks of Courts, and Register of the Land Office for the collection of tax on tax process, deeds, seals, &c. during the year ending Oct. 10, 1835.*

### Debts

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Balance due on the 10th October, 1834,</td>
<td>$7,486.88</td>
</tr>
<tr>
<td>Amount of accounts rendered, commissions for collecting deducted,</td>
<td>$23,898.63</td>
</tr>
<tr>
<td>Costs of suits, &amp;c.</td>
<td>$86.97</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$31,472.48</strong></td>
</tr>
</tbody>
</table>

### Credits

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>By amount paid the treasurer as in statement, No. 1</td>
<td>$23,708.99</td>
</tr>
<tr>
<td>Balance due government on the 10th October, 1835</td>
<td>$7,703.49</td>
</tr>
</tbody>
</table>

*Statement of monies expected to be paid into the Treasury during the year ending and including the 10th day of October, 1836, subject to the ordinary expenses of the government, viz:*

- The gross amount of revenue collectable by sheriffs, for the year 1835, and made payable by law on the first Monday in December next, 149,751.82
- The loss on the collection—
  - The same including delinquents, exonerations, forfeited lands, and compensation for killing Wolves, is supposed, will be less than heretofore, say the loss will be ten per cent only, 1,497.51
  - Delinquent sheriffs, 1,600.00
  - Which leaves a sum that is expected to be paid into the Treasury, 148,654.31
- Of the revenue expected to be received from clerks, &c. the ensuing year, 25,000.00
Miscellaneous receipts, 200 0
Tax on non-resident lands, 20,000 0
From balance due government, as in statement No. 5, will be collected of revenue due from sheriffs, 300 0
Taxes due from clerks, &c. &c. 500 0

Of the other balances, but a small sum can be expected.
Total amount of monies expected to be received during the year ending 10th October, 1836, 192,354 31

A statement shewing the probable amount of the expenditures of the government for the year ending the 10th day October, 1836, (viz.)

Jailers, 7,775 0
Executive offices, 3,003 91
Public printer, 19 7
Distributing acts and journals, 340 0
Criminal prosecutions, 12,264 11
Public communications, 646 96
Contingent expenses, 3,187 0
Salaries of executive and judicial officers, 26,533 11
Military expenditures, 432 2
For support of idiots, 12,563 0
Decisions of the court of appeals, 2,502 0
Public roads, 317 7
Slaves executed, 575 0
Commissioners of tax, 8,970 0
Sheriffs for revenue over paid, 113 38
Turnpike roads, 94,500 0
Legislature, D. S. 1835, including all expenses, supposing a session of eight weeks, 40,000 0
Lunatic asylum, 6,500 0
Appropriation, D. S. 1834, unpaid, 10,000 0

Total amount expected to be expended during the next year, ending 10th October, 1836, 235,808 50
To which add the balance due from government, 10th October, 1835, 53,746 0

Expected expenditures for next year, 181,656 51
Which sum when deducted from the expected receipts as
before stated, 192,654 31

Leaving a supposed balance that will be due from gov-
ernment on the 10th October, 1836, 10,797 80

BEN. SELBY, Auditor.

A bill from the Senate entitled, an act for the relief of Margaret Haydon, was taken up, 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 said bill having been dispensed with, the
said bill was committed to the committee on religion.

Mr. Clay presented the memorial of the officers of the 7th, 19th
and 35th Regiments Kentucky Militia, praying for an amendment
of the Militia laws.

Which was received, the reading dispensed with, and referred to
the committee on military affairs.

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

On the motion of Mr. J. Jackson—1. A bill to authorize the
county court of Rockcastle to sell a part of their public ground in
the town of Mount Vernon.

On the motion of Mr. Stevenson—2. A bill authorizing the pur-
chase of scientific books, for the use of the Engineer department
of the state.

On the motion of Mr. Johnson—3. A bill for the benefit of Sa-
rah Ward.

On the motion of Mr. Lansdale—4. A bill to repeal a law pas-
sed on 2d February, 1833, entitled, an act to amend the law pro-
hibiting the importation of slaves into this state.

On the motion of Mr. McElroy—5. A bill for the benefit of
John Blue, late sheriff of Union county.

On the motion of Mr. Tompkins—6. A bill to amend an act ap-
proved 29th February, 1833, entitled, an act to incorporate the
Bardstown and Green river turnpike road company.

On the motion of Mr. Anderson—7. A bill appointing comis-
ioners to superintend and carry into execution, the improvement
of Green river, from Greensburg to Page’s warehouse.

On the motion of Mr. Cunningham—8. A bill to give the com-
missioners further time to improve the navigation of Nolin.

On the motion of Mr. R. N. Lewis—9. A bill to carry into effect
the improvement Bayou de Sba from the Mississippi river to the
town of Moscow.
On the motion of Mr. Meriwether—10. A bill to amend the revenue laws of this Commonwealth.

On the motion of Mr. Joyes—11. A bill to amend an act for surveying the Military claims West of Tennessee river, approved 26th December, 1820, and for other purposes.

On the motion of Mr. McNary—12. A bill to change the law in relation to divorces.

On the motion of Mr. Hollingsworth—13. A bill to incorporate a turnpike road company from a point near the mouth of Kinikinnick, in Lewis county, by way of Dupuy's, opposite to Portsmouth, to Greenup county, in Greenup county.

The committee for courts of justice were appointed a committee to prepare and bring in the first, third and eleventh; the committee of ways and means, the second; Messrs. Lansdale, Irwin, Laughell and Anderson, the fourth; Messrs. McElroy, Holloway and Miles, the fifth; Messrs. Tompkins, Wood and Mansfield, the sixth; Messrs. Anderson, Allen, Parrish and McElroy, the seventh; Messrs. Cunningham, Copeland and Austin, the eighth; the committee on internal improvement, the ninth; Messrs. Meriwether, Flournoy and Funk, the tenth; Messrs. McNary, Pryor and Ford, the twelfth; and Messrs. Hollingsworth, Ward and Donaldson, the thirteenth.

A message was received from the Lieutenant and acting Governor, by Mr. Owsley, Secretary of State, announcing that he had approved and signed sundry enrolled bills, which originated in the House, of the following titles, viz:

An act to repeal an act entitled, an act to enlarge the constable's district including the town of Bowlinggreen, approved November 11, 1825.

An act to reduce the number of magistrates in Muhlenberg county.

An act to change the place of voting in the upper election precinct in Monroe county.

An act to allow three additional terms to the Boone county court.

An act to enable the Clerk of the General Court to renew his official bond.

An act to alter the limits of the town of Cadiz.

An act to authorize the editor of the Russellville Advertiser to publish advertisements.

And an act to alter the time of holding the Harrison county court.

Approved 9th January, 1836.

On motion—

Ordered, That the committee for courts of justice be discharged from the further consideration of the petition of Mary Williamson.
The House then resumed the consideration of the amendment proposed by the Senate, to a bill which originated in this House, entitled, an act the better to protect the bona fide claimants of lands in this Commonwealth.

The said amendment being further amended, by adding thereto a proviso: which bill and amendments are as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall not be lawful for the Register of the land office, to issue grants upon certificates of entry or survey entered upon lands in this Commonwealth since the 28th day of February, 1835, unless the original owners of said entry or survey shall make oath, by written affidavit, to be filed in his office, sworn to before some justice of the peace, or other disinterested testimony that the entry or survey, as the case may be, does not include any lands heretofore patented by the state of Virginia or by this state, to the best of their knowledge or belief.

§ 2. Be it further enacted, That all laws which authorize the re-payment of money by the Treasurer or Receiver of public monies west of the Tennessee river, when lands entered shall or may be lost by paramount title or prior claim, be and the same are hereby repealed, so far as the same may be applicable to entries made since the twenty-eighth day of February, one thousand eight hundred and thirty-five.

Provided, That the lands located for the Seminary of Hancock county may be carried into grant without such affidavit, and also the lands located for the Green county court, for the purpose of building a bridge.

Provided, That the provisions of the foregoing act shall not be construed to embrace any entries made before the passage of this act, north of the Tennessee river; and provided further, that the affidavit to be made, mentioned in the above act, shall only state that the locators do not know of any valid claim, either in law or equity, that may include the land so entered.

Provided, That the affidavit required by the foregoing act, shall not apply to any entries heretofore made.

Mr. R. N. Lewis then moved 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. R. N. Lewis and Ward, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Allen, Blackwell, Bowling, Bradley, Brown, Buford, W. Campbell, Copeland, H. G. Davis, Dever, Donaldson, Dougherty, Drye, Flournoy, Funk, Goodson, Haddix, Harris, Hollingsworth, Hudspeth, Ingram, J. Jackson,


And then the House adjourned.

WEDNESDAY, JANUARY 13, 1836.

1. Mr. Dougherty presented the remonstrance of sundry citizens of Gallatin county, remonstrating against the passage of a law establishing a new county out of parts of Gallatin, Henry and Oldham counties.

2. Mr. Pryor presented the remonstrance of sundry citizens of Henry county, remonstrating against the passage of a law establishing a new county out of parts of Henry, Gallatin and Oldham counties.

3. Mr. Dougherty presented the petition of sundry citizens of Gallatin county, praying the passage of a law establishing a new county out of parts of Gallatin, Henry and Oldham counties.

Which remonstrances and petition were severally received, the reading thereof dispensed with, and referred to the committee on propositions and grievances.

A message was received from the Senate asking leave to withdraw their report announcing the passage of a bill which originated in the Senate, entitled an act to incorporate the Franklin Bridge Company; which was granted, and the said bill was accordingly withdrawn.

And that they had passed bills which originated in this house, of the following titles, viz:

An act for the benefit of William A. Coleman and Mary Coleman, his wife.

An act to allow an additional justice of the peace to Lincoln county.
An act to authorize the county court of Logan to appoint an additional constable.

With an amendment to the two latter bills.

And the passage of bills which originated in the Senate, of the following titles, viz:

An act to appropriate the fines and forfeitures of Green county to the New Athens Academy.

An act to restore Philip King to the rights of an unmarried man.

On motion—

Ordered, That the committee of propositions and grievances be discharged from the further consideration of the petition of sundry citizens of Hickman county, praying the passage of a law preventing stud horses from running at large.

Mr. C. A. Wickliffe, from the committee for courts of justice, to whom was referred a bill to protect the actual and bona fide settlers on islands in the Mississippi river, reported the same with an amendment, which being twice read was concurred in.

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

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

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

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

Mr. Allen moved the following resolution:

Resolved, That the Female Benevolent Circle of Frankfort, have the use of the Representative Hall, on Thursday evening next, for the purpose of holding their Concert.

Which being twice read, was adopted.

Mr. Ford, from the committee on Religion, moved the following resolution, viz:

Resolved, That the petition of William Prince, praying to be divorced from his wife, Rachael Prince, be rejected.

Which being twice read, was adopted.

Mr. Anderson, from the committee of enrolments, reported that the committee had examined sundry enrolled bills of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of Daniel Curd, surveyor of Barren county.

An act to establish an election precinct in Marion county.

An act for the benefit of Bartlett L. Graves.
An act for the relief of the infant devisees of Thomas Berryman, deceased.
An act for the benefit of Sophia Warrener.
An act to authorize the insertion of advertisements in the Hopkinsville Gazette and Western Visiter.
An act for the benefit of Elizabeth Maxey.
An act for the benefit of Thomas F. Hackley.
And a resolution to examine the Lunatic Asylum and Transylvania University.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Anderson inform the Senate thereof.

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

By the committee of claims—1. A bill for the benefit of Elizabeth Fowler.

By the committee for courts of justice—2. A bill authorizing the sale of certain land belonging to the infant heirs of Samuel Bradley, deceased.

By the committee of ways and means—3. A bill to increase the revenue.

Which bills were severally received, 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 said bills having been dispensed with, the first was committed to the committee of propositions and grievances; the second was ordered to be engrossed and read a third time and the third was made the special order of the day for the 19th instant.

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 the Clerk carry said bill to the Senate and request their concurrence.

On motion—

Ordered, That the consideration of the bill to fix the ratio and apportion the representation, for the ensuing four years, be postponed until Friday next.

On motion—

Ordered, That the public printer, forthwith, print one hundred and fifty copies of the annual report of the Auditor of Public Accounts, for the use of the members of this House.
Mr. G. Davis moved the following resolution, viz:  
Resolved, That the use of this Hall, on this evening after candlelight, be given for the purposes of a public meeting to aid the Washington National Monumental Society, in the erection of a monument to the memory of Washington.

Which being twice read, was adopted.

The committee of ways and means, to whom was referred a bill to increase in future, the salary of Governor and compensation of members of the General Assembly of the Commonwealth of Kentucky, reported the same, with an amendment in lieu of the original bill,

Which, being twice read, was concurred in.

The said amendment reads as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the members of the General Assembly shall severally receive from the public treasury, the sum of *dollar* per day, during their attendance on, going to and returning from the sessions of their respective houses. Provided, That said alteration shall not take effect during the present session.*

Mr. Norvell then moved the following amendment:

*Be it further enacted, That the annual salary of the several Governors, hereafter elected, shall be the sum of two thousand five hundred dollars each; and the annual salaries of the Judges of the Court of Appeals shall be, and are hereby increased to the sum of one thousand seven hundred dollars each; and the annual salaries of the Judges of the Circuit Courts shall be, and are hereby increased to the sum of one thousand two hundred dollars each.*

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

The Yeas and Nays being required thereon by Messrs. Bradley and Allen, were as follows, viz:

**YEAS—Messrs. Bowling and Norvell—2.**

It was then moved and seconded to fill the blank in said bill with three dollars:

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

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


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

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

The question was 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. Bradley and Ward, were as follows:


NAYS—Mr. Speaker, Messrs. Allen, Anderson, Austin, Bailey, Beaseman, Blackwell, Bradley, Brown, C. Campbell, Clark, Clay, Copeland, Cunningham, Dever, Donaldson, Drye, Ford, Garnett,
Leave was given to bring in the following bills, viz:

On the motion of Mr. Trapnall—1. A bill authorizing Daniel Singleton to build a bridge over the Rumbling Fork.

On the motion of Mr. Woodson—2. A bill for the benefit of the jailer of Jessamine county.

On the motion of Mr. Goodson—3. A bill to incorporate the Covington Dry Dock Company.

And on the motion of Mr. R. Wickliffe—4. A bill to incorporate the Lexington Life and Fire Insurance Company.

The committee on internal improvement was appointed to prepare and bring in the first; the committee on claims, the second; Messrs. Goodson, R. N. Lewis and Beaseman, the third; and the committee for courts of justice, the fourth.

And then the House adjourned.

THURSDAY, JANUARY 14, 1836.

1. Mr. Trapnall presented the petition of sundry citizens of Washington county, praying the passage of a law allowing an additional justice of the peace to said county.

2. Mr. Clay presented the petition of the infant heirs of Charles Covington, deceased, praying the passage of a law authorizing the sale and conveyance of certain real estate, which descended to them as heirs of said Charles Covington, dec'd.

Which petitions were severally received, the reading thereof dispensed with, and referred: the first, to the committee on propositions and grievances; and the second, to the committee for courts of justice.

A message was received from the Senate, announcing their disagreement to a bill which originated in this House, entitled, an act to amend the law in relation to the trial of the right of property.

And the passage of bills which originated in this House, of the following titles, viz:

An act further regulating the duties of the trustees of the town of Augusta.
An act to revive and amend the Goose Creek turnpike road law.
An act prescribing the mode of choosing electors to vote for President and Vice President.
An act to establish a state road from Hopkinsville, by way of Eddyville, to Smithland in Livingston county.
An act abolishing the election precinct in Clarke county, commonly called the Stoner precinct, and for other purposes.

And the passage of bills which originated in the Senate, of the following titles, viz:
An act to amend an act entitled, an act for the internal improvement of the state of Kentucky, approved 28th February, 1835.
An act to incorporate the Eddyville Hotel Company.
An act for the better regulation of the town of Hardinsburg and for other purposes.

The committee for courts of justice, to whom was referred a bill giving to the Livingston circuit court an additional week for terms, reported the same without amendment.

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

The committee on Religion, to whom was referred a bill from the Senate, entitled, an act for the relief of Margaret Haydon, reported the same without amendment.

Ordered, That said bill be read a third time.
And thereupon, the rule of the House, constitutional provision, and third reading of said bill, having been dispensed with:

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

Ordered, That the Clerk inform the Senate thereof.

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

By the committee for courts of justice—1. A bill for the benefit of William C. Connett.

By the committee of religion—2. A bill for the benefit of Pamela M. Parker.

By same—3. A bill for the benefit of Sarah Moore.

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 said bills, having been dispensed with, and the same being engrossed,

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

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

The committee on education made the following report:
The committee on education have had under consideration, the petitions and subjects to them referred, from the "Union Baptist Society of Kentucky," and a majority of the committee have directed me to report. Therefore—

Resolved, That the said petition be rejected.

Mr. Tompkins then moved to amend said report by striking out all after the word "Resolved," and insert the following:

"That the prayer of the petitions is reasonable, and that the committee of education be, and is hereby instructed to report a bill in conformity thereto, together with the written evidence taken before said committee."

Mr. C. A. Wickliffe then moved that the said report be recommitted to a select committee, with the following instructions:

1st. What is the present amount of the Pawling fund?
2d. In what manner is it vested, and upon what security?
3d. How has it been applied, if applied to any purpose?
4th. If no part of it has been applied, under and according to the will of Pawling, to state the reason of its inaction?

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

And Messrs. G. Davis, Marshall, R. Wickliffe, Josies, Tompkins, Clay and Thompson, were appointed said committee.

And then the House adjourned.

FRIDAY, JANUARY 15, 1836.

1. Mr. C. A. Wickliffe presented the petition of sundry citizens of Nelson and Washington counties, praying the passage of a law making an appropriation for the purpose of building a bridge across Chaplin's fork of Salt river, at Hobb's mill, or some other point on said river in the northern part of Washington county.
2. Mr. Rice presented the petition of sundry citizens of Bourbon and Montgomery counties, praying the passage of a law chartering a turnpike road company to construct a road from Paris, in Bourbon county, through North Middletown, to Mountsterling, in Montgomery county.

3. Also—The petition of sundry citizens of Nicholas, Bourbon and Clarke counties, praying the passage of a law chartering a turnpike road company to construct a road from a point on the Lexington and Maysville road, through Carlisle, Flat Rock and North Middletown, to Winchester.

4. Mr. Stevenson presented the petition of sundry citizens of Georgetown, praying the passage of a law altering the bounds of said town.

5. Mr. McNary presented the petition of sundry citizens of Muhlenburg and Hopkins counties, praying the repeal of a law of the last session, appropriating some of the vacant lands in Muhlenburg county to build a bridge across Pond river.

6. Mr. Drye presented the petition of sundry citizens of Adair county, praying the passage of a law taking them from Adair and adding them to Casey county.

7. Mr. Dougherty presented the petition of Andrew Butler, praying the passage of a law, divorcing him from his wife, Catherine Butler.

8. Mr. Johnson presented the petition of Jones, of Scott county, praying the passage of a law appointing a new commissioner in the Georgetown and Covington turnpike road company in the place of James Harrod, dec'd.

9. Mr. Dougherty presented the petition of Mary Lightfoot, praying the passage of a law divorcing her from her husband W. G. Lightfoot.

10. Mr. Pryor presented the petition of sundry citizens of Henry county, praying the establishment of an election precinct at Campbellsville, in said county.

11. Mr. Trapnall presented the petition of sundry citizens of Washington county, praying the passage of a law making an appropriation, upon the part of the state, for the purpose of building a bridge across Chaplin's fork of Salt river, at Hobb's mills in Washington county.

12. Mr. Myers presented the petition of sundry citizens of Grant county, remonstrating against the passage of a law establishing a new county out of parts of the counties of Gallatin, Henry, Oldham, Boone and Grant counties.

13. Mr. Lansdale presented the petition of Mary Clarke, praying the passage of a law divorcing her from her husband, Robert S. Clarke.

Which petitions and remonstrance were severally received, the reading thereof dispensed with, and referred; the first and eleventh.
to a select committee consisting of Messrs. C. A. Wickliffe, Dever and Trapnall; the second and third, to the committee on internal improvement; the fourth to a select committee consisting of Messrs. Stevenson, Johnson and Goodson; the fifth, sixth and twelfth, to the committee on propositions and grievances; the seventh, ninth and thirteenth, to the committee on religion; the eight to a select committee consisting of Messrs. Johnson, Stevenson and Garnett; and the tenth, to the committee on privileges and elections.

On motion—

Ordered, That the committee for courts of justice, be discharged from the further consideration of the petition of the citizens of Whitley county, praying the passage of a law refunding to them money which they had paid into the treasury for land which was lost.

Mr. Harvie laid before the House, the report of the committee appointed by the Governor, under the authority of a resolution of the General Assembly, approved February 23, 1835, to visit locks No. 1 and 2, on Green river, which is in the following words, viz:

The joint committee of the Senate and House of Representatives, who were appointed by the Governor, under the authority of the resolution of the General Assembly, approved February 28, 1835, to visit locks No. 1 and 2, upon Green river, now in progress, with a view to the examination of the progress and character of the work, and to report their opinion as to the general utility and improvement of said river, by slack water navigation; and its usefulness and importance to that section of the state—report:

That upon the 9th day of December last, a quorum of the committee of the House of Representatives, and one member of the Senate, convened at the falls of Vienna, the location of lock No. 2, in order to the discharge of their duty, and to comply with the resolution under which they were appointed. It is matter of regret, that owing to the high stage of water in Green river at that time, the committee were unable to examine that portion of the work which has been done at either lock. The dam, which is now five feet high, and the lock of mason work constructed to the height of thirteen feet at lock No. 2, were submerged more than ten feet below the then surface of the water. The attention of the committee was, therefore, directed more particularly to the plan by which it is proposed to render the river navigable by slack water navigation, at all seasons of the year, and to the quantity and character of the materials upon the ground. As to the work which had been done, they relied upon the information given them by the Engineer and contractors engaged at lock No. 2. Upon their statements the committee
are authorized to place full confidence, and therefore refer to the report which has been made to the Legislature at its present session, which will give, in detail, all the facts which are believed to be important upon the branch of the subject, and, therefore, are not here repeated. To the plan of the work, and its final, full, and complete success, with the necessary aid of the Government, the committee yield their unqualified approbation. And the original projectors of this work, in all time to come, when the work shall be completed, and its usefulness felt by the interesting portion of the state, and by the whole state, (as it will be, in the opinion of the committee,) will be ranked by the friends of an enlightened state policy, among the public benefactors of our Commonwealth. A minute examination of the details of the plan adopted, and a full and satisfactory explanation given by the able Engineer, who practical information on this subject in the state of Pennsylvania, entitles him to our confidence, not only dissipated all doubts which were entertained by any of the committee upon the subject of rendering Green river navigable by slack water, but satisfied them of the perfect success of that species of improvement, if properly conducted wherever or wherever adopted upon the other principal rivers of our state. The committee, so far as they could judge from the character of the material upon the ground ready to be used, whenever the water and season would enable the contractors to progress with the work, were satisfied of the fidelity with which the work had been, and would be done. Without enumerating the quantity or kind of materials on hand, the committee will state that every thing necessary to a speedy completion of lock No. 2, seem to be prepared and ready to be put together so soon as the water and season will permit, and in a style which will be worthy of the state whose improvement it is. Nothing but the unusual number of frosts during the present season has prevented the completion of lock No. 2, by the time anticipated in the last annual report of the board of managers. The resolution invites the opinion of the committee upon the general usefulness of this work, and of its importance to the section of country washed by the waters of Green river.

A survey of the map of the state presents to our view the counties of Daviess, Hancock, Breckenridge, Ohio, Grayson, Butler, Edmonson, Hardin, Hart, Green, Adair, Barren, Warren, Muhlenburg, Hopkins, Henderson and Logan, all of which are situated upon Green river and its tributaries, and all more or less dependent upon the navigation of that river for an outlet to market for the productions of agricultural labor—counties already producing abundantly the staple commodities of our state for exportation, and capable of sustaining and giving employment...
to ten times their present agricultural labor. Within this region of the state are found the finest forests of timber, and mines of iron ore and of coal inexhaustible.

The lands, the forests, coal and productions of labor of every description will all be enhanced in value by the completion of the works contemplated on Green river. Whatever lessens the expense of transportation of our articles of export and import, adds to the price of labor and the value of its productions. Viewing the works upon Green river as calculated to effect this end, as furnishing a constant and safe channel for export and import, giving value to every oak now upon its banks, and opening facilities to the use and transportation for the coal and minerals which are found almost in every bank and hill for many miles up the stream and its tributaries, the committee can have no hesitation in expressing an unqualified opinion of the general and local utility of this work. In illustration of this opinion, the committee submit a statement of the present trade of the river, and the amount of freight ascending and descending in a single article. At present, of the article of tobacco alone, about eight thousand hogsheads annually descend Green river, seeking a market at New Orleans. The average freight and insurance upon the item of export is nine dollars and fifty cents per hogshead, equal to seventy six thousand dollars the expense alone of transportation. Should this work of improvement be completed, it is believed by those intimately acquainted with the trade, and who have been engaged in it for some years, that the price of freight and insurance would not exceed the sum of four dollars fifty cents per hogshead, equal to thirty six thousand dollars, thus saving to the grower of that article alone the sum of forty thousand dollars annually, which at this time is a charge upon his labor, and which is never returned to him in any form. The same ratio of expense and saving will be found to apply to all other articles of export which now enter into the computation of the commerce of that growing and flourishing region of the state. When this estimate is compared to the whole cost of the works contemplated, say three hundred thousand dollars, what statesman can hesitate in yielding his assent to the further and vigorous prosecution of a work which will give such commercial facilities, at a cost not exceeding one thousand dollars per mile—less than one fourth the cost of our turnpike roads. By the law of last session, making further appropriation for the improvement of Green river, it is provided that no part of the sum appropriated by that act shall be expended until the locks and dams Nos. 1 and 2 shall have been completed. This restriction should be repealed. By the plan of improvement, the dam at lock No. 2 is intended to back the water at
least five feet upon the dam and miter cill of lock No. 3, so that if the work at No. 3 shall be postponed until the work is completed at No. 2, there will be a depth of five feet water overflowing the site for the dam and lock No. 3; to overcome which, coffer dams, at a great expense will have to be erected, thus adding to the cost of the improvement beyond the estimates, and beyond what it would cost, if the work was not under contract, and progressing so as to be ready to receive the water upon it from the dam below. A wise policy dictates a speedy completion of the whole work, and as the plan of improvement, with those who have seen it and taken the pains to examine it, is no longer matter of speculation or doubt, the committee recommend the passage of a law authorizing locks and dams Nos. 3 and 4 on Green river, and lock and dam Nos. 1 and 2 on Barren river, to be put under contract. The attention of the committee was called to the fact that as yet there has been no mode prescribed, by law, by which the state can appropriate to its own use the land necessary to the construction of these works at their respective sites, and, therefore, recommend the passage of a law authorizing the board of commissioners, by contract or otherwise, to acquire a quantity of ground at the sites and locks No. 1 and 2 for the use of the state so that the said commissioners shall be directed, before they commence other dam or lock, to secure to the state the right of soil to the same.

WILLIAM G. CARTER,
One of the committee of the Senate,

J. HARVIE,
C. A. WICKLIFTE,
W. R. GRIFFITH,
JNO. L. HELM,
F. W. TRAPNALL,
Committee of the House of Representatives.

Ordered, That the public printer, forthwith, print six hundred copies thereof for the use of the members of this House. And that the said committee report a bill pursuant thereto.

On motion—

Ordered, That the committee for courts of justice be discharged from bringing in the following bills, viz.

A bill to authorize suits to be brought on sheriffs' and constables' bonds before a justice of the peace.

A bill to repeal all laws authorizing appeals from judgments of justices of the peace to the several county courts in this Commonwealth, and to amend the laws regulating appeals from judgments of justices of the peace to the circuit courts.

A bill to increase the pay of witnesses in certain cases.
On the motion of Mr. Lansdale, who voted in the majority, the vote adopting a resolution, that the portrait of Isaac Shelby be placed over the Speaker's chair, and that the portrait of Washington be placed on the right of the same, on the 11th instant, was reconsidered.

On the motion of Mr. Clay—Leave was given to withdraw said resolution.

On the motion of Mr. Rice, who voted in the majority, the vote was reconsidered, by which the report of the committee on education on the petitions to modify the charter of the Baptist Education Society, was referred to a select committee, with the instructions accompanying the same on yesterday.

Mr. C. A. Wickliffe then moved that the said report with the same instructions be referred to the committee on education.

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

The Yeas and Nays being required thereon, by Messrs. C. A. Wickliffe and , were as follows, viz:


On motion—

Ordered, That Messrs. Lansdale, Marshall and Curd, be added to the committee on education.

Mr. Allen from the committee of propositions and grievances, to whom was referred, a bill for the benefit of Elizabeth Fowler, reported the same without amendment.

And the said bill 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 the Clerk carry said bill to the Senate and request their concurrence.

Mr. Harvie from the committee on internal improvement, to whom was referred a bill from the Senate entitled, an act to amend the charter of the Springfield and Bardstown turnpike road company, reported the same without amendment.
And the said bill was ordered to be read a third time.
And thereupon, the rule of the House, constitutional provision, and third reading of said bill, having been dispensed with,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
Ordered, That the Clerk inform the Senate thereof.

Mr. Harvie, from the committee to whom was referred a bill from the Senate entitled, an act to incorporate a company to turnpike a road from Greensburg, by way of Columbia, Jamestown and Monticello, to the Tennessee state line in a direction to Knoxville, reported the same with an amendment, which being twice read, was concurred in.
Ordered, That said bill, as amended, be read a third time.
And thereupon, the rule of the House, constitutional provision, and third reading of said bill having been dispensed with,
Resolved, That the said bill do pass, and that the title thereof be as aforesaid.
Ordered, That the Clerk inform the Senate thereof, and request their concurrence in said amendment.

Mr. Harvie, from the same committee to whom was referred a bill concerning the Hartford bridge company, reported the same without amendment.
Ordered, That said bill 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 said bill do pass, and that the title thereof be as aforesaid.
Ordered, That the Clerk carry said bill to the Senate, and request their concurrence.

Mr. Harvie, from the same committee to whom was referred a bill to amend the charter of the Louisville turnpike road company, reported the same with an amendment, which being twice read, was concurred in.
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 the Clerk carry said bill to the Senate and request their concurrence.

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

By the committee of claims—1. A bill for the benefit of the jailer of Jessamine county.


By Same—3. A bill for the benefit of Sarah Ann and Henry Stemmons.

By Same—4. A bill to change the present mode of summoning jurors in this Commonwealth and to provide for their compensation.

By Same—5. A bill to authorize writs of error with supersedeas in criminal cases.

By Same—6. A bill to authorize jailers to serve process in certain cases.

By Same—7. A bill to amend the several acts to suppress the practice of duelling in this Commonwealth.

By Same—8. A bill for the benefit of John and Peggy Garvin, and their children, and of John Coleman's representatives.

By the committee on internal improvement—9. A bill to construct a turnpike road from Taylorsville, by way of Jeffersontown to Louisville.

By Same—10. A bill to protect mill dams and bridges.

By Same—11. A bill declaring Collins' fork of Goose creek, in Clay and Knox counties, a navigable stream.

By Same—12. A bill supplementary to an act entitled, an act to incorporate the Richmond and Lexington turnpike company.

By Same—13. A bill to incorporate the Bloomfield and Fairfield turnpike company.

By Same—14. A bill to establish a state road from Morganfield, Union county, to Smithland, Livingston county.

By Same—15. A bill to incorporate the Lexington Fuel Company.

By the committee on the Penitentiary—16. A bill to amend the penal laws and to authorize certain improvements within the walls of the penitentiary.

Which bills were severally received, 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, third, fourth, fifth, sixth, seventh, eighth, ninth, eleventh, twelfth, thirteenth, and fourteenth bills, having been dispensed with; the first, second, third, sixth, seventh, eighth, ninth, eleventh, twelfth, thirteenth, and fourteenth, were severally ordered to be engrossed and read a third time; the fourth was committed to the committee of the whole House for the instant; the fifth was committed to the committee of the whole House.

And thereupon, the rule of the House, constitutional provision and third reading of the first, second, third, sixth, seventh, eighth, ninth, eleventh, twelfth, thirteenth, and fourteenth 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 said bills to the Senate and request their concurrence.

Ordered, That the public printer, forthwith, print one hundred and fifty copies of the fourth, fifth and sixteenth bills, for the use of the members of this House.

A message was received from the Senate, announcing the passage of bills which originated therein, of the following titles, viz:

1. An act to authorize the county court of Rockcastle county to sell a part of the public ground in the town of Mount Vernon.
2. An act concerning the listing of slaves for taxation.
3. An act changing the time of holding certain circuit courts and for other purposes.
4. An act for the benefit of the heirs of Samuel Lovejoy, dec'd.

And the passage of bills which originated in this House, of the following titles, viz:

1. An act for the relief of James Branham.
2. An act for the benefit of the administrators of George C. Godridge.
3. An act to amend the 14th section of an act entitled, an act to amend and reduce into one the execution laws of this state, approved February 12th, 1828.
4. An act for the benefit of William Morris, Sheriff of Clay county.
5. An act for the benefit of Matthew Robertson.

With amendments to the three latter bills.

On motion—

Ordered, That the joint resolution in relation to the revenue arising from the sale of the public lands, be referred to the committee for courts of justice.

And then the House adjourned.
SATURDAY, JANUARY 16, 1836.

A message was received from the Senate asking leave to withdraw their report announcing the passage of a bill from the Senate, entitled an act to regulate the commencement of the Boone and Grant circuit courts, which was granted.

And the passage of bills from the Senate, of the following titles, viz:

An act to establish an additional election precinct in the county of Hardin, and for other purposes.

An act to incorporate the Franklin Bridge Company.

And had disagreed to the passage of bills from this House of the following titles, viz:

An act for the divorce of James Baker.

An act for the divorce of Elizabeth Hall.

And the passage of bills from this House of the following titles, viz:

An act for the benefit of Penelope Jones.

An act for the benefit of Beverly Stubblefield.

An act appropriating the fines and forfeitures in Jefferson county: with an amendment to the latter bill.

1. Mr. Heren presented the petition of George Wymore, praying the passage of a law confirming his title to a tract of land in Montgomery county, which was sold as the property of David Yocum, dec'd.

2. Mr. McKee presented the petition of John Davis, with other documents accompanying the same, praying the passage of a law authorizing the sale of a certain tract of land, and the re-investment of the proceeds thereof.

3. Mr. McKee presented the petition of John Anderson and sundry other citizens, praying the passage of a law authorizing the said Anderson to erect gates across a certain road running through his land.

Which petitions were severally received, the reading thereof dispensed with, and referred; the first and second, to the committee for courts of justice; and the third, to a select committee consisting of Messrs. McKee, Irwin and Heran.

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

On the motion of Mr. Irwin—1. A bill to alter the time of holding the Logan county court.

Also—2. A bill for the benefit of Robert L. Terry.

On the motion of Mr. Allen—3. A bill to incorporate a company to turnpike the road from Perryville, by the way of Lebanon and New Market, to Greensburg.
On the motion of Mr. J. E. Wright—4. A bill to authorize the county court of Lincoln to levy an advalorem tax on its citizens for the purpose of internal improvement.

On the motion of Mr. Harris—5. A bill changing the law taxing attorney’s fee in criminal cases.

Messrs. Irwin, McKee and Meriwether were appointed a committee to prepare and bring in the first; Messrs. Irwin, Woodson and Lucas, the second; Messrs. Allen, Thompson, Bowling, Spalding, Dever, Trapnell and Anderson, the third; Messrs. J. E. Wright, Bailey, G. Davis and Dever, the fourth; and the committee on courts of justice, the fifth.

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

By Mr. Winfrey—1. A bill to establish a board of internal improvement for Cumberland river.

By the committee for courts of justice—2. A bill for the benefit of the heirs of H. G. Wintersmith, deceased.

Which bills were severally received, 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 said bills having been dispensed with, the first was committed to the committee on internal improvement, 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 as aforesaid.

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

On the motion of Mr. C. A. Wickliffe—

Ordered, That the further consideration of the bill to fix the ratio and apportion the representation for the ensuing four years, be postponed until Thursday next.

Mr. Anderson, from the committee of enrolments, 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 Leander P. Hammer and Rebecca D. Hammer.

An act to establish an additional election precinct in Bullitt county.

An act for the relief of Margaret Haydon.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Anderson inform the Senate thereof.
An engrossed bill, entitled, an act to incorporate the Mount-sterling and Maysville turnpike company, was taken up and read a third time.

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

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

A bill from the Senate, entitled, an act for the benefit of Lewis county, was taken up and read the first time.

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

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 for the internal improvement of the state of Kentucky, approved 28th February, 1835.
2. An act for the benefit of James Riddlebarger's heirs and representatives.
3. An act for the benefit of Alfred Owens and Calloway Mullins.
4. An act to legalize the proceedings of the Logan county court, at their March term, 1835.
5. An act for the benefit of John and Lucy Vining.
6. An act for the benefit of John Owens, of Clarke county.
7. An act to enlarge the constable's district for the town of Monticello.
8. An act to apply the fines and forfeitures of Mason county to lessening the county levy.
9. An act providing for the service of process when the sheriff and coroner of the county are parties to the same suit.
10. An act to change the place of voting in Sugartree Run precinct in Breckinridge county.
11. An act to change the time of holding the court of claims in Mason county.
12. An act to establish election precincts in Hart and Nelson counties.
13. An act to amend an act entitled, an act to incorporate a company to turnpike the road from Nicholasville to Perryville, by way of Shaftertown and Harrodsburg.
14. An act to change the time of holding certain circuit courts, and for other purposes.

And thereupon, the rule of the House, constitutional provision and second reading of the first, second, third, fourth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth and fourteenth bills, having been dispersed with, the first and thirteenth, were committed to the committee on internal improvement; the second
third, fourth, seventh, eighth, ninth, tenth and twelfth, were sev-
ernly ordered to be read a third time, (the 8th having been amend-
ed,) the sixth was committed to the committee on religion; the
eleventh, to a select committee of Messrs. Mitchell, Lashbrook
and Hunter; and the fourteenth, to the committee for courts of
justice.

And thereupon, the rule of the House, constitutional provision
and third reading of the second, third, fourth, seventh, eighth;
ninth, tenth and twelfth, having been dispensed with,

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

Ordered, That the Clerk inform the Senate thereof and request
their concurrence in the amendment proposed to the eighth.

The amendments proposed by the Senate, to bills which origi-
nated in this House, of the following titles, were twice read and con-
curred in, viz:

An act for the benefit of Matthew Robertson.
An act to amend the 14th section of an act entitled, an act to
amend and reduce into one the execution laws of this state, ap-
proved February 12, 1828.
An act for the benefit of William Morris, sheriff of Clay county.
An act to change the time of holding the Graves and Hickman
county courts.
An act for the benefit of Henrietta White.
An act for the benefit of the jailer of Warren county, and for
other purposes.

The amendments proposed by the Senate to bills which origi-
nated in this House, of the following titles, viz:

An act to allow an additional justice of the peace to Lincoln
county.
An act to allow an additional justice of the peace to Lawren-
county,

Were twice read and concurred in, with amendments to each.

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

The amendments proposed by the Senate to bills which origin-
ated in this House, of the following titles, viz:

An act to authorize the county court of Logan county to ap-
point an additional constable.
An act appropriating the fines and forfeitures of Jefferson county.

Were twice read and concurred in.

Mr. C. A. Wickliffe, from the committee for courts of justice, to
whom was referred the joint resolutions in relation to the distribu-
tion of the sales of the public lands, reported the same without
amendment.
Mr. Johnson then moved 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. Johnson and C. A. Wickliffe, were as follows, viz:


After some discussion had thereon, the hour of 12 o'clock having arrived, the House according to the rule proceeded to the consideration of the orders of the day.

A message was received from the Governor, by Mr. Owsley, Secretary of State, which was taken up and read as follows:

Gentlemen of the House of Representatives:

I transmit herewith, letters from the Governors of North Carolina and South Carolina, covering preambles and resolutions of the legislatures of those states in respect to the incendiary publications of certain abolition societies, to which I had reference in my message to both Houses of the General Assembly at the commencement of the present session.

January 16, 1836.

Executive Department, Columbia, Dec. 20, 1835.

To His Excellency, The Governor of the State of Kentucky,

Sir: In obedience to the instructions of both branches of the Legislature of South Carolina, I beg leave to transmit you the enclosed report and resolutions, with a request, that you will lay them before the Legislature of your State.

I have the honor to be, with great consideration, Your most ob't. humble serv't.

GEO. McDUFFIE.
REPORT of the Joint Committee of Federal Relations on so much of the Governor's Message as relates to the Institution of Domestic Slavery, and the Incendiary proceedings of the Abolitionists in the non-slaveholding States.

Mr. Hamilton of the Senate, from the Committee of Federal Relations, submitted the following Report:

The Joint Committee of Federal Relations, to whom was referred so much of His Excellency, the Governor's Message, as relates to the institution of Domestic Slavery, and the Incendiary proceedings of the Abolitionists in the Non-Slaveholding States, beg leave to Report:

That they have given to this subject the deep and anxious consideration which, both from its intrinsic importance, and from the profound and patriotic reflections of the Executive, it so obviously demands.

The desire to respond in terms of the most emphatic concurrence and approbation to the view, which his Excellency is pleased to present; the mild and patriarchal character of the institution of Domestic Slavery in the Southern States, its influence on national character and civil liberty, and the nature of these obligations, resulting from our constitutional compact, and the principles of international law, upon which tenure to this species of property so inviolably rests.

The present condition of the slave question in the States of this confederacy, presents one of the most extraordinary spectacles which our committee will venture to assert, has ever challenged the notice of a civilized world. We see sovereign states, united by a common law, in about one half of which states, the institution of Slavery not only exists, but its legal existence is solemnly recognized and guaranteed by their compact of union. Yet in the face of this compact, and the clear and distinct admission, that the non-slaveholding States have not the slightest right, either constitutionally or otherwise, to interfere with this institution, the most incendiary associations are tolerated or permitted to exist within their limits, the object and ends of which not only strike at the prosperity and happiness of eleven States in the confederacy, but at their very social existence.

Painful as it may be, it is impossible to disguise the fact, that this is a condition of things which cannot, in the long run, be permitted to exist. Every wise instinct of self-preservation forbids it. Let it be admitted, that the three millions of free white inhabitants in the slaveholding States are amply competent to hold in secure and pacific subjection the two millions of slaves, which, by the inscrutable dispensations of Providence, have been placed under our dominion. Let it be admitted, that, by reason of an efficient police and judicious internal...
legislation, we may render abortive the designs of the fanatic and incendiary within our own limits, and that the torrent of pamphlets and tracts which the Abolition presses of the North are pouring forth with an inexhaustible copiousness, is arrested the moment it reaches our frontier. Are we to wait until our enemies have built up, by the grossest misrepresentations and falsehoods, a body of public opinion against us, which it would be almost impossible to resist, without separating ourselves from the social system of the rest of the civilized world? Or are we to sit down content, because from our own vigilance and courage the torch of the incendiary and the dagger of the midnight assassin may never be applied? This is impossible. No people can live in a state of perpetual excitement and apprehension, although real danger may be long deferred. Such a condition of the public mind is destructive of all social happiness, and consequently must prove essentially injurious to the prosperity of a community that has the weakness to suffer under a perpetual panic. This would be true, if the causes of this excitement proceeded from the external hostility of a foreign nation. But how infinitely interesting and momentous the consideration becomes, when they flow from the acts and doings of citizens of States, with whom we are not only in amity, but to whom we are bound by the strongest bonds of a common union, which was framed to promote the happiness, peace, security, and protection of all.

We have, therefore, a claim on the Governments of the non-slaveholding States, not only moral and social, but of indispensable constitutional obligation, that this nuisance shall be abated. They not only owe it to us, but they owe it to themselves, to that Union, at whose shrine they have so often offered up the highest pledges, by which man can plight his temporal faith.

Your Committee would be inclined to recommend to this Legislature to make an explicit demand on the non-slaveholding States, for the passage of penal laws by their Legislatures, providing for the punishment of the incendiaries within their limits, who are engaged in an atrocious conspiracy against our right of property and life. But a cordial confidence, a fraternal feeling, and the comity which belongs to our social and political relations, forbid us for one moment to doubt, that every effort will be made by the States to whom this appeal is referable, to meet, not only our just expectations on this subject, but every emergency which belongs to this crisis of public peril. Indeed, when we remember the strong demonstrations of public opinion, which were presented at various gratifying public meetings, which were held during the last summer throughout the non-slaveholding States, denouncing as
anti-social and unconstitutional the proceedings of the fanatics and incendiaries; when we remember, too, the avowal, universally made, by the public press, in those States, that a vast and overwhelming majority of their people, viewed such proceedings with horror and detestation, we cannot but believe, that every rational expectation, which the slaveholding States can cherish on this vital question, will be cheerfully met and responded to by those on whom we have such inviolable claims.

We concur entirely in the view which our own Executive takes of the grounds, on which our right to demand the enactment of such conservative legislation rests.

Apart from all those obligations, resulting from the constitutional compact, which unites these States, and which make it the imperative duty of one member of this confederacy, not to allow its citizens to plot against the peace, property and happiness of another member, there is no principle of international law better established, than that even among foreign nations, such atrocious abuses are not to be tolerated, except in the peril of that high and ultimate penalty, by which a brave and free people vindicate their rights.

Your committee are aware, that it has been said, that no legislation can be adapted to arrest the proceedings of the Abolitionists by the non-slaveholding States, without violating the great principle of the liberty of the press. We consider that this objection rests on no just foundation. There is certainly some difference between the freedom of discussion, and the liberty to deluge a friendly and coterminous state with seditious and incendiary Tracts, Pamphlets and Pictorial representations, calculated to excite a portion of its population to revolt, rapine and bloodshed. We would fain believe, that the Northern liberty of the Press, would never be construed into a liberty to lay the South ashes. Under a law honestly passed to meet this crime against society, and treason against the Union, the whole circumstances of the case, and the quo animo of the offender might be left to a jury to determine like any other criminal issue, and if we are to believe in the condition of public opinion, as recently exhibited in most of the non-slaveholding States, we are far from thinking that such legislation would be a mere dead letter.

South Carolina will not anticipate the crisis, which must be presented by a refusal on the part of the non-slaveholding states, to accord to us the protection of such legislation, or such other means, as they may select for the suppression of the evils of which we complain, for she will not doubt the good faith and amity of her sister states. She desires to live in peace and harmony in this Union. In the assertion of her rights...
and in preferring her claims to be secure in the enjoyment of her property, under the compact, she desires to act in entire concert with those states whose interests are identical with her own. She is, however, prepared to do her duty to herself and posterity, under all and every possible conjuncture of circumstances.

In conclusion, your committee, desirous of making a matter of record, both of our rights, and the assertion of the just expectation that they will be respected by those, who are united with us in the bonds of a common union, beg leave to offer the following resolutions, for the adoption of both branches of the Legislature.

1. Resolved, That the formation of the Abolition Societies, and the acts and doings of certain Fanatics, calling themselves Abolitionists, in the non-slaveholding States of this confederacy, are in direct violation of the obligations of the compact of union, dissocial, and incendiary in the extreme.

2. Resolved, That no state having a just regard for her own peace and security can acquiesce in a state of things by which such conspiracies are engendered within the limits of a friendly state, united to her by the bonds of a common league of political Association, without either surrendering or compromising her most essential rights.

3. Resolved, That the Legislature of South Carolina, having every confidence in the justice and friendship of the non-slaveholding states, announces to her co-states her confident expectation, and she earnestly requests that the governments of these states will promptly and effectually suppress all those associations within their respective limits, purporting to be Abolition Societies, and that they will make it highly penal to print, publish and distribute newspapers, pamphlets, tracts, and pictorial representations, calculated and having an obvious tendency to excite the slaves of the Southern States to insurrection and revolt.

4. Resolved, That, regarding the Domestic Slavery of the Southern States as a subject exclusively within the control of each of the said States, we shall consider every interference, by any other State or the General Government, as a direct and unlawful interference, to be resisted at once, and under every possible circumstance.

5. Resolved, In order that a salutary negative may be put on the mischievous, and unfounded assumption of some of the Abolitionists—the non-slaveholding states are requested to disclaim by Legislative declaration, all right, either on the part of themselves or the government of the United States, to interfere in any manner with domestic slavery, either in the states, or in the territories where it exists.
6. Resolved, That we should consider the abolition of slavery in the District of Columbia, as a violation of the rights of the citizens of that District, derived from the implied conditions on which that Territory was ceded to the General Government, and as an usurpation to be once resisted as nothing more than the commencement of a scheme of much more extensive and flagrant injustice.

7. Resolved, That the Legislature of South Carolina, regards with decided approbation, the measures of security adopted by the Post Office Department of the United States in relation to the transmission of incendiary Tracts. But if this highly essential and protective policy be counteracted by Congress, and the United States' Mail becomes a vehicle for the transmission of the mischievous documents, with which it was recently freighted, we, in this contingency, expect that the Chief Magistrate of our State, will forthwith call the Legislature together, that timely measures may be taken to prevent its traversing our Territory.

8. Resolved, That the Governor be requested to transmit a copy of this report and Resolutions to the Executive of the several states, that they may be laid before their respective Legislatures.

In the Senate, 16th Dec. 1835.

Resolved, That the Senate do agree, unanimously, to the report and resolutions. Ordered, they be sent to the House of Representatives in concurrence. By order of the Senate,

JACOB WARLEY, C.S.

In the House of Representatives, 16th Dec., 1835.

Resolved, That the House do concur, unanimously, in the report and resolutions. Ordered, they be returned to the Senate.

By order of the House,

JAS. S. MILES, C.H.R.


His Excellency,

THE GOVERNOR OF KENTUCKY.

Sir: In obedience to the request of the General Assembly of this state, I have the honor of sending you a copy of the preamble and resolutions on the subject of Incendiary Publications, adopted by that body, which it is requested you will please submit to the Legislature of your state.

I have the honor to be, with high considerations,

Your obt. servant,

RICH'D D. SPAIGHT.
Preamble and Resolutions on the subject of Incendiary Publications

Whereas, the proceedings of certain persons in the middle and eastern States during the past summer, have furnished clear proof of a determination to promote, by means the most unjustifiable and iniquitous, the abolition of slavery in the states of the Union in which it now exists; and whereas, as well from the wealth, number and assiduity of the persons engaged in this criminal purpose, as from the means they have resorted to, to accomplish their designs, serious fears are entertained that our property, the peace of our country, and the union of the states, may be endangered thereby—this General Assembly feel called upon by a just regard for the interests and happiness of the good people of this state, and of the other states similarly situated, as well as by an anxious solicitude for the preservation of the Union, which at present so happily unites all the states into one confederated people, to declare the opinions, and set forth the purposes of the people of this state, in language at once firm, clear, decided, and temperate.

When the American Colonies first united for protection from the encroachments upon their rights and privileges, made by the King and Parliament of Great Britain, they assumed the character of sovereign and independent States—they united under an organization which was in strictness, a league—leaving the direct power of operating upon the citizens of each state, with its own constituted authorities; and when the present constitution was adopted, though to all general purposes it constituted the people of the states one people, with one government, having a direct legislative, judicial, and executive authority over the citizens, yet it declared by a specific enumeration, the powers intended to be granted to this government, and expressly declared, out of abundant caution, that the powers not granted belonged to the states respectively, or to the people. At the time when this constitution was adopted, as well as at the time when the confederation was formed, each of the states recognized the right of its citizens to hold slaves. The constitution contains no grant of a power to any department of the government to control the people of any state in regard to its domestic institutions—certainly not in regard to that now in question. It is clear, therefore, that the whole power of regulating this subject within the state of North Carolina, is vested now in the authority of this state, as fully as on the day the independence of the states was declared; for though much difference of opinion has existed as to the principle upon which the grants of power in the constitution are to be interpreted, no one has ever had the temerity to assert, that the General Government may assume a
power which is not granted in terms, and is not necessary as an incident to the proper exercise of a granted power.

We have, therefore, an undoubted right to regulate slavery amongst ourselves, according to our own views of justice and expediency—to continue, or abolish—to modify or mitigate it in any form and to any extent, without reference to any earthly authority, and solely responsible to our own consciences and the judgment of the Governor of the universe. No other state, and no other portion of the people of any other state, can claim to interfere in the matter, either by authority, advice, or persuasion; and such an attempt, from whatever quarter it may come, must ever be met by us with distrust, and repelled with indignation.

Upon the other states of the Union, our claim is clear and well-founded. If they were foreign states, it would be a violation of national law in them, either to set on foot themselves, or permit their own subject to set on foot, any project, the object or tendency of which would be to disturb our peace by arraying one portion of society against another. The constitution which unites us, and by virtue of which we have ceased to be foreign states in regard to each other, and have become bound in the closest union and the most intimate relations for the promotion of the common defence and general welfare, cannot be supposed to have lessened our mutual obligations, or to have made an act harmless which would have been gross wrong had we continued in respect to each other as we now are in respect to other nations, in war enemies, and only in peace friends. It is evident, on the contrary, that every duty of friendship towards each other which before existed, is by our Union heightened in its obligation, and enforced by motives the most exalted and dear. Whatever institution or state of society we think proper to establish or permit, is by no other state to be disturbed or questioned. We enter not into the inquiry, whether such institution be deemed by another state just or expedient. It is sufficient that we think proper to allow it. To protect us from attempts to disturb what we allow, and they approve, would be to support not our institutions, but their own opinions,—to exercise a supervising power over our legislation, and to insult us with a claim of superiority in the very offer to discharge the duty which our relations authorize us to require. As our right is indisputable, to regulate exclusively, according to our own notions, the interior relations of our own people, the duty of preventing every attempt to disturb what we have established, results from the simple fact, that we have established it. And the propriety and impropriety in the view of others of such regulations as we have pleased to make, can never either enhance or lessen the duty of such prevention.
We do full justice to the general sentiment and feelings of our fellow citizens in other states, and are fully aware that the attempts to injure us are made by a small minority, composed, probably, of many misguided and some wicked men; and that these attempts meet with no favor, but on the other hand, with marked disapprobation from the large majority of the communities in which they are made. Still it must be recollected that from the nature of the means employed, the danger to us is the same, whether these means are put into activity by a contemptible minority, or are sanctioned and adopted by the whole body of the people. An incendiary pamphlet performs its office of mischief as effectually when issued under the patronage of twenty, as of twenty thousand persons. Its efficacy depends upon its circulation, not upon the weight of authority which supports it.

While, therefore, we are justly sensible of the sympathy for us, and the indignation against those who seek to disturb our peace, expressed by large and intelligent assemblies of our northern and eastern brethren, we cannot but know, that these expressions do in no way diminish our danger. While the abolitionists are allowed to pursue their course with no other check than the disapprobation of their fellow citizens, that disapprobation will little affect them, and bring no support or consolation under the evils that are likely to befall us. We ask not sympathy, for we feel not, from the institutions we possess, that we suffer injury. We ask protection, to maintain our authority by force of arms, for to that we know ourselves entirely adequate, but we ask protection from the necessity of resorting to such force for that purpose. We ask not assistance, to put down insurrectionary movements among our slaves, for should such occur, we are fully able to put them down ourselves. But we ask, that ourselves may be relieved from external interference. Let to themselves, we believe our slaves with laboring class as little dangerous to society as any in the world. But we do ask, and think we have a right to demand, that others shall not teach them evil, of which they think not themselves; that they should not be stimulated by the base and violent of other lands, to deeds of bloodshed, of which the evils to us will be temporary—to the slaves themselves dreadful and lasting; that we may not be compelled, by a factitious necessity, to adopt measures of rigor, which such necessity only could justify. By some it seems to have been supposed, that the practices of the abolitionists cannot be put down by legislation, consistently with the constitutions of the states in which they live. If this were true, it would furnish no answer to our just complaint, and afford no excuse to those states for permitting such practices to continue. The duty, the performance of which we invoke,
is binding upon those states, and they have no right to disable themselves from its performance by an organic law, more than to refuse its performance by an ordinary act of legislation. The obligation being perfect, cannot be dissolved by any arrangement of the party on whom the obligation rests. If therefore, any such difficulty did in reality exist, we should have a right to ask, that the organic law which produced it, should be so altered as to remove it. But does any such difficulty exist? The one supposed is this: That as the abolitionists seek to accomplish their object by the issue of inflammatory publications, a law to arrest their progress would be a violation of the liberty of the press. This difficulty has its origin in a total misconception of what is meant by the liberty of the press; which means not the right to publish without responsibility, but to publish without previous permission. If it were the former, the liberty of the press would be the greatest curse which could be inflicted on a nation. Where every man has a right to publish what he pleases, but is responsible to the law for the nature and tendency of his publication, the press is free. If he has the right to publish without such responsibility, the press is licentious. If the latter exist, it is the only instance known to our laws, of a right to act without accountability for the action. Every man has a right to carry arms for his own defence, and that right is as clear and as important the freedom of the press; yet it was never supposed that he who carries arms for violence or bloodshed, was therefore irresponsible, because he had a right to carry them for defence.

But it is unnecessary further to set forth the justice of our claims, our brethren of the north and east, and their capability, if they are desirous of complying with our just demands. We believe that our property, the lives of our fellow-citizens, and the peace and happiness of our country, are threatened by the measures of these misguided and wicked men; and though we feel the greatest attachment for the Union and would do all in our power to strengthen and perpetuate it, yet we are not ready to surrender those very rights and blessings which that Union was formed to protect: And should the means now adopted, prove ineffec tual in stopping the progress of these attacks on our peace and happiness, we would invoke the aid of the other slaveholding states, that there may be concert of action in taking such steps as the occasion may demand.

THOMAS G. POLK,
Chairman of the Committee of 30.

1. Resolved, That North Carolina alone has the right to legislate over the slaves in her territory, and any attempt to change their condition.
tion, whether made by Congress, the legislatures, or the people of other states, will be regarded as an invasion of our just rights.

2. Resolved, That we are ready and willing to make, on this subject, a common cause with the rest of our sister slaveholding states, and hereby invite their co-operation in passing such laws and regulations as may be necessary to suppress and prevent the circulation of any incendiary publications within any of the slaveholding states.

3. Resolved, That the thanks of this state are due to, and the kindest feelings of the citizens thereof are cherished towards their brethren of the North, who have magnanimously sustained the principles of our Federal Government, and recognized and maintained our rights against the fanatics of those states.

4. Resolved, That our sister states are respectfully requested to enact penal laws prohibiting the printing within their respective limits, all such publications as may have a tendency to make our slaves discontented with their present condition, or incite them to insurrection.

5. Resolved, That although by the constitution all legislative power over the District of Columbia is vested in the Congress of the United States, yet we would depreciate any legislative action on the part of that body towards liberating the slaves of that District, as a breach of faith towards those states by whom the territory was originally ceded, and will regard such interference as the first step towards a general emancipation of the slaves of the South.

6. Resolved, That the Governor be, and he is hereby requested to forward a copy of this preamble and resolutions to each of our Senators and Representatives in Congress, and to the Executive of each of the states of the Union, with a request that the same be submitted to their respective legislatures.

Read three times, and ratified in General Assembly, December 19th, 1835.

WM. H. HAYWOOD, Jr. S. H. C.
WM. D. MOSELEY, S. S.

A true copy.

WILLIAM HILL, Secretary.

Ordered, That the said message and accompanying documents, be referred to a select committee of Messrs. R. Wickliffe, Marshall, Leavell, Harvie, Trapnall, Tompkins and Thompson.

The Speaker laid before the House the annual report of the Trustees of the Deaf and Dumb Asylum at Danville, which is in the following words, viz:
To the Honorable, the General Assembly
of the Commonwealth of Kentucky.

The Trustees of the Asylum for teaching the Deaf and Dumb, respectfully report:

That the Institution is in successful operation, and the pupils enjoy good health.

The same teachers, improved by experience, are employed, Mr. and Mrs. Jacob are Superintendent and Matron, in place of Dr. Luke Munsell and Lady, resigned.

From the last accounts from Col. Allin, our Agent in Florida, we have good reason to believe that the sales of land received a donation from Congress, are nearly closed; and by information received from unquestionable sources, we have no doubt Col. Allin has discharged the trust confided to him with prudence and fidelity. In the course of a few months the sales will be closed, and we expect from that source, including former remittances, about sixty thousand dollars.

The rates of tuition have been changed since our last report; pupils who pay charges, now pay $65 per annum for board and tuition; and since October last, we have reduced the sum to be paid by the State, to $100 in Commonwealth notes. We trust, that the interest accruing on debts to the Institution, will enable us to sustain it with these charges. The reason why we ask a larger sum for indigent State pupils, is, because some of them have neither father or mother that we can hear of; they are badly supplied with clothing, and have been heretofore mainly supplied by gratuities obtained by the principal teacher. We trust the Legislature will see in the reduction of one third of the sum allowed by law for maintenance of indigent pupils, a disposition on the part of the Trustees to make the Asylum as little chargeable to the State, as is consistent with the welfare of the State pupils. For the better accommodation of the pupils, we have commenced a building for school rooms, sitting and lodging rooms, which will add much to their comfort. The cost is estimated at $5,000.

Accompanying this report, you will please observe a communication from Mr. Jacobs, marked A, suggesting an extension of the time pupils may stay in the Asylum to five years. We have no doubt it would be a great benefit to them; and the whole sum received from the State will be one hundred dollars less for each pupil than has been heretofore paid.

The paper marked B, is the Treasurer's account. It will be perceived that a large amount of the funds of the Asylum are in bonds, in the hands of our Agent in Florida, for lands sold.

The paper marked C, is a list of the pupils now in the Asylum.
OFFICERS OF THE ASYLUM.

John A. Jacobs and Lady, superintendent and matron; John A. Jacobs, principal teacher; Wm. D. Kerr, assistant teacher; Dr. John Todd, physician; James C. Barnes, chairman of the Board of Trustees; James Barbour, treasurer; Rev. John C. Young, secretary.

JOHN TODD, 
J. BARBOUR,

[JOHN T. BARBOUR,] Committee.

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DANVILLE, KY. JANUARY 1, 1836.

To the Board of Trustees of the Kentucky Asylum:

I would respectfully recommend to the Board of Trustees to apply to the Legislature, now in session, for an extension of the term allowed to the State pupils to five years. Five years is but a moderate length of time for one of these unfortunate persons to acquire a competent degree of knowledge for necessary intercourse with his fellow men. Although, in the present time allowed, four years, many of them will make astonishing progress, yet others not so talented will fall short of adequate acquirements.

Inasmuch as the Board has diminished the expenses of the State pupils one third, I cannot but believe the Legislature would yield to the request. It would not be too much, I think, to ask that the privilege should be extended to those who have left the Institution. Respectfully,

J. A. JACOBS.

[STATEMENT SHOWING THE SITUATION OF THE FUNDS OF THE INSTITUTION ON THE THIRD NOVEMBER, 1835.]

1. Balance on hand 3rd Nov. 1834, $6,904.03
2. Amount received from the treasury for support of indigent pupils from 3rd November, 1834, to 3rd November, 1835, 1,361.54
3. Cash received for tuition fees, 97.00
4. Cash received from Col. Allin, 8,000.00

$16,362.57

5. To cash paid Mr. Jacobs, principal teacher, 750.00
6. To cash paid Mr. W. D. Kerr, assistant teacher, 500.00
7. Board of pupils, 3rd August 1825, 650.33
8. Fuel for school room, 30.00
9. Insurance to January, 1836, 18 00
10. Advertising, 8 50
11. Town tax, 3 25
12. Books, stationary and apparatus, 50 55
13. Mr. Jacobs' travelling expenses with a pupil, 46 00
14. Paid Dr. Todd, 7 00
15. Paid for boring well, 42 50
16. Paid for work, new building, 2,380 00
17. Amount allowed treasurer, 50 00
18. Postage, 3 91
19. Medicine, 4 30
20. Amount of notes on hand, 10,000 00

$14,544.51

Cash on hand, $1,818.03

[C]

List of Pupils in the Kentucky Asylum, November 3, 1835.

<table>
<thead>
<tr>
<th>No.</th>
<th>Names</th>
<th>Age</th>
<th>Residence</th>
<th>Circumstances</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Ellen Mills</td>
<td>15</td>
<td>Breckenridge co.</td>
<td>Indigent.</td>
</tr>
<tr>
<td>2</td>
<td>George Adams</td>
<td>15</td>
<td>Rockcastle co.</td>
<td>do.</td>
</tr>
<tr>
<td>3</td>
<td>William Hicks</td>
<td>13</td>
<td>Bracken co.</td>
<td>do.</td>
</tr>
<tr>
<td>4</td>
<td>Jacob N. Johnson</td>
<td>15</td>
<td>Bourbon co.</td>
<td>Indigent.</td>
</tr>
<tr>
<td>5</td>
<td>George W. Blackford</td>
<td>13</td>
<td>Warren co.</td>
<td>do.</td>
</tr>
<tr>
<td>6</td>
<td>Charles A. Weldon</td>
<td>15</td>
<td>Bracken co.</td>
<td>do.</td>
</tr>
<tr>
<td>7</td>
<td>Lewis Hudson</td>
<td>13</td>
<td>Alabama,</td>
<td>Pays charges.</td>
</tr>
<tr>
<td>8</td>
<td>Nancy Hudson</td>
<td>8</td>
<td>do.</td>
<td>do.</td>
</tr>
<tr>
<td>9</td>
<td>Margaret Swope</td>
<td>15</td>
<td>Garrard co.</td>
<td>Indigent.</td>
</tr>
<tr>
<td>10</td>
<td>William H. Holmes</td>
<td>18</td>
<td>Indiana,</td>
<td>Pays charges.</td>
</tr>
<tr>
<td>11</td>
<td>Mary Gore</td>
<td>12</td>
<td>Caldwell co.</td>
<td>Indigent.</td>
</tr>
<tr>
<td>12</td>
<td>Mastan Gore</td>
<td>8</td>
<td>do.</td>
<td>do.</td>
</tr>
<tr>
<td>13</td>
<td>Araminta Fox</td>
<td>8</td>
<td>Louisville,</td>
<td>Pays charges.</td>
</tr>
<tr>
<td>14</td>
<td>Moses Bledsoe</td>
<td>12</td>
<td>Danville,</td>
<td>Tuition pd. by State.</td>
</tr>
<tr>
<td>15</td>
<td>Joseph W. Rodes</td>
<td>17</td>
<td>Fayette co.</td>
<td>Pays charges.</td>
</tr>
<tr>
<td>16</td>
<td>Jacob Todhunter</td>
<td>15</td>
<td>Jessamine co.</td>
<td>do.</td>
</tr>
</tbody>
</table>

And then the House adjourned.
Benedict Spalding, a member returned to serve in this House, from the counties of Washington and Marion, appeared and produced a certificate of his election and of his having taken the oaths prescribed by the constitution of the United States and the constitution and laws of this state, took his seat.

1. Mr. Clay presented the petition of sundry citizens of the town of Richmond, in the county of Madison, praying the passage of a law allowing an additional justice of the peace to said town.

2. Mr. Blewitt presented the petition of Joseph Seward and sundry other citizens of Warren county, praying the passage of a law remitting the fine which may be imposed upon the said Seward by an indictment pending in the Warren circuit court against him for a violation of the law providing against the importation of slaves into this state.

3. Mr. Irwin presented the petition of sundry citizens of Logan county, praying the passage of a law authorizing the county court of Logan to make an appropriation for the support of Jonathan Northern.

Which petitions were severally received, the reading thereof dispensed with and referred; the first to a select committee of Messrs. Clay, C. Campbell and Buford; the second, to the committee on propositions and grievances; and the third, to a select committee of Messrs. Irwin, Hawkins, Kelly and Lucas.

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

On the motion of Mr. Parrish—1. A bill for an appropriation for the purpose of building a bridge across Russell's creek, at some convenient point near the town of Columbia, Adair county.

On the motion of Mr. Mansfield—2. A bill making an appropriation to the Allen Seminary in Allen county.

On the motion of Mr. Tompkins—3. A bill to incorporate the town of Edmonton in Barren county.

On the motion of Mr. Buford—4. A bill declaring Sexton's creek navigable from its mouth up to where John Morris, Esq. now resides.

On the motion of Mr. Goodson—5. A bill to incorporate a company to construct a turnpike road from Newport in Campbell county, by the way of Falmouth and Cynthiana, to Paris in Bourbon county.

On the motion of Mr. Griffith—6. A bill to authorize the board of commissioners for Green River, to apply the appropriation of the last session to the improvement of Panther creek.

On the motion of Mr. Harris—7. A bill for the benefit of the committee of David Ford, a lunatic, and for other purposes.
On the motion of Mr. Harvie—8. A bill to incorporate a company to build a bridge across the Kentucky river at the termination of Ann street in the town of Frankfort.

On the motion of Mr. Pryor—9. A bill for the benefit of Samuel Graves.

Also—10. A bill to change the name of Hendronsville, in the county of Henry.

Also—11. A bill to alter the bounds of the 2d constable's district in the county of Henry.

On the motion of Mr. Garnett—12. A bill to authorize the county court of Harrison county to purchase stone-hammers and crow-bars, for the purpose of removing rock out of the roads in said county.

On the motion of Mr. Meriwether—13. A bill to amend an act entitled, an act for the benefit of Francis M. Taylor, approved January 22, 1832, and for other purposes.

On the motion of Mr. Joyes—14. A bill to change the time of holding the Louisville criminal court, and for other purposes.

On the motion of Mr. J. Jackson—15. A bill to change the time of holding the Laurel county court.

On the motion of Mr. Miles—16. A bill to repeal the act of 1831, establishing an election precinct in Livingston county.

On the motion of Mr. Irwin—17. A bill to improve the navigation of Muddy river.

On the motion of Mr. McNary—18. A bill to provide for transcribing certain books in the office of the surveyor of the county of Muhlenburg, and for other purposes.

On the motion of Mr. McKee—19. A bill to subject the salaries of the officers of this Commonwealth to the payment of their debts.

On the motion of Mr. Bowling—20. A bill to erect a bridge across Chaplin, where the stage road from Harrodsburg to Springfield crosses it.

On the motion of Mr. R. Maxey—21. A bill for the benefit of Monroe Seminary of learning.

Also—22. A bill to exempt, in future, aged and infirm persons from paying county levy.

On the motion of Mr. Dever—23. A bill to establish the town of Bradfordsville in Marion county, and for other purposes.

On the motion of Mr. Norvell—24. A bill to amend the law relating to restraining orders in chancery.

On the motion of Mr. Haddix—25. A bill for establishing and constructing a state road from the mouth of Troublesome creek, through Hazard, the county seat of Perry, to the Sounding gap, at the Virginia line.

On the motion of Mr. Harris—26. A bill to carry out the improvement of Big Sandy river, as contemplated by the board of internal improvement, and by the act of the last session of the legislature.
On the motion of Mr. McClure—27. A bill to appropriate a sum of money to improve the road leading from Columbia, by way of Grider's ferry, on the Cumberland river.

And on the motion of Mr. Huston—28. A bill to incorporate a company to construct a turnpike road from Taylorsville, Spencer county, to Harrodsburg in Mercer county, the nearest and most practicable route.

The following committees were appointed to prepare and bring in the said bills, viz:

The committee on propositions and grievances, the first and thirteenth; Messrs. Mansfield, Blewitt, R. Maxey and Lansdale, the second; Messrs. Tompkins, Winfrey and Anderson, the third; the committee on internal improvement, the fourth, fifth, sixth, eighth, seventeenth and twenty-fifth; the committee on claims, the seventh; Messrs. Pryor, Ford and S. W. White, the ninth; Messrs. Pryor, Lucas and Curd, the tenth; Messrs. Pryor, Blewitt and Curd, the eleventh; Messrs. Garnett, Beasman and G. Davis, the twelfth; Messrs. J. J. J. Joyes, Marshall and Riley, the fourteenth; Messrs. J. J. J. Jackson, Buford and D. White, the fifteenth; Messrs. Miles, McElroy, and Flournoy, the sixteenth; Messrs. McNary, Austin, Peyton and Irwin, the eighteenth; the committee for courts of justice, the nineteenth and twenty-fourth; Messrs. Bowling, Trapnall, Dever and Thompson, the twentieth; Messrs. R. Maxey, Blewitt and Mansfield, the twenty-first; Messrs. R. Maxey, Parrish and Bradley, the twenty-second; Messrs. Dever, Winfrey and McClure, the twenty-third; Messrs. Harris, Ward and Hollingsworth, the twenty-sixth; Messrs. McClure, Winfrey and Drye, the twenty-seventh; and Messrs. Huston, C. A. Wickliffe, Trapnall and Thompson, the twenty-eighth.

A message was received from the Senate announcing the passage of bills which originated therein, of the following titles, viz:

An act to amend the several acts of assembly relating to, and incorporating a company to turnpike a road from Louisville to Nashville.

An act for the divorce of Elizabeth Whitaker.

An act for the benefit of the administrator and heirs of Joseph Haydock.

An act to establish and regulate the town of Hawesville, in the county of Hancock.

An act to incorporate the Louisville Dock Company.

An act for the benefit of Yelverton D. Booker.

An act to incorporate the Western Navigation Company.

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

By the committee for courts of justice—1. A bill for the benefit of the administrator and heirs of James Seeders, dec'd.
By Mr. Goodson—2. A bill to incorporate the Dock Company at Covington.

By Mr. Ritchie—3. A bill to extend the powers of the trustees of the town of Winchester, and for other purposes.

By Mr. Anderson—4. A bill for the improvement of Green river from Greensburg to Page’s warehouse.

By Mr. Cunningham—5. A bill to amend an act entitled, an act to improve the navigation of Nolin, approved 22d February, 1835.

By Mr. R. N. Lewis—6. A bill to authorize the improvement of the hill at Mill’s Point, on the Mississippi river.

By Same—7. A bill to establish an election precinct in Hickman county.

By Mr. Joyes—8. A bill to amend an act to incorporate the Louisville Marine and Fire Insurance Company.

By Mr. D. White—9. A bill for the benefit of the Whitley Seminary of learning.

By Mr. Ward—10. A bill to establish the town of West Liberty in Morgan county.

By Mr. McKee—11. A bill for the improvement of the road from Mountsterling, by the way of Prestonsburg, to the Virginia line.

By Mr. Trapnall—12. A bill for the benefit of the town of Lebanon, and for other purposes.

By Mr. Myers—13. A bill for the benefit of the sheriff of Grant county.

By Mr. J. Jackson—14. A bill to change the time of holding the Laurel county court.

By Mr. Stevenson—15. A bill to amend an act entitled, an act to incorporate the Augusta, Cynthiana and Georgetown turnpike company, approved 28th Feb’y. 1835.

By Mr. McElroy—16. A bill for the benefit of John Blue, late sheriff of Union county.

By Mr. Lansdale—17. A bill to repeal an act entitled, an act to amend the law prohibiting the importation of slaves into the state, approved February, 1833.

Which bills were severally received, 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 said bills, having been dispensed with, the first, second, third, fifth, sixth, seventh, eighth, ninth, tenth, thirteenth, fourteenth and sixteenth, were severally ordered to be engrossed and read a third time; the fourth and eleventh, were committed to the committee of internal improvement; the twelfth, to a select committee of Messrs. Trapnall, Dever and Spalding; the fifteenth and seventeenth, to the committee for courts of justice.
And thereupon, the rule of the House, constitutional provision and third reading of the first, second, third, fifth, sixth, seventh, eighth, ninth, tenth, thirteenth, fourteenth and sixteenth 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.

Ord red, That the Clerk carry said bills to the Senate and request their concurrence.

The joint resolutions from the Senate in relation to the navigation of Cumberland river, and the extension of certain roads into the state of Tennessee, were taken up, twice read and concurred in.

Ordered, That the Clerk inform the Senate thereof.

The House then, according to the standing order of the day, resolved itself into a committee of the whole House, on the bill to incorporate the Louisville, Cincinnati and Charleston railroad company, (Mr. Ford in the chair) and, after some time spent therein, the Speaker resumed the chair, and Mr. Ford reported that the committee had, according to order had under consideration the bill aforesaid, 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 granted.

On motion—

Ordered, That the editors of the Lexington Intelligencer and Louisville Public Advertiser be permitted to take seats within the bar of this house.

And then the House adjourned.

TUESDAY, JANUARY 19, 1836.

A message was received from the Senate, announcing the passage of bills which originated in this House, of the following titles, viz:

An act for the benefit of Elizabeth Fowler.

An act for the benefit of William Elliott and H. Henry.

And an act to incorporate the Bloomfield and Fairfield turnpike road company.

And the passage of bills which originated in the Senate, of the following titles, viz:

An act to regulate the commencement of Boone and Grant circuit courts.

An act to incorporate the Maysville and Bracken turnpike road company.

An act concerning the town of Elizabeth, in the county of Hardin.
An act for the benefit of the heirs of Willis Morgan, dec'd.

An act to incorporate the Kentucky Silk Culture and Manufacturing Company.

And an act to appoint commissioners to make certain improvements in the navigation of Green river.

On motion—
Ordered, That the editor of the Covington Enquirer be permitted to take a seat within the bar of this house.

1. Mr. F. F. Jackson presented the preamble, memorial and resolutions of a meeting of sundry citizens of Clarke county, in relation to the contemplated rail road from Charleston, South Carolina, to the city of Cincinnati.

2. Mr. Cunningham presented the petition of Aaron Hart, praying the passage of a law making a further appropriation for the purpose of removing the obstructions to the navigation of Nolin.

3. Mr. Jasper presented the petition of Sarah Cowan, Charles M. Cowan and James Cowan, praying the passage of a law to authorize and permit them to erect and construct a gate across the road from Somerset to Monticello.

4. Mr. Riley presented the petition of the Bullitt county court, praying the passage of a law reducing the number of justices of the peace in said county.

Which preamble, memorial, resolutions, and petitions, were severally received; the said preamble, memorial and resolutions being read, and the reading of the petitions dispensed with, were referred; the first and second, to the committee on internal improvement; the third, to the committee on propositions and grievances; and the fourth, to a select committee consisting of Messrs. Meriwether, Huston and Riley.

A bill from the Senate, entitled, an act to incorporate the Franklin Bridge Company, was taken up, 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 said bill having been dispensed with, the same was committed to the committee on internal improvement.

On the motion of Mr. Irwin,
Ordered, That the following be adopted as a standing rule for the government of this house, viz:

That when any report shall be left unfinished from any standing committee, it shall take precedence of the usual business of the morning, petitions excepted.

And the question being taken on the adoption of said rule, it was decided in the affirmative.

The Yeas and Nays being required thereon, by Messrs. Norvell and Johnson, were as follows, viz:


Mr. Anderson, from the joint committee of enrolments, reported that the committee, had examined an enrolled bill, entitled,

An act for the benefit of Elizabeth Fowler.

And had found the same truly enrolled.

Whereupon, the Speaker affixed his signature thereunto.

Ordered, That Mr. Anderson inform the Senate thereof.

And then the House adjourned.

WEDNESDAY, JANUARY 20, 1836.

A message was received from the Senate, announcing the passage of bills which originated in this house, of the following titles, viz:

An act giving to the Livingston circuit court an additional week to its terms.

An act for the benefit of the holders of headright certificates, with an amendment to the latter bill.

And the passage of bills from the Senate, of the following titles, viz:

An act to incorporate the Bowlinggreen Portage rail way company.

An act for the benefit of the heirs of Benjamin Mills, dec’d.

An act for the benefit of the county of Jefferson and the city of Louisville.

An act to establish three additional election precincts in the counties of Estill and Perry.
And an act to incorporate the Bowling green and Double Spring turnpike road company.

A bill from the Senate entitled, an act to incorporate the Western Navigation Company, was taken up, 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 said bill, having been dispensed with, the same was committed to the committee for courts of justice.

Mr. Mansfield, from the select committee appointed to prepare and bring in a bill for an appropriation to the Allen Seminary of learning, reported the same, which was received, 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 said bill do pass, and that the titles thereof be as aforesaid.

Ordered, That the Clerk carry said bill to the Senate, and seek their concurrence.

Mr. Anderson, from the joint committee of enrolments, reported that the committee had examined an enrolled bill, entitled, an act for the benefit of William Elliott and H. Henry, and had found the same truly enrolled.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Anderson inform the Senate thereof.

1. Mr. G. Davis presented the preamble and resolutions of sundry citizens of Bourbon county, praying for a charter for a railroad from Paris to Cincinnati.

2. Mr. Winfrey presented the petition of Thomas S. Ellisow praying to be divorced from his wife, Polly T. Ellison.

3. Mr. Wallace presented the petition of Hannah Hunter, praying to be divorced from her husband, James M. Hunter.

4. Mr. Woodson presented the petition of the justices of Jessamine county court, praying the passage of a law authorizing them, or a commissioner appointed on their behalf, to sell and convey a tract of land owned by them, and vest the proceeds in the purchase of another tract of land, on which to erect a poorhouse.

5. Mr. Ford presented the petition of sundry citizens of the town of Shelbyville, praying the passage of a law authorizing a corporation to grant licenses to tavern keepers, &c.

6. Mr. Huston presented the petition of Samuel Graves, praying the passage of a law allowing him a change of venue from one county of Shelby, in which he stands indicted for murder, to some other county.
Mr. R. Wickliffe presented the petition of Thomas B. Ma-
gowan, jailer of Fayette county, praying the passage of a law
making him compensation for clothing, &c. furnished, and jail-
fees, for a certain negro slave named Isaac, who was confined
as a runaway, and was a lunatic.

Which petitions and resolutions were severally received, the
reading of the petitions dispensed with, the resolutions read and
referred; the first, to the committee on internal improvement;
the second and third, to the committee on religion; the fourth and sixth,
to the committee for courts of justice; the fifth, to the committee
on ways and means; and the seventh, to the committee on claims.

A message was received from the Senate, announcing the pas-
sage of bills which originated in this House, of the following titles,
viz:

An act to incorporate the Maysville and Mountsterling turn-
pike company.
An act for the benefit of William McCoy.
And the passage of a bill from the Senate, entitled, an act to
amend an act approved December 8, 1831, entitled, an act to in-
corporate the city of Lexington.

Mr. R. Maxey, from the joint committee of enrolments, reported
that the committee had examined sundry enrolled bills, and had
found the same truly enrolled, viz:

An act appropriating the fines and forfeitures in Jefferson county.
An act to amend the 14th section of an act entitled, an act to
amend and reduce into one the execution laws of this state, ap-
proved February 12, 1828.
An act further regulating the duties of the trustees of the town
of Augusta.
An act abolishing the election precinct in Clarke county, com-
monly called the Stoner precinct, and for other purposes.
An act to incorporate the Bloomfield and Fairfield turnpike com-
pany.
An act for the benefit of Henrietta White.
An act for the benefit of the jailer of Warren county, and for
other purposes.
An act prescribing the mode of choosing electors to vote for
President and Vice President.
An act for the benefit of William A. Coleman and Mary
Coleman, his wife.
An act to establish a state road from Hopkinsville, by way of
Eddyville, to Smithland, in Livingston county.
An act to revive and amend the Grove creek turnpike road
law.

Whereupon, the Speaker affixed his signature thereto.
Ordered, That Mr. R. Maxey inform the Senate thereof.
A bill from the Senate entitled, an act to amend an act approved December 8, 1831, entitled, an act to incorporate the city of Lexington, was taken up 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,

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

Ordered, That the Clerk inform the Senate thereof.

Mr. Winfrey from the select committee appointed to prepare and bring in the same, reported a bill to establish the town of Bradfordsville, and appoint trustees to the town of Credleburg;

Which bill 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,

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

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

The House took up for consideration, the preamble and resolutions in relation to the revenue arising from the sale of the public lands.

Mr. C. A. Wickliffe, the mover thereof, amended the same by striking out the words "if indeed it were lawful so to apply them" and adding thereto the following words: "having a due regard to the protection of our domestic manufactures."

Mr. Anderson offered the following amendment, in lieu of the said preamble and resolutions, viz:

Deeming it unjust on the part of a Government, to extort from its citizens, taxes uncalled for by the exigencies of the country; and believing further, that an overflowing treasury is one of the most efficient means within the reach of ambition, for the attainment of its illicit ends and disseminating corruption through the body politic: as a security against this evil now and in all future time,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators in Congress be instructed, and our Representatives be requested to sustain and vote for the passage of a law providing for the reduction of the price of the public lands and so modify the tariff that the revenue shall be reduced to the wants of the government in the general charge and expenditure.
And the question being taken on the adoption of the same, it was decided in the negative.

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


Mr. Meriwether then called for the previous question, which call having been sustained by the house, and the question being taken, shall the main question be now put; it was decided in the affirmative.

The question was then taken upon the adoption of the resolution, and decided in the affirmative.

The yeas and nays being required thereon, by Messrs. C. A. Wickliffe and Harvie, were as follows, viz:


The question was then taken on the adoption of the preamble, and decided in the affirmative.

The yeas and nays being required thereon, by Messrs. C. A. Wickliife and Harvie, were as follows, viz:


Ordered, That the Clerk carry said preamble and resolutions to the Senate, and request their concurrence.

And then the House adjourned.

THURSDAY, JANUARY 21, 1836.

1. Mr. McKee presented the petition of Ruth Hall, praying that a law may pass divorcing her from her husband, John Hall.

2. Mr. Ford presented the petition of Hezekiah Duzan, praying a divorce from his wife, Fanny Duzan.

3. Mr. Ritchie presented the petition of William Easter and Sibbell Easter, his wife, and sundry other citizens, praying that a law may pass, divorcing the said William and Sibbell from each other.

4. Mr. Goodson presented the memorial of the citizens of Campbell county, praying the grant of a charter for the construction of a rail road from Covington or Newport, on the Ohio river, to the border of this state in the direction of Charleston, South Carolina.

5. Mr. Miles presented the petition of Gustavus A. Brown, praying the passage of a law granting him a change of venue from the county of Livingston, in which a prosecution has been commenced against him, to some other county.
6. Mr. Flournoy presented the petition of James Peters, praying the passage of a law establishing a ferry in his name, across the Mississippi river, from a point in Hickman county to the opposite shore on the Missouri side.

7. Mr. Woodson presented the petition of sundry citizens of the town of Nicholasville, praying the passage of a law extending the limits of said town.

8. Also—the protest of sundry citizens of said town, protesting against the passage of a law extending the limits of said town.

9. Mr. Peyton presented the petition of sundry citizens of Ohio county, praying the passage of a law directing the improvement of Rough creek.

Which petitions and memorial were severally received, the memorial read, and the reading of the petitions dispensed with, and referred; the first, second and third, to the committee on religion; the fourth and ninth, to the committee on internal improvement; the fifth, to the committee for courts of justice; the sixth, seventh and eighth, to the committee on propositions and grievances.

Mr. Anderson, from the joint committee of enrolments, reported that the committee had examined sundry enrolled bills, and had found the same truly enrolled, viz:

- An act to amend an act approved December 8, 1831, entitled, an act to incorporate the city of Lexington.
- An act to amend the charter of the Bardstown and Springfield turnpike road company.
- An act providing for the service of process when the sheriff and coroner of the county are parties to the same suit.
- An act to establish election precincts in Hart and Nelson counties.
- An act to legalize the proceedings of the Logan county court, at their March term, 1835.
- An act for the benefit of James Riddlebarger's heirs and representatives.
- An act to enlarge the constable's district for the town of Monticello.
- An act to change the place of voting in Sugartree Run precinct in Breckinridge county.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Anderson inform the Senate thereof.

The Speaker laid before the House the annual report of the trustees of the Cumberland Hospital, which is in the following words, viz:
Report of the Trustees of the Cumberland Hospital, to the Legislature of Kentucky.

Cumberland Hospital

By amount on hand 1st Jan. 1835,

- " amount of appropriation last session of Legislature. 1,000 00
- " Cash received from patients who died. 25 62
- " of O. Drewry, for 18 1-2 yds. tow linen. 3 08
- " of secretary of the treasury of the U. States as per contract. 402 50

Total: 2351 51

Dr.

To Ora Drewry, for boarding patients from the 1st Jan. 1835 to 1st Jan. 1836, 243 2-7 weeks at $3 per week.

- " same, for coffins and burying 15 persons at $6 each. 90 00
- " same, for money paid out for sundries and for attending to 8 cases of small pox, out of town. 165 51
- " same for washing 90 doz. garments. 45 00
- " same, for brick and laying hearths. 12 00
- " same, for making 54 pillow slips and towels. 3 38
- " same, for going to Frankfort after money and discount on it for sound funds. 55 00
- " Cash paid Doctor D. B. Sanders for his medical services in Hospital one year. 300 00
- " Cash paid Warner & Jacobs for building privy on Hospital lot. 65 00
- " Sanders & Ferguson bill medicine. 11 11
- " Thrift for whitewashing rooms and brick. 6 44
- " W. F. Petit for bill medicines. 93 56
- " Discount on $1000 Commonwealth's paper a 5 pr. ct. 50 00
- " W. D. McCloud for materials and carpenter's work on house for keeper. 217 00
- " Cash paid for 10 mattresses and 20 pillows. 51 77
- " Warren Jackson for repairing piazza and laying floor to same, &c. 40 00
- " Cash for stomach pump and fixtures. 20 00
- " W. Gordon, account for sundries. 29 44
- " Kester for 8 days' attendance on a man with small pox. 16 00
- " B. O. Thrift for brick work of house for keeper. 265 94
- " Coffield for plastering same. 61 00
- " H. I. Person's acct. for sundries. 15 56
- " Wilson & Willis, do. 8 43
- " Thomas McCormick, do. 4 07

Total: 2356 62

Amount of credits: 2351 51

The hospital stands indebted up to the 1st Jan. 1836, 5 11
From the foregoing statement of the accounts of the hospital, you will perceive that the institution was indebted, on the first day of January, instant, in the sum of five dollars and eleven cents; that there has been an increase of patients beyond any former year, amounting in all to ninety-four, and eight of that number were of the small pox, which we provided for their being taken care of in an out house about a mile from town, so as to prevent the disease from spreading among the citizens: for this service we were compelled to pay a high price, which made an inroad on the funds of the institution that was unexpected. The building for the keeper and his family to live in, has cost about fifty-five dollars more than was estimated, owing mainly to the general advance upon labor and materials. The trustees found it absolutely necessary to have built a privy, which you will perceive is an item in the account, costing something more than was anticipated. From the increase of trade, and the advance in business here, particularly in the building and repairing steam boats, (drawn here by the floating Dry Dock,) we may expect the number of persons that will require to be taken care of in the hospital to exceed any former year. The hospital lot, (one acre of ground,) requires relicting, and our object is to have it well done; we therefore, think that less than two thousand dollars will not be sufficient to meet the demands of the institution for the present year; that sum, together with the amount we shall probably receive from the secretary of the treasury of the United States, will, in all probability, meet all the necessary demands of the establishment. All of which is most respectfully submitted.

WILLIAM GORDON, 
THOMAS WILLIS, 
THO. MCCORMICK, 
H. G. PERSONS.

Smithland, Ky. 
Jan. 9, 1836.

On the motion of Mr. Kelly, leave was given to bring in a bill to alter the time of holding the chancery terms of the Christian circuit court—and that Messrs. Kelly, Lansdale, Clark and Irwin, be a committee to prepare and bring in the same.

A message was received from the Senate, announcing their disagreement to bills which originated in this house, of the following titles, viz:

An act for the benefit of James Smith.
An act for the benefit of Andrew Clark.
An act for the benefit of Christian Peters.
And the passage of a bill from this house entitled,
An act for the benefit of Thomas J. Kirtley.
And the passage of bills which originated in the Senate, of the following titles, viz:

An act for the benefit of Zellia Clow.
An act to incorporate the Elizabethtown circulating Library Company.
An act for the benefit of Philip Graves, of Boone county.
An act to incorporate a company to turnpike a road from Shelbyville, Shelby county, to Taylorsville in Spencer county.

On the motion of Mr. C. A. Wickliffe,
The committee for courts of justice was discharged from the further consideration of the petition of William Armstrong, and the said petition was referred to the committee of ways and means.

On motion—
Ordered, That the committee for courts of justice, be discharged from the further consideration of the petition of the infant heirs of Charles Covington, the petition of William Entrekin, and the petition of James Reed.

Mr. C. A. Wickliffe, from the committee for courts of justice, to whom was referred, the petition of Elisha Warfield, reported the following resolution thereon, viz:

Resolved, That the said petition be rejected.
Which was twice read and concurred in.

Mr. Ford, from the committee on religion, to whom was referred the petition of Thomas Smith, reported the following resolution thereon, viz:

Resolved, That said petition be rejected.
Which being twice read, was concurred in.

Mr. Ford, from the same committee to whom was referred the petition of Andrew Butler, reported the following resolution thereon, viz:

Resolved, That the said petition be rejected.
Which being twice read, was concurred in.

Mr. C. A. Wickliffe, from the committee for courts of justice, to whom was referred—A bill to amend an act entitled, an act to incorporate the Augusta, Cynthiana and Georgetown turnpike company, approved 28th Feb'y. 1835, reported the same without amendment.

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

Mr. C. A. Wickliffe, from the same committee to whom was referred a bill to amend an act, entitled, an act to prevent the sale of growing crops, approved 22d February, 1834, reported the same without amendment,
And the question being taken on engrossing and reading said bill a third time, it was decided in the negative.

And so the said bill was rejected.

On motion—

Ordered, That the committee for courts of justice be discharged from bringing in a bill to amend an act for surveying the military claims west of Tennessee river, approved 26th December, 1820, and for other purposes.

It was moved that the committee for courts of justice be discharged from the further consideration of the petition of Reuben Elloit—and the question being taken upon discharging said committee, it was decided in the negative.

Ordered, That said committee bring in a bill pursuant thereto.

Mr. Ford from the committee on Religion, to whom was referred, a bill from the Senate entitled, an act for the benefit of John Owens, of Clarke county, reported the same without amendment.

Ordered, That said bill be read a third time.

And thereupon, the rule of the House, constitutional provision, and third reading of said bill, having been dispensed with:

Resolved, That said bill do pass, and that the title thereof be as follows:

Ordered, That the Clerk inform the Senate thereof.

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

By the committee for courts of justice--1. A bill concerning public roads and ferries.

By Same—2. A bill for the benefit of John Davis and his children.

By Same—3. A bill for the benefit of George Wymore.

By the committee of religion—4. A bill for the benefit of John H. Combs.

By the committee of ways and means—5. A bill for the relief of the sheriff of Calloway county.

By Same—6. A bill to increase in futuro the salary of Governor.

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 said bills, having been dispensed with, the first, second, third, fourth and fifth, were ordered to be engrossed and read a third time.

And thereupon, the rule of the House, constitutional provision and third reading of the first, second, third, fourth and fifth, 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 said bills to the Senate and request their concurrence.

The following bill was reported by the committee for courts of justice, who were appointed to prepare and bring in the same, viz:

A bill for the benefit of the infant heirs of Jane Harp, dec'd., which was read the first time,

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

The House then resolved itself into a committee of the whole house, on a bill to incorporate the Louisville, Cincinnati and Charleston rail road Company, (Mr. Ford in the chair;) and, after some time spent therein, the Speaker resumed the chair, and Mr. Ford reported that the committee had, according to order, had under consideration the bill aforesaid, 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 granted.

And then the House adjourned.

FRIDAY, JANUARY 22, 1836.

1. Mr. R. Maxey presented the petition of the heirs of Samuel Wilson, deceased, praying the passage of a law authorizing the judge of the Monroe circuit court to decree a sale of certain lands belonging to said heirs.

2. Mr. Kirtley presented the petition of sundry citizens of Boone county, praying the passage of a law establishing a state road from a point on the Ohio river, opposite the state of Indiana, through Petersburg to Burlington in Boone county.

3. Mr. Norvell presented the petition of the citizens of the Lower Blue Licks, praying the passage of a law changing the place of voting in the election precinct at said place.

4. Mr. R. N. Lewis presented the petition of Messrs. Landsale, Warton & Co., praying the establishment of an inspection of tobacco at their warehouse in Hickman county.

Which petitions were severally received, the reading thereof dispensed with and referred; the first to the committee for courts of justice; the second to the committee on internal improvement.
the third, to the committee on propositions and grievances; and the
fourth to a select committee of Messrs. R. N. Lewis, Flournoy and
Miles.

Mr. Anderson, from the joint committee of enrolments, reported
that they had examined sundry enrolled bills, and found them
truly enrolled, viz:

An act to incorporate the Mountsterling and Maysville turnpike
company.

An act for the benefit of Wm. McCoy.

And an act giving to the Livingston circuit court an additional
week to its terms.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Anderson inform the Senate thereof.

A message was received from the Senate announcing the pas-
sage of bills which originated therein, of the following titles, viz:

An act divorcing Sarah Crutcher from her husband, James W.
Crutcher.

An act for the benefit of the widow and heirs of Samuel Woods,
dead.

An act to incorporate the Smithland General Insurance Com-
pa

An act to incorporate the Elizaville and Mayslick turnpike road
company.

An act for the benefit of John Woods.

An act to improve the state road from Mountsterling to the Vir-
ginia state line, by way of Prestonsburg and Pikeville.

An act the better to protect the proprietors of ferries across the
Ohio and Mississippi rivers.

And an act to establish a warehouse and inspection of tobacco,
flour, pork and salt upon the lands of Wm. E. Sublett, at his ware-
house landing upon the Little Obion, in the county of Hickman.

That the Senate had also concurred in the amendments proposed
by this house, to the amendments proposed by the Senate to bills
which originated in this house of the following titles, viz:

An act to allow an additional justice of the peace to the county
of Lawrence.

An act to allow an additional justice of the peace to Lincoln
county.

And had concurred in the amendments proposed by this house,
to a bill which originated in the Senate of the following title, viz:

An act to apply the fines and forfeitures of Mason county to les-
sen

And the passage of bills which originated in this House, of the
following titles, viz:
An act to authorize Waller R. Dupuy and Mary J. Dupuy, his wife, to sell and convey a tract of land lying in Christian county.

An act declaring Collins' fork of Goose creek, in Clay and Knox counties, a navigable stream.

An act to protect actual and bona fide settlers on islands in the Mississippi river.

An act to establish an election precinct in Hickman county.

An act to amend an act, entitled, an act to improve the navigation of Nolin, approved 23d February, 1835.

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 improve the state road from Mountsterling to the Virginia state line, by way of Prestonsburg and Pikeville.

2. An act for the benefit of the heirs of Willis Morgan, dec'd.

3. An act to incorporate the Maysville and Bracken turnpike road company.

4. An act to incorporate the Kentucky Silk Culture and Manufacturing Company.

5. An act to amend an act, entitled, an act to incorporate the Newport Manufacturing company.

6. An act to incorporate a company to construct a turnpike road from Taylorsville to Spencer county, to intersect the turnpike road from Bardstown to Louisville.

7. An act to change the time of holding the General court.

8. An act concerning the number of justices of the peace for the county of Hardin.

9. An act to change the time of the meeting of the General Assembly.

10. An act for the better confirmation of the estates of persons holding or claiming under conveyances from married women, act under conveyances not recorded in proper time.

11. An act to repeal the first section of an act entitled, an act to amend an act establishing a female academy in the town of Harrodsburg, and reviving the third section of the act thereby repealed.


13. An act to amend an act to incorporate the Carlisle, Flemingsburg and Greenupsburg turnpike road company.

14. An act to establish and improve a state road from Landing, in Boone county, to intersect the Covington and Lexington turnpike road.

15. An act to amend the law as to proceedings against non-resident and absent defendants, and unknown heirs.

16. An act to appropriate the fines and forfeitures of Green county to the New Athens Academy.

17. An act to restore Philip King to the rights of an unmarried man.
18. An act to incorporate the Eddyville Hotel Company.
19. An act for the better regulation of the town of Hardinsburg, and for other purposes.
20. An act for the benefit of the heirs of Samuel Lovejoy, dec'd.
21. An act to authorize the county court of Rockcastle county to sell a part of the public ground in the town of Mount Vernon.
22. An act to establish an additional election precinct in the county of Hardin, and for other purposes.
23. An act for the benefit of John and Lucy Vining.
25. An act to establish and regulate the town of Hawesville, in the county of Hancock.
26. An act to incorporate the Louisville Dock Company.
27. An act for the benefit of Yelverton D. Booker.
28. An act for the divorce of Elizabeth Whitaker.
29. An act to amend the several acts of assembly relating to, and incorporating a company to turnpike a road from Louisville to Nashville.
30. An act concerning the town of Elizabeth, in the county of Hardin.
31. An act to appoint commissioners to make certain improvements in the navigation of Green river.
32. An act to regulate the commencement of the Boone and Grant circuit courts.
33. An act concerning the listing of slaves for taxation.
34. An act to incorporate the Bowlinggreen Portage railway company.
35. An act for the benefit of the heirs of Benjamin Mills, dec'd.
36. An act for the benefit of the county of Jefferson and the city of Louisville.
37. An act to establish three additional election precincts in the counties of Estill and Perry.
38. An act to incorporate the Bowlinggreen and Double Spring turnpike road company.
39. An act for the benefit of Philip Graves, of Boone county.
40. An act to incorporate the Elizabeth-town Circulating Library Company.
41. An act for the benefit of Zellica Clow.
42. An act to incorporate a company to turnpike a road from Shelbyville, Shelby county, to Taylorsville in Spencer county.

And thereupon, the rule of the house, constitutional provision and second reading of said bills, having been dispensed with, the first and second were ordered to be read a third time; the third, sixth, thirteenth, fourteenth, twenty-sixth, twenty-ninth, thirty-first, thirty-fourth, thirty-eighth and forty-second, were committed to the committee on internal improvement; the fourth, fifth, seventh, eighth,
ninth, tenth, eleventh, twelfth, fifteenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-third, twenty-fourth, twenty-fifth, thirtieth, thirty-second and thirty-fifth, to the committee on propositions and grievances; the seventeenth, twenty-eighth and forty-first, to the committee on religion; the twenty-seventh and thirty-ninth, to the committee on claims; the thirty-third, to the committee of ways and means; and the thirty-seventh, to the committee on privileges and elections, and the fortieth, to the committee on education.

And thereupon, the rule of the House, constitutional provision and the third reading of the first and second 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.

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

By Mr. Kelly—1. A bill to change the time of holding the February term of the Christian circuit court.

By Mr. Clay—2. A bill allowing an additional justice of the peace in the town of Richmond.

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 said bills, having been dispensed with, and same being engrossed,

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

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

A bill from the Senate entitled, an act to change the time of holding the Harrison county court, was read the first time.

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

A joint resolution from the Senate adopting a joint rule of both houses, in relation to applications for divorces, was taken up, twice read, and concurred in.

Ordered, That the Clerk inform the Senate thereof.

A message was received from the Lieutenant and acting Governor, by Mr. Owsley, Secretary of State, announcing that he had
approved and signed sundry enrolled bills, which originated in this house, of the following titles, viz:

An act for the benefit of Sophia Warrener.
An act for the relief of the infant devisees of Thomas Berryman, deceased.
An act to establish an election precinct in Marion county.
An act for the benefit of Bartlett L. Graves.
An act for the benefit of Thomas F. Hackley.
An act for the benefit of Elizabeth Maxey.
An act to authorize the insertion of advertisements in the Hopkinsville Gazette and Western Visitor.
A resolution to examine the Lunatic Asylum and Transylvania University.
An act for the benefit of Leander P. Hammer and Rebecca D. Hammer.
An act to establish an additional election precinct in Bullitt county.
An act for the benefit of Elizabeth Fowler.
An act for the benefit of William Elliott and H. Henry.
An act abolishing the election precinct in Clarke county, commonly called the Stoner precinct, and for other purposes.
An act further regulating the duties of the trustees of the town of Augusta.
An act for the benefit of Henrietta White.
An act for the benefit of the jailer of Warren county, and for other purposes.
An act for the benefit of William A. Coleman and Mary Coleman, his wife.
An act prescribing the mode of choosing electors to vote for President and Vice President.
An act to incorporate the Bloomfield and Fairfield turnpike company.
An act to establish a state road from Hopkinsville, by way of Edsville, to Smithland, in Livingston county.
An act to revive and amend the Goose creek turnpike road law.
An act appropriating the fines and forfeitures in Jefferson county.
An act to amend the 14th section of an act entitled, an act to amend and reduce into one the execution laws of this state, approved February 12, 1828.

Approved, 22d January, 1836.

The House then took up for consideration, the bill to increase in future the salary of the Governor, which was read as follows, viz:

B. It enacted by the General Assembly of the Commonwealth of Kentucky, That the several Governors of this Commonwealth, hereafter elected, shall receive an annual salary each, of —— dollars.
It was then moved to fill the blank in said bill with the sum of three thousand dollars.

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

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


It was then moved to lay 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. Irwin, and C. A. Wickliffe, were as follows, viz:


The Speaker laid before the House the letter of William O. Butler, in the following words and figures, viz:

To the Hon. John L. Helm,

Speaker of the House of Representatives:

Sir: To-day is the 23d anniversary of the defeat and massacre at Raisin; a day that filled each heart with sorrow, and left a settled gloom upon the land which years of peace and unrivalled prosperity have not been sufficient to dispel; a day on which three hundred of the pride and flower of Kentucky chivalry died, nobly struggling against hopeless odds, or fell the victims of British perfidy and savage ferocity, when they had yielded themselves prisoners of war. That the blood of these gallant men should be poured out in the wild, like rain upon the desert sands, to sink and be forgotten, I will not permit myself to believe. As one of the few survivors of that disastrous day, I therefore, beg leave to impress upon the Legislature of Kentucky, the justice and propriety of causing such a monument to be erected to their memory, as will at once attest the gratitude of the country in whose service they perished, and save from unmerited oblivion, a band of devoted patriots, who wanted but an equal field, and a fit chief, to have written their own names in the brightest annals of the world.

Do me the honor to lay this communication before the honorable body over which you preside, and greatly oblige yours, &c.

W. O. BUTLER.

Ordered, That Messrs. C. A. Wickliffe, G. Davis, Marshall, Harvie, Allen, Ford and Riley, be appointed a committee to report on the same.

The House then resolved itself into a committee of the whole house, upon the bill to incorporate the Louisville, Cincinnati and Charleston rail road Company. (Mr. Ford in the chair;) and, after some time spent therein, the Speaker resumed the chair, and Mr. Ford reported that the committee had, according to order, had under consideration the bill aforesaid, 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 granted.

And then the House adjourned.
SATURDAY, JANUARY 23, 1836.

1. Mr. Drye presented the petition of William Weeks, (with other documents accompanying the same,) praying that a law may pass divorcing him from his wife, Martha Weeks.

2. Mr. Harris presented the petition of John Hatcher, praying the passage of a law authorizing him as guardian of the minor heirs of George Huckworth, deceased, or some other fit person, to sell certain real estate owned by them.

3. Mr. Griffith presented the petition of Preston Owen, praying the passage of a law allowing him to erect gates across a public road which runs through his farm.

4. Mr. Lastbrook presented the petition of sundry citizens of Mason and Bracken counties, praying an amendment to the law in force prohibiting the disturbance of religious worship and religious assemblies.

5. Mr. Marshall presented the petition of sundry citizens of the city of Louisville, praying the passage of a law incorporating the Western Navigation Company.

6. Mr. E. F. Jackson presented the petition of Nancy Tuggle with other documents accompanying the same, praying the passage of a law authorizing her to make sale of a certain negro slave, belonging to the estate of her deceased husband, John Tuggle.

7. Mr. Thompson presented the petition of Frances Taylor with other documents accompanying the same, praying the passage of a law divorcing her from her husband, William A. Taylor.

8. Mr. Woodson presented the petition of John Cunningham praying the passage of a law releasing him from the obligations of a bond given by him to the Commonwealth, for fifty stand of cavalry arms, received from the Governor.

Which petitions were severally received, the reading thereof dispensed with, and referred; the first, fourth and seventh, to the committee on religion; the second, fifth and sixth, to the committee for courts of justice; the third, to the committee on internal improvement; and the eighth, to the committee on military affairs.

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

On the motion of Mr. Wallace—1. A bill to establish a turnpike road from Versailles in Woodford county, by the way of Midway to Georgetown in Scott county.

On the motion of Mr. Dever—2. A bill to permit the county of Marion to use the jail of Washington county.

On the motion of Mr. Leavell—3. A bill to authorize the expenditure of five thousand dollars for the improvement of the navigation of Pond river.
Messrs. Wallace, Stevenson, Johnson and Curd, were appointed a committee to prepare and bring in the first; the committee for courts of justice, the second; and Messrs. Leavell, Griffith, Maxey and Bradley, the third.

Mr. Anderson from the joint committee of enrolments, reported that the committee had examined sundry enrolled bills, and had found the same truly enrolled, viz:

An act for the benefit of Matthew Robertson.
An act for the benefit of William Morris, Sheriff of Clay county.
An act for the benefit of James Branham.
An act for the benefit of the administrators of George C. Goodridge.
An act for the benefit of Beverly Stubblefield.
An act for the benefit of Penelope Jones.
An act to change the time of holding the Graves and Hickman county courts.
An act to authorize the county court of Logan to appoint an additional constable.
An act to allow an additional justice of the peace to Lincoln county.
An act to protect actual and bona fide settlers on islands in the Mississippi river.
An act declaring Collins' fork of Goose creek in Clay and Knox counties, a navigable stream.
An act to authorize Waller R. Dupuy and Mary J. Dupuy, his wife, to sell and convey a tract of land lying in Christian county.
An act for the benefit of Thomas J. Kirtley.
An act to amend an act, entitled, an act to improve the navigation of Nolin, approved 22d February, 1835.
An act to establish an election precinct in Hickman county.
An act to allow additional justices of the peace to the counties of Lawrence and Morgan.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Anderson inform the Senate thereof.

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

By Mr. H. G. Davis—1. A bill to appropriate a sum of money to build a seminary of learning at Brandenburg.
By the committee of ways and means—2. A bill to authorize the purchase of scientific books for the use of the Engineer department of the state.
By the committee on internal improvement—3. A bill to incorporate the Springfield, Perryville and Danville turnpike road company.

Which bills were severally 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 said bills, having been dispensed with, the first was committed to the committee on education, and the second and third, were ordered to be engrossed and read a third time; the third being amended.

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

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

Ordered, That the Clerk inform the Senate thereof.

The committee on ways and means, to whom was referred a bill to tax the retailers of spirituous liquors, and for other purposes, reported the same without amendment.

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

The committee on internal improvement, to whom was referred a bill to amend an act, approved 22d December, 1831, entitled, an act to incorporate the Green River rail road, reported the same with an amendment.

On motion—

Ordered, That the said bill, with the amendment, be recommitted to a select committee of Messrs. Irwin, Blewitt, Kelly, Clare Lansdale, G. Davis, C. A. Wickliffe, Marshall, Griffith and Anderson.

The same committee to whom was referred, a bill from the Senate, entitled, an act to incorporate the Franklin bridge company, reported the same without amendment.

Ordered, That said bill be read a third time.

The House then resolved itself into a committee of the whole House, on the bill to incorporate the Louisville, Cincinnati and Charleston road company, (Mr. Ford in the chair) and after some time spent therein, the Speaker resumed the chair, and Mr. Ford reported that the committee had, according to order, but under consideration the bill aforesaid, and had made some progress therein, but not having time to go through the same, had requested him to ask leave to sit again, which was granted.

On the motion of Mr. Thomas—

Leave was given to bring in a bill to amend the charter of the Owingsville and Big Sandy turnpike company, and for other purposes, and that the committee on internal improvement prepare and bring in the same.

And then the House adjourned.
MONDAY, JANUARY 25, 1836.

1. Mr. J. E. Wright presented the petition of sundry members of the Baptist church, belonging to the General Union of Baptists in Kentucky, praying the modification of the charter granted to the Kentucky Baptist Education Society.

2. Mr. Irwin presented the petition of sundry citizens of the town of Russellville, praying an appropriation, on the part of the state, for the purpose of erecting a seminary of learning in said town.

3. Mr. Miles presented the petition of Gustavus A. Brown, praying the passage of a law granting him a change of venue from the county of Livingston, in which he stands indicted, to the county of Christian.

Which petitions were severally received, the reading thereof dispensed with, and referred; the first and second to the committee on education; and the third, 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, viz:

- An act to establish the town of West Liberty, in Morgan county.
- An act for the benefit of Whitley Seminary of learning.
- An act for the benefit of the sheriff of Grant county.
- An act to change the time of holding the Laurel county court.
- An act to establish the town of Bradfordsville, and appoint trustees to the town of Creelsburg.
- An act for the benefit of the sheriff of Calloway county.
- An act to reduce the number of Justices of the peace in Butler county.

And the passage of bills from the Senate, of the following titles, viz:

- An act for condemning land and materials for the construction of turnpike roads, bridges and other works of internal improvement.
- An act to incorporate the Maysville and Mason county manufacturing company.
- An act establishing an election precinct in Breckenridge county.
- An act for the benefit of George Calmes.
- An act for the benefit of William Green, of Harlan county.

And had received official information that the Lieutenant and acting Governor, had signed and approved sundry enrolled bills, which originated in the Senate, of the following titles, viz:

- An act for the benefit of Daniel Curd, surveyor of Barren county.
- An act for the relief of Margaret Hayden.
An act to amend an act approved December 8, 1831, entitled, an act to incorporate the city of Lexington.
An act for the benefit of James Riddlebarger's heirs and representatives.
An act to enlarge the constable's district for the town of Monticello.
An act to change the place of voting in Sugartree Run precinct in Breckenridge county.
An act to legalize the proceedings of the Logan county court, at their March term, 1835.
An act to establish election precincts in Hart and Nelson counties.
An act providing for the service of process when the sheriff and coroner of the county are parties to the same suit.
An act to amend the charter of the Bardstown and Springfield turnpike road company.

Approved, January 22, 1836.

The committee on internal improvement, who were appointed to prepare and bring in the same, reported a bill to incorporate the Springfield and Lebanon turnpike road company, 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 said bill having been dispensed with, it was committed to a select committee of Messrs. Dever, Trapnall, Spalding, C. A. Wickliffe and Thompson.

Mr. Joyes from the committee on internal improvement, to whom was referred, a bill from the Senate entitled, an act to amend an act, entitled, an act for the internal improvement of the state of Kentucky, approved, 28th February, 1835, reported the same with amendments,

Which being twice read, were concurred in.

It was then moved to amend said bill by adding thereto the following section, viz:

SEC. 4. And be it further enacted, That the board of internal improvement shall have full power to survey all rail roads which have, or may hereafter receive the sanction of the Legislature, and make the same report as in other cases provided for in the second section of said act.

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

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

YEAS—Mr. Streake, Messrs. Allen, Anderson, Austin, Blackwell, Bowling, Buord, Clark, Cunningham, G. Davis, H. G. Davis, Dougherty, Flournoy, Funk, Garnett, Goodson, Haddix, Harris,


The hour of twelve o'clock having arrived, the house proceeded to the orders of the day.

The house then resolved itself into a committee of the whole house upon a bill to incorporate the Louisville, Cincinnati and Charleston rail road company, (Mr. Ford in the chair;) and after some time spent therein, the Speaker resumed the chair, and Mr. Ford reported that the committee had had under consideration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

And then the House adjourned.

TUESDAY, JANUARY 26, 1836.

1. Mr. Huston presented the petition of Eliza Davis, with other documents accompanying the same, praying the passage of a law divorcing her from her husband, Asahel R. Davis.

2. Mr. Marshall presented the petition of James Blankenbecker, executor of the last will and testament of Samuel Blankenbecker, deceased, praying the passage of a law amending an act of the last session, authorizing a sale of a portion of the real estate of said decedent.

3. Mr. Riley presented the petition of John Anderson and Preston N. Hornbeck, praying the passage of a law authorizing the revival of a chancery petition in the Bullitt circuit court, and directing said court to decree a sale of the land mentioned therein.

Which petitions were severally received, the reading thereof dispensed with, and referred; the first, to the committee on religion; the second, to a select committee of Messrs. Marshall, Mariwether and Funk; and the third, to the committee for courts of justice.
Leave was given to bring in the following bills, viz:

On the motion of Mr. Anderson—1. A bill to transfer the superintendence of the improvement of Muldrow's Hill, from the commissioners, to the board of internal improvement, and for other purposes.

On the motion of Mr. J. E. Wright—2. A bill to incorporate a company to turnpike a road from Stanford, in Lincoln county, to Lancaster, in Garrard county.

On the motion of Mr. Mansfield—3. A bill to construct a dirt turnpike road from Scottsville to Bowlinggreen.

On the motion of Mr. Mitchell—4. A bill to incorporate the Maysville and Mason county hemp manufacturing company.

On the motion of Mr. Kirley—5. A bill to incorporate a turnpike road from Porter's ferry, opposite Lawrenceburg, Indiana, passing through Burlington, to intersect the Covington and Georgetown turnpike near Gaines.

On the motion of Mr. Lucas—6. A bill declaring Drake's creek, in Warren county, navigable up to where said creek is crossed by the road leading from Russellville to Scottsville.

On the motion of Mr. Hudspeth—7. A bill to reduce the fees and ex officio allowances of Clerks.

On the motion of Mr. Blair—8. A bill for the benefit of Flemingsburg, in Fleming county.

On the motion of Mr. Donaldson—9. A bill to amend an act, entitled, an act more effectually to guard the occupant of land, approved February 31, 1828.

On the motion of Mr. R. N. Lewis—10. A bill to establish a state road from Paducah, at the mouth of the Tennessee, by the way of Wardsborough and Penticoost's ferry, to Canton, and for other purposes.

Messrs. Anderson, Spalding, Trapnall, Dever and Allen, were appointed a committee to prepare and bring in the first; Messrs. I. E. Wright, Bailey and Mason, the second; Messrs. Mansfield, L. Maxey and Lucas, the third; Messrs. Mitchell, Hunter, Lashbrook and Hollingsworth, the fourth; the committee on internal improvement, the fifth; Messrs. Lucas, Mansfield and Hudspeth, the sixth; Messrs. Hudspeth, Allen, Wood and Copeland, the seventh; Messs. Blair, Lashbrook and R. G. Lewis, the eighth; Messrs. Donaldson, Ward and Harris, the ninth; Messrs. R. N. Lewis, Flearnoy and Miles, the tenth.

Mr. Anderson, from the joint committee of enrolments, reported that the committee had examined sundry enrolled bills, and had found the same truly enrolled, viz:

An act for the benefit of the heirs of Willis Morgan, dec'd.
An act for the benefit of the holders of headright certificates.
Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Anderson inform the Senate thereof.
The committee on internal improvement, to whom was referred, bills from the Senate of the following titles, viz:

An act to establish and improve a state road from Landing, in Boone county, to intersect the Covington and Lexington turnpike road.

An act to incorporate a company to construct a turnpike road from Taylorsville, in Spencer county, to intersect the turnpike from Bardstown to Louisville.

An act to incorporate a company to construct a turnpike road from Shelbyville, Shelby county, to Taylorsville in Spencer county.

An act to amend an act to incorporate the Carlisle, Flemingsburg and Greenupsburg turnpike company.

An act to incorporate the Bowling Green Portage railway company.

An act to incorporate the Louisville Dock Company.

Reported the same without amendment.

Ordered, That the said bills be read a third time.

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

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

Ordered, That the Clerk inform the Senate thereof.

The same committee to whom was referred a bill from the Senate, entitled, an act to amend an act, entitled, an act to incorporate the Shepherdsville and Louisville turnpike company, and for other purposes, approved December 28, 1831, reported the same with an amendment,

Which, being twice read, was concurred in.

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

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

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

Ordered, That the Clerk inform the Senate thereof, and request their concurrence in said amendment.

The same committee to whom was referred, a bill from the Senate, entitled, an act to incorporate the Bowling Green and Double Spring turnpike road company, reported the same with an amendment.

Which, being twice read, was concurred in.

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

And thereupon, the rule of the House, constitutional provision, and third reading of said bill having been dispensed with,
Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the Clerk carry said bill to the Senate and request their concurrence in said amendment.

The same committee to whom was referred, a bill from the Senate, entitled, an act to incorporate the Maysville and Bracken turnpike road company, reported the same with an amendment, which being twice read, was concurred in.

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

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

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

Ordered, That the Clerk inform the Senate thereof, and request their concurrence in said amendment.

A message was received from the Senate, announcing the passage of bills which originated therein, of the following titles, viz:

An act to authorise the county courts of Barren, Hardin and Hart counties, to subscribe for stock in certain turnpike roads.

And an act to authorize the citizens of the town of Columbus in the county of Hickman, to elect trustees, and their disagreement to a bill which originated in this House of the following title, viz:

A bill allowing an additional justice of the peace in the town of Richmond.

Also—the passage of bills which originated in this House, of the following titles, viz:

An act for the benefit of John Blue, late sheriff of Union county.

An act to change the time of holding the February term of the Christian circuit court.

An act to incorporate the Dock Company at Covington.

An act to amend the road law in the county of Campbell.

And an act to amend an act, entitled, an act to provide for the improvement of the road from Franklin county to Crab Orchard in Lincoln county:

With amendments to the two latter bills.

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

By the committee on internal improvement—1. A bill to improve the navigation of Little river, and for other purposes.

By the same—2. A bill to declare Sexton's creek, in Clay county, a navigable stream.

By the same—3. A bill to authorize Preston Owen to erect gates across a certain road in Daviess county.

Ordered, That a message be sent to the Senate, acquainting them with the action of this House.
By Same-4. A bill to incorporate a company to construct a bridge across the Kentucky river at the termination of Ann street in the town of Frankfort.

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 was committed to a committee of Messrs. Winfrey, Jones, McClure and Noel; and the second and third were ordered to be engrossed and read a third time.

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

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

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

The committee on internal improvement, to whom leave was given to bring in a bill to authorize the construction of a road in the county of Boone, reported a bill, which was received, and read the first time.

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

Mr. Marshall from the select committee, to whom was referred, a bill to amend an act, approved 22d December, 1831, entitled, an act to incorporate the Green river rail road company, reported the same with an amendment, which, being twice read, was concurred in; and the same being further amended,

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

The House then took up for consideration, the bill from the Senate, entitled, an act to amend an act, entitled, an act for the internal improvement of the state of Kentucky, approved, 28th February, 1835; and the same being further amended;

Ordered, That the said bill, with the amendments, be re-committed to the committee on internal improvement, with directions to strike out all the amendments after the third section.

The House then resolved itself into a committee of the whole House, upon the bill to incorporate the Louisville, Cincinnati and Charleston rail road Company, (Mr. Ford in the chair;) and, after some time spent therein, the Speaker resumed the chair, and Mr. Ford reported that the committee had, according to order, had un-
der consideration the bill aforesaid, 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 granted.

And then the House adjourned.

WEDNESDAY, JANUARY 27, 1836.

1. Mr. Ward presented the petition of Mary Brown, (with other documents accompanying the same,) praying that a law may pass divorcing her from her husband, William Brown.

2. Mr. Wallace presented the petition of Messrs. C & J. Samuel, praying the passage of a law making them compensation for removing obstructions to the navigation of the Kentucky river at Cedar Ripple.

3. Mr. Stevenson presented the petition of sundry citizens of the town of Georgetown, praying the passage of a law incorporating the Georgetown Public Accommodation company.

4. Mr. G. Davis presented the petition of Euphemia L. Schoo ler, (with other documents accompanying the same,) praying the passage of a law divorcing her from her husband, William Schoo ler.

5. Mr. Clark presented the petition of James Morse, adm'r, and Persus Asher, adm'x. of Samuel M. Asher, deceased, praying that a law may pass authorizing them to sell a certain negro man belonging to the estate of said decedent.

6. Mr. R. N. Lewis presented the petition of sundry citizens of Graves county, praying the passage of a law allowing an additional justice of the peace and constable to said county.

7. Mr. Myers presented the petition of the trustees of the town of Falmouth, praying the passage of a law regulating the powers of the trustees of said town, and for other purposes.

Which petitions were severally received, the reading thereof dispensed with, and referred; the first and fourth, to the committee on religion; the second, to the committee on claims; the third, fifth and sixth, to the committee for courts of justice; and the seventh, to a select committee of Messrs. Myers, G. Davis and Mason.

A message was received from the Senate, announcing the passage of a bill from this House, entitled, an act to establish a state road from Morganfield, Union county, to Smithland, in Livingston county.
And the passage of bills from the Senate of the following titles, viz:

An act to incorporate the Crab Orchard and Cumberland Gap turnpike company.

An act further to define the powers of the trustees of the town of Somerset, in Pulaski county.

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

By Mr. Harris—1. A bill to improve the navigation of Big Sandy river and Panther creek.

By Mr. Riley—2. A bill to reduce the number of justices of the peace in Bullitt county.

By the committee on education—3. A bill to provide common school teachers, and promote general education in Kentucky.

By Same—4. A bill to incorporate the Russellville Male Academy.

By Same—5. A bill making an appropriation to the Russellville Male Academy.

By the committee of propositions and grievances—6. A bill to amend the act, entitled an act regulating the prices of taking up boats and crafts on the Ohio river.

By Same—7. A bill for the benefit of Keziah Branham.

By Same—8. A bill to change the place of holding elections in the Lower Blue Lick precinct, in Nicholas county.

By Same—9. A bill to authorize the Pulaski county court to construct a gate on the road from Somerset to Monticello.

By the committee on claims—10. A bill for the benefit of the committee of David Ford.

By Same—11. A bill for the benefit of Thomas B. Magowen, tailor of Fayette county.

By Same—12. A bill for the benefit of C. M. Vaught.

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 said bills, having been dispensed with, the first, second, fourth, fifth, sixth, seventh, eighth, ninth, tenth, and eleventh, were severally ordered to be engrossed and read a third time; and the twelfth was committed to the committee on claims.

And thereupon, the rule of the House, constitutional provision, and third reading of the first, second, fourth, fifth, sixth, seventh, eighth, ninth, tenth and eleventh, having been dispensed with, the first being amended by way of engrossed ryder.

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

Ordered, That the Clerk carry said bills to the Senate and request their concurrence.
Ordered, That the public printer, forthwith, print one hundred and fifty copies of the third bill, for the use of the members of this House.

The committee on education, to whom was referred, a bill to incorporate the New Castle Female Academy, and for other purposes, reported the same with an amendment, which, being twice read, was concurred in.

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

The same committee, to whom was referred, a bill to appropriate a sum of money to build a seminary of learning at Bardstown, reported the same with an amendment, which, being twice read, was concurred in.

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

Mr. Allen from the committee of propositions and grievances, to whom was referred the petition of sundry citizens of Muhlenberg and Hopkins counties, praying for the repeal of a law appropriating lands to build a bridge across Pond river, moved the following resolution:

Resolved, That the said petition be rejected.

Which being twice read, was adopted.

On motion—

Ordered, That the committee on claims be discharged from the further consideration of the petition of Thomas B. Magown.

The committee on claims, to whom was referred bills from the Senate of the following titles, viz:

An act for the benefit of Yelverton D. Booker.
An act for the benefit of Philip Graves, of Boone county.
Reported the same without amendment.

Ordered, That the said bills be read a third time.
And thereupon, the rule of the house, constitutional provision, and third reading of said bills having been dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.
Ordered, That the Clerk inform the Senate thereof.

The committee of privileges and elections, to whom was referred, a bill from the Senate, entitled, an act to establish three additional election precincts in the counties of Estill and Perry, reported the same with an amendment, which being twice read, was concurred in.
Ordered, That said bill, as amended, be read a third time.

And thereupon, the rule of the House, constitutional provision, and third readings of said bill, having been dispensed with,
Resolved, That said bill do pass, and that the title thereof be amended by adding thereto the words, “and for other purposes.”
Ordered, That the Clerk inform the Senate thereof, and request their concurrence in said amendments.

The committee for courts of justice, to whom was referred a bill from the Senate, entitled, an act to change the time of meeting of the General Assembly, reported the same without amendment.
Ordered, That said bill be read a third time.

And thereupon, the rule of the House, constitutional provision, and third reading of said bill, having been dispensed with;
Resolved, That the said bill do pass, and that the title thereof be as aforesaid.
Ordered, That the Clerk inform the Senate thereof.

The house then resolved itself into a committee of the whole house upon a bill to incorporate the Louisville, Cincinnati and Charleston railroad company, (Mr. Ford in the chair;) and after some time spent therein, the Speaker resumed the chair, and Mr. Ford reported that the committee had had under consideration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

And then the House adjourned.
THURSDAY, JANUARY 28, 1836.

1. Mr. Brown presented the petition of Francis Q. Runyon and sundry other citizens of Oldham county, praying the passage of a law authorizing the county court of Oldham, to grant to the said Runyon, a license to keep a tavern in said county, without requiring him to prove that he is prepared to comply with the requisitions of the general law.

Mr. Marshall presented the petition of sundry citizens of Jefferson county, praying, that a law incorporating the Western Navigation company, shall not pass.

Which petitions were severally received, the reading thereof dispensed with, and referred: the first, to the committee on propositions and grievances; the second, to the committee for council justice.

Mr. Anderson, from the joint committee of enrolments, reported that they had examined sundry enrolled bills, of the following titles, and had found them truly enrolled, viz:

- An act for the benefit of Whitley seminary of learning.
- An act to change the time of holding the Laurel county court.
- An act to establish the town of Bradfordsville, and appoint trustees to the town of Creelsburg.
- An act to establish the town of West Liberty, in Morgan county.
- An act for the relief of the sheriff of Calloway county.
- An act for the benefit of the sheriff of Grant county.
- An act to reduce the number of justices of the peace in Bell county.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Anderson inform the Senate thereof.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this house, to bills which originated in the Senate, of the following titles, viz:

- An act to amend an act, entitled, an act to incorporate the Shepherdsville and Louisville turnpike company, and for other purpose; approved, December 23, 1831.
- An act to incorporate the Bowling-green and Double Spring turnpike road company.
- An act to incorporate the Maysville and Bracken turnpike road company.

And that they had passed bills which originated in this House, of the following titles, viz:

- An act concerning public roads and ferries.
An act to amend an act to incorporate the Louisville Marine and Fire Insurance Company.

An act to authorize Preston Owen to erect gates across certain roads in Daviess county.

An act to declare Sexton's creek, in Clay county, a navigable stream.

An act for the benefit of the administrators and heirs of James Seeders, deceased.

An act supplementary to an act, entitled, an act to incorporate the Richmond and Lexington turnpike company.

An act for the benefit of the heirs of H. G. Wintersmith, deceased.

An act concerning the Hartford bridge company.

And the passage of bills which originated in the Senate, of the following titles, viz:

An act providing for a change of venue in the case of Gustavus A. Brown.

An act to amend an act, entitled an act further to regulate the Wilderness turnpike road, approved 11th January, 1830.

An act to incorporate the Union White Sulphur Springs company.

An act to enlarge the constable's district including the town of Mount Vernon, in Rockcastle county.

The Speaker laid before the House the report of the commissioners of the Owingsville and Sandy turnpike road company, which is in the following words, viz:

We, the undersigned commissioners, appointed by an act of the General Assembly of the state of Kentucky, approved, January 15, 1831, to superintend the repairs and further improvement of the Sandy road, from John M. Rice's, in Bath county, to the mouth of Big Sandy, in Greenup county, Ky.—beg leave to report their doings, from the first day of January, 1835, up to the present time; that being the date your commissioners made their former report.

Your commissioners have collected and disbursed the funds arising from the gate, in the following manner, viz:

There was, in the hands of your commissioners, on the first day of January, 1835, the date of their former report, the sum of $150 00

There has passed through the gate, from the 30th November, 1834, up to the 1st January, 1836, the following persons, stock, &c. viz:

1378 men on horseback,
755 foot men,
692 drove horses,
443 wagons and four wheel carriages,
31 carts and gigs.
123 head of cattle,
17925 head of fat hogs,
All of which is chargeable with toll, making the sum of $570.19

1835.

June — John M. Rice, one of the commissioners, expended in the further improvement of said road, $173.00
" Henry S. Powers, one of the commissioners, expended the following sum in the further improvement of said road, 105.00
" Gabriel Scott, the other commissioner, expended the following sum in the further improvement of said road, 142.68
And in November, 1835,
143.00
$563.68

Money overdrawn on gate keeper, previous to last report, $156.51
Paid gate keeper for his services last year, 99.73
$56.78
100.00
$49.21

This sum, $43.22 cents, overdrawn on gate keeper. All of which we beg leave to submit.
HENRY S. POWERS,
GABRIEL SCOTT,
JOHN M. RICE.

January 1, 1836.

On motion—
Ordered. That the committee for courts of justice be discharged from bringing in a bill to subject the salaries of the officers of this Commonwealth to the payment of their debts.

Mr. Harris moved the following resolution, viz:
Whereas, we have not been idle and inattentive spectators of the pending controversy between the United States and the French Government, relative to the fulfillment of the treaty of 1831, together with all the circumstances and events connected therewith.
and entertaining the decided opinion that our government has de-
manded nothing but what "is clearly right," from that proud and
powerful nation, and that the manner of the demand has not been
made in a tone to give offence—We will sustain our government
in the stand taken, to resist the haughty and dictatorial requisitions
made by the French king and his ministers, for a degrading apology
from the United States, as a condition, precedent, before they
will pay our injured fellow citizens the indemnity stipulated by the
 treaty of 1831, and that such a demand can never be answered in
the manner required, as long as the honor and existence of the
United States, as an independent nation, can be maintained.

Resolved, therefore, by the House of Representatives of the Com-
mmonwealth of Kentucky, That we never can consent to witness the
humiliating spectacle of seeing the honor and rights of the United
States prostrated in humble submission to any power on earth, in
making a degrading "apology" for any communication from one
department of the government to another.

2. Be it further resolved, That this house cannot but regard the
naval preparations of France, as warlike; inasmuch as the French
king and ministry, have ordered to our seas a distinguished naval
commander, with a large squadron, as a "fleet of observation."

3. Be it further resolved, That it becomes the duty of the United
States to prepare for the coming contest, by increasing our navy,
fortifying our sea coast, and to put our Atlantic front in a posture
defence, in order to meet the approaching crisis, with a firm
determination to protect, at all hazards, the honor and indepen-
dence of the United States.

Ordered, That the said resolutions be made the special order
of the day, for the 8th day of February next.

Mr. Griffith moved the following resolution, viz:

Resolved, That the committee for courts of justice be instructed
to inquire into the expediency of reporting a bill giving to me-
chanics a lien upon houses, constructed by them, for the price of
materials furnished, and labor performed by them, on such houses
and buildings.

Which being twice read, was adopted.

Mr. Anderson moved the following resolution, viz:

Resolved, That the board of internal improvement, be required
to furnish this House with a statement of all the resources posses-
sed by the state, for purposes of internal improvement, and what
portion thereof can be commanded for present use.

And also—a statement of the appropriations of the aforesaid
resources, which have been actually paid, as well as such as are
yet to be paid by acts of the Legislature already passed, upon the subject of internal improvement.
Which, being twice read, was adopted.

Ordered, That the public printer, forthwith, print two hundred and fifty copies thereof, for the use of the members of this House,

Mr. R. Maxey read and laid on the table, the following joint resolution, viz:
Resolved by the General Assembly of the Commonwealth of Kentucky, That when they adjourn on Monday, the 22d day of February, they will adjourn without day.

Mr. C. A. Wickliffe, from the committee for courts of justice, to whom was referred, a bill from the Senate, entitled, an act for the benefit of John and Lucy Vining, reported the same without amendment.
Which, being twice read, was concurred in.

Ordered, That said bill, as amended, be read a third time.
And thereupon, the rule of the House, constitutional provision and third reading of said bill having been dispensed with,
Resolved, That said bill do pass, and that the title thereof be aforesaid.

Ordered, That the Clerk inform the Senate thereof, and request their concurrence in said amendment.

Mr. C. A. Wickliffe, from the same committee to whom was referred a bill from the Senate, entitled, an act for the benefit of the heirs of Benjamin Mills, deceased, reported the same without amendment.

Ordered, That said bill be read a third time.
And thereupon, the rule of the House, constitutional provision and third reading of said bill having been dispensed with,
Mr. Johnson moved to amend said bill by way of engrossed riders, which, being twice read, was concurred in.
Resolved, That the said bill, as amended, do pass, and that the title be amended by adding thereto, the words, "and for other purposes."

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

Mr. C. A. Wickliffe from the same committee to whom was referred, bills from the Senate of the following titles, viz:
An act to authorize the county court of Rockcastle county to sell a part of the public ground in the town of Mount Vernon.
An act to repeal the first section of an act, entitled, an act to amend an act establishing a Female Academy in the town of Harrodsburg, and reviving the third section of the act thereby repealed.
An act for the benefit of the administrators and heirs of Joseph Haydock.
An act for the benefit of the heirs of Samuel Lovejoy, dec'd.
An act concerning the town of Elizabeth, in the county of Hardin.
An act to regulate the commencement of the Boone and Grant circuit court.
An act concerning the number of justices of the peace for the county of Hardin.
An act to amend an act, entitled, an act to incorporate the Newport Manufacturing company.
An act for the benefit of Judith P. Thornton and her children—reported each of said bills without amendment.

Ordered, That the said bills be read a third time.

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

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

Ordered, That the Clerk inform the Senate thereof.

A bill from the Senate entitled, an act providing for a change of venue in the case of Gustavus A. Brown, was taken up, 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 the Clerk inform the Senate thereof.

Mr. Joyce, from the joint committee appointed to examine the arsenal and the condition of the public arms, made the following report, viz:

The joint committee, appointed by the Senate and House of Representatives, to examine the Arsenal and the condition of the Public Arms, and to report thereon, have performed that duty, and beg leave to report—

That, upon examination, they have found a large number of Muskets, Bayonets, Cartridge Boxes, Rifles, Swords, Sabres, and Pistols, in the Arsenal, in very bad order; many of the Muskets, Rifles, and Pistols, being without locks and ramrods, and in a condition to render them entirely unfit for service. The number of those, as nearly as your committee can ascertain, is as follows, viz:
1000 Muskets and Accoutrements,  
150 Rifles,  
80 sets of Cavalry Accoutrements.

1230 stand in bad order and unfit for service.

Besides which, there are 3510 stand of arms fit for service, viz:

3000 Muskets and Accoutrements,  
260 Rifles,  
250 sets of Cavalry Arms and Accoutrements.

3510

Your committee further state, that the Quarter Master General has informed them that the following arms are in the hands of Militia, in different parts of the state, viz:

3927 Muskets and Accoutrements at Government price, $15 50 $60868 30
517 Rifles, at 18 50 9564 50
670 Cavalry Arms and Accoutrements, 28 35 18994 50
4 six pound Cannon, 400 00 1600 00

$91027 50

The Arsenal erected under the act of the Legislature of the day of 183-, is in good order, and the arms are safely deposited therein; and an individual is now at work in the Arsenal, engaged in repairing and putting the defective arms in order, and progressing, to every appearance, usefully to the institution and the state. He has succeeded in putting many of the arms in excellent order, and has his machinery, apparently, well arranged for the completion of the object. He is, however, but temporarily employed—there being no law authorizing an expenditure for this purpose; but, from the obvious necessity of such a work, his Excellency, the Governor, engaged him to proceed with the undertaking, under the belief that the Legislature would ratify what might be done, and employ the same individual to complete the whole work—with which view of the subject your committee concur, and would recommend the adoption of the bill herewith reported.

Your committee are of opinion that a more competent person than Mr. Percy, (the individual alluded to,) could not be found in the state to perform the duty.

Your committee would suggest the propriety of directing the attention of the Quarter Master General, specially, to the arms and accoutrements, in the hands of the Militia—recommending the strict enforcement of the law on that subject—as many of those arms, your committee have reasons to believe, are in wretched condition. All of which, your committee respectfully submit.
Ordered, That the public printer, forthwith, print six hundred copies thereof, for the use of the members of this house.

Mr. R. Maxey, from the select committee appointed to prepare and bring in the same, reported a bill to exempt aged and infirm persons from paying county levy; which was received and read the first time;

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

Mr. Hudspeth, from the select committee appointed to prepare and bring in the same, reported a bill to reduce the fees and ex-officio allowances of clerks, reported the same, which was received and read the first time;

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

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

On the motion of Mr. Tompkins—1. A bill to amend an act entitled, an act to incorporate the Glasgow and Munfordsville turnpike company.

On the motion of Mr. Riley—2. A bill to amend the charter of the Shepherdsville and Elizabethtown turnpike road company.

On the motion of Mr. Buford—3. A bill to amend an act for the improvement of the road from Mountsierling, by way of Irving and Manchester, to intersect the Wilderness state road.

On the motion of Mr. Goodson—4. A bill to amend an act entitled, an act to incorporate the Covington and Cincinnati manufacturing company.

On the motion of Mr. Ritchie—5. A bill to add two additional magistrates to the county of Clarke.

On the motion of Mr. R. Flournoy—6. A bill the better to secure and disburse the internal improvement fund west of Tennessee river.

On the motion of Same—7. A bill to authorize the recording of deeds remaining unrecorded in the clerk's office of Calloway county court.

On the motion of Mr. Hughes—8. A bill to prevent the improper use of the funds set apart for internal improvement.

On the motion of Mr. Harris—9. A bill to appropriate a sum of money to assist the county of Pike to build a seminary of learning in Pikeville.

On the motion of Mr. Anderson—10. A bill for the benefit of the heirs and representatives of E. Willet, dec'd.

On the motion of Mr. R. N. Lewis—11. A bill to authorize and prescribe the manner of sale of the lands and islands not sectioned in this state, and lying west of the Tennessee river.

On the motion of Mr. Holloway—12. A bill for the improvement of the public highways in the county of Henderson.
On the motion of Mr. Woodson—13. A bill to incorporate a turnpike road company to construct a road from Lexington, by way of the Curd’s road, so as to intersect the turnpike road from Harrodsburg to Nicholasville, at or near the Kentucky river.

On the motion of Mr. Funk—14. A bill to provide for the appointment of an additional constable in the county of Jefferson, and for other purposes.

On the motion of Mr. Ward—15. A bill to amend an act, 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, approved January 12, 1825.

On the motion of Same—16. A bill for the benefit of John Atkins and Solomon Seaggs.

On the motion of Same—17. A bill to repeal the 14th section of an act, entitled, an act to provide for the sale of the vacant lands west of the Tennessee river, approved Jan. 12, 1825.

On the motion of Mr. C. Campbell—18. A bill to amend the law enforcing fines on peddlars.

On the motion of Same—19. A bill to incorporate the Richmond and London turnpike company.

On the motion of Mr. Spalding—20. A bill to amend the law in relation to garnishee warrants.

On the motion of Mr. Trapnall—21. A bill authorizing Judge Kelly to hold a called court in Marion county, for the purpose of appointing a clerk pro tem.

On the motion of Same—22. A bill for the benefit of Robert Slack.

On the motion of Mr. C. A. Wickliffe—23. A bill to incorporate the Bardstown Savings institution.

On the motion of Mr. J. M. Wright—24. A bill to increase the pay of patrollers in Nelson county, and for other purposes.

On the motion of Mr. Jasper—25. A bill to appropriate a sum of money to build a bridge across Buck creek, in Pulaski county.

On the motion of Same—26. A bill for the benefit of the seminary of Pulaski county.

On the motion of Mr. Myers—27. A bill to add the county of Grant to the third judicial district, and to change the time of holding the circuit courts in said county.

On the motion of Mr. Harris—28. A bill to make a road from Pikeville to the Cumberland mountain, and to appropriate the sum of money reported by the engineer, as necessary for that object.

On the motion of Mr. J. Jackson—29. A bill to incorporate the seminary of learning in the town of London.

On the motion of Mr. McClure—30. A bill to appropriate a sum of money for the benefit of the seminary in Russell county.
On the motion of Mr. S. W. White—31. A bill to regulate the hay market in Shelbyville, and for other purposes.

On the motion of Mr. Noel—32. A bill to incorporate a company for the purpose of turnpiking the road from Hopkinsville, by Cadiz to Canton.

On the motion of Mr. Ingram—33. A bill to authorize the clerk of the Wayne county court to transcribe certain records in his office.

On the motion of Mr. D. White—34. A bill for the benefit of the citizens of Whitley county.

The committee on internal improvement, were appointed to prepare and bring in the first, second, thirteenth, nineteenth, twenty-fifth, twenty-eighth and thirty-second; Messrs. Buford, Haddix and Thomas, the third; Messrs. Goodson, G. Davis and Tupman, the fourth; Messrs. Ritchie, F. F. Jackson and R. Wickliffe, the fifth; Messrs. Flournoy, Riley, Huston and R. N. Lewis, the sixth; Messrs. Flournoy, Miles and R. N. Lewis, the seventh; Messrs. Hughes, G. Davis and Rice, the eighth; Messrs. Harris, Johnson and G. Davis, the ninth; Messrs. Andersen, Miles and McElroy, the tenth; Messrs. R. N. Lewis, Flournoy, Riley and Huston, the eleventh; Messrs. Holloway, Griffith, McElroy and Bradley, the twelfth; Messrs. Hink, Meriwether and Huston, the fourteenth; the committee for courts of justice, the fifteenth, twentieth and twenty-third; Messrs. Ward, Harris and Thomas, the sixteenth; Messrs. Ward, Griffith, R. N. Lewis and McElroy, the seventeenth; Messrs. C. Campbell, Buford and Irwin, the eighteenth; Messrs. Trapnell, Dever and Spalding, the twenty-first; the committee of ways and means, the twenty-second; Messrs. J. M. Wright, Trapnell and C. A. Wickliffe, the twenty-fourth; the committee on education, the twenty-sixth; Messrs. Myers, G. Davis, Rice and Mason, the twenty-seventh; Messrs. J. Jackson, D. White and Buford, the twenty-ninth; Messrs. McClure, Winstead and Parish, the thirtieth; Messrs. S. W. White, Ford and W. Campbell, the thirty-first; Messrs. Ingram, Norvell and Bowling, the thirty-third; and Messrs. D. White, J. Jackson and Buford, the thirty-fourth.

Mr. Winstead, from the select committee to whom was referred, a bill to improve the navigation of Little river, and for other purposes, reported the same with an amendment, which, being twice read, was concurred in.

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

Ordered, That the Clerk carry said bill to the Senate and request their concurrence.
A bill from the Senate, entitled, an act to incorporate the Crab Orchard and Cumberland Gap turnpike company, was taken up, 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 said bill, having been dispensed with, the same was committed to the committee on internal improvement.

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

By the committee for courts of justice—1. A bill for the benefit of Reuben Elliott.

By Mr. G. Davis—2. A bill to authorize the board of internal improvement, to have the turnpike road on Muldrow's Hill examined by an engineer, and a report thereon of his opinion of the value of said road, and for other purposes.

By Mr. Tompkins—3. A bill to establish the town of Edmonton in Barren county.

By Same—4. A bill to amend an act, approved, February 25th, 1835, entitled, an act to incorporate the Bardstown and Green river turnpike road company.

By Mr. Leavell—5. A bill to authorize the expenditure of five thousand dollars for the improvement of the navigation of Pan river.

By Mr. Blair—6. A bill for the benefit of the town of Flemingsburg.

By Mr. Pryor—7. A bill to change the second constable's district in Henry county.

By Same—8. A bill to change the name of Hendronsville in the county of Henry.

By Mr. Joyce—9. A bill to provide for cleaning and repairing the public arms in the arsenal.

By Mr. J. Jackson—10. A bill to incorporate and extend the limits of the town of London.

By Mr. Miles—11. A bill repealing the act of 1834, establishing an election precinct in Livingston county.

By Same—12. A bill for the benefit of the heirs and representatives of E. Willett, dec'd.

By Mr. Irwin—13. A bill for the benefit of Robert I. Terry.

By Mr. Hawkins—14. A bill to amend an act regulating the settling the accounts of executors, administrators and guardians.

By Mr. McNary—15. A bill for transcribing certain books in the office of the surveyor of Muhlenburg county, and for other purposes.

By Mr. McKee—16. A bill to authorize John S. Anderson to build gates across certain roads in Montgomery county.

By Mr. Bowling—17. A bill for the purpose of building a bridge across Chaplin river, where the road from Harrodsburg to Springfield crosses the same.
By Mr. R. Maxey—18. A bill for the benefit of the Monroe seminary of learning.

By Mr. H. G. Davis—19. A bill to extend the limits of the town of Brandenburg.

By Mr. Trapnell—20. A bill for the benefit of Washington county, and for other purposes.

By Same—21. A bill to provide for the building of a bridge across Chaplin river.

By Mr. Stevenson—22. A bill to amend an act, entitled, an act to enlarge the boundaries of Georgetown, and for other purposes; approved, February 11th, 1835.

By Mr. Wallace—23. A bill to incorporate the Versailles, Midway and Georgetown, turnpike 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 said bills having been dispensed with, the first, second, third, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, nineteenth, and twenty-second, were severally ordered to be engrossed and read a third time; the fourth, fifth, seventeenth, twenty-first and twenty-third, were committed to the committee on internal improvement; the fourteenth and twentieth, to the committee for courts of justice; and the eighteenth, to the committee on education.

And thereupon, the rule of the House, constitutional provision, and third reading of the first, second, third, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, nineteenth and twenty-second bills, having been dispensed with, and the same being engrossed;

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

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

The house then took up for consideration, the joint resolutions for the benefit of the commissioned officers of the United States army, who served in the last war with Great Britain.

Mr. Mansfield moved to amend said resolutions by adding thereto the following words, "and soldiers who served for a less term than five years."

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

The yeas and nays being required thereon, by Messrs. R. Maxey and McNary, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Allen, Anderson, Austin, Bailey, Beaseman, Blackwell, Blair, Blewitt, Bowling, Bradley, Brown,


The question was then taken on the adoption of said resolutions, as amended, and decided in the affirmative.

The Yeas and Nays being required thereon, by Messrs. McNairy and Johnson, were as follows, viz:


Ordered, That the Clerk carry said resolutions to the Senate, and request their concurrence.

The House then resolved itself into a committee of the whole House, on the bill to incorporate the Louisville, Cincinnati and Charleston railroad company. (Mr. Ford in the chair,) and after some time spent therein, the Speaker resumed the chair, and Mr. Ford reported that the committee had, according to order, had under consideration the bill aforesaid, and had made some progress therein, but not having time to go through the same, had requested him to ask leave to sit again, which was granted.

And then the House adjourned.
FRIDAY, JANUARY 29, 1836.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this House, to a bill which originated in the Senate, entitled, an act to establish three additional election precincts in the counties of Estill and Perry.

And their disagreement to the passage of a bill which originated in this House, entitled, an act for the benefit of George Wymore.

And the passage of bills which originated in this House, of the following titles, viz:

- An act for the benefit of the heirs of Benjamin Long.
- An act for the benefit of the jailer of Jessamine county.
- An act to establish the town of Bryantsville, in Garrard county.
- An act to authorize the purchase of Scientific books for the use of the Engineer Department of the State.
- An act to amend the charter of the Louisville turnpike road company.
- An act for the benefit of John and Peggy Garvin, and their children, and of John Coleman's representatives.
- An act authorising the sale of certain land belonging to the infant heirs of Samuel Bradley, deceased.
- With amendments to the four latter bills.

And the passage of bills which originated in the Senate, of the following titles, viz:

- An act to incorporate the Cumberland river turnpike road company.
- An act for the benefit of Thomas C. Davis.
- An act to amend an act, entitled, an act to establish a road from the mouth of Salt river, to intersect the road from Brandenburg to Bowlinggreen.
- An act for the benefit of John and Mary Jones, and their children.
- An act for the benefit of the devises of Thomas Courtney, deceased.
- An act to appoint commissioners to run and mark the line between Marion and Washington counties, and for other purposes.
- And a joint resolution to appoint joint committees to examine the auditor's, treasurer's and register's offices.

Mr. Anderson, from the joint committee of enrolments, reported that the committee had examined sundry enrolled bills, and had found the same truly enrolled, viz:

- An act to establish and improve a state road from Landing, in Boone county, to intersect the Covington and Lexington turnpike road.
An act to amend an act entitled, an act to incorporate the Shepherdsville and Louisville turnpike company, and for other purposes, approved, Dec. 23d, 1831.

An act to amend an act to incorporate the Carlisle, Flemingsburg and Greensburg turnpike road company.

An act for the benefit of John Owens, of Clarke county.

An act for the benefit of Alfred Owens and Calloway Mullens.

An act to apply the fines and forfeitures of Mason county to lessening the county levy.

An act to establish a state road from Morganfield, Union county, to Smithland, Livingston county.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Anderson inform the Senate thereof.

The Speaker laid before the house, the report of the commissioners appointed by the county court of Pulaski county, to manage and superintend the improvement of the navigation of the Cumberland river, at Smith's Shoals, which is in the following words, viz:

We, the undersigned, appointed by the county court of Pulaski, to superintend and manage the improvement of the navigation of the Cumberland river at Smith's Shoals, beg leave, respectfully, to report—

That there has been expended, during the year 1835, at said place, in the hire of laborers, purchase of tools, provisions, and pay of superintendents, and incidental expenses, the sum of thirty-nine hundred dollars—that there has been constructed and built, under the superintendance of Goggen & Newell, a dam at, or in said shoals, 238 feet in length, 23 feet wide at bottom, and 7 feet high; length of the abutment, 211 feet; width of abutment, 12 feet square, 7 feet high.

Under the superintendance of Brown & Lynch, there has been constructed a dam, in said shoals, 383 feet in length; width at bottom, 28 feet, 7½ feet high.

Under the superintendance of Wm. Heath, a dam 237 feet long, 22 feet wide at bottom, 5½ feet high, and an abutment of 13 feet long.

The above work was done and completed in obedience to the plan and directions of the commissioners appointed to lay off and designate the manner in which said improvements were to be made.

We beg leave to represent that, we believe that the improvements already made, are of very great benefit, and will facilitate and aid in the passage of boats down the river, diminishing the dangers of navigating said shoals. After observing the effects of said dams upon the navigation of said river in high tides, two having occurred since the completion of the above work, we are of
opinion that another dam is eminently needed, and if the dams already constructed, could be raised a little higher, navigation would be much more secure in that part of the river at which we were engaged. The bed of the river stands in need of being cleared out, by the breaking and blowing of rocks, and the removal of the same: and, from our knowledge of the shoals, the upper and lower ends of them stand in need of clearing out, and the construction of proper dams and abutments.

The undersigned were engaged in working about one mile of said shoals—they would respectfully represent that, in their opinion, two dams above, and two below where they have worked, together with the clearing out the bed of the river, would greatly improve the navigation of said river, at said shoals.

All of which is reported.

SAML. NEWELL,
CHRISTOPHER GOGGEN,
LOWDOWN BROWN,
ANDREW LINCH,
WM. HEATH.

Jan. 19, 1836.

To the Legislature of the
Commonwealth of Ky.

A bill from the Senate, entitled, an act to incorporate the Union White Sulphur Springs company, was taken up, 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 said bill, having been dispensed with, the same was committed to the committee for courts of justice.

Mr. Irwin presented the petition of sundry citizens of Logan county, praying that Major Price, a justice of the peace for said county, may be removed from office by impeachment or address. Also—moved the following resolution, viz:

Resolved, That the said petition be referred to the committee for courts of justice, with power to send for persons and papers, and inquire into the facts charged.

Which being twice read, was adopted.

Mr. Ford, from the committee on religion, to whom was referred bills from the Senate of the following titles, viz:

An act for the divorce of Elizabeth Whitaker.
An act for the divorce of Zellica Clow.

Reported each of said bills without amendment.

Ordered, That said bills be read a third time.

And thereupon, the rule of the house, constitutional provision, and third reading of said bills having been dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the Clerk inform the Senate thereof.

Mr. Ford, from the committee on religion, to whom was referred the petition of William Easter, and Sibbell, his wife, moved the following resolution, viz:

Resolved, That the said petition be rejected.

Which, being twice read, was concurred in.

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

By the committee on religion—1. A bill for the divorce of Ruth Hall.
By Same—2. A bill for the benefit of Hannah Hunter.
By Same—3. A bill for the benefit of Thomas S. Ellison.
By Same—4. A bill for the benefit of William Weeks.
By Same—5. A bill for the benefit of Hezekiah and Fanny Dusan.
By Same—6. A bill for the benefit of Frances Taylor.

Which bills were severally received, 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, second, fourth, fifth and sixth bills, having been dispensed with, (the fifth, being amended,) 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 said bills to the Senate and request their concurrence.

The House then resolved itself into a committee of the whole house, upon the bill to incorporate the Louisville, Cincinnati and Charleston rail road Company, (Mr. Ford in the chair;) and, after some time spent therein, the Speaker resumed the chair, and Mr. Ford reported that the committee had, according to order, had under consideration the bill aforesaid, and had made sundry amendments thereto; which he handed in at the clerk's table.

And then the House adjourned.
1. Mr. R. Maxey presented the petition of sundry citizens of the counties of Allen, Barren and Monroe, praying the passage of a law establishing a new county out of parts of said counties.

2. Mr. Mansfield presented the remonstrance of sundry citizens of Allen county, remonstrating against the passage of a law establishing a new county out of parts of the counties of Barren, Allen and Monroe.

3. Mr. Bradley presented the petition of sundry citizens of Hopkins county, praying the passage of a law authorizing the county court of said county to collect an ad valorem tax on real estate, for the purpose of building a new court house.

4. Mr. McClure presented the petition of the heirs of Nebazareden Coffey, deceased, praying the passage of a law authorizing the sale and conveyance of certain real estate, descended to them as heirs of said Coffey.

Which petitions and remonstrance were severally received, the reading thereof dispensed with, and referred; the first, second and third, to the committee on propositions and grievances; and the fourth, 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, viz:

- An act for the benefit of Rebecca Dye.
- An act to provide for cleaning and repairing the public arms in the arsenal; with an amendment to the latter bill.

And the passage of bills which originated in the Senate, of the following titles, viz:

- An act to incorporate a company to construct a turnpike road from Elizabethtown to Greensburg, by way of Hodginsville and Somersville.
- An act to amend the charters of the Bank of Kentucky, and the Northern Bank of Kentucky.
- An act for the benefit of the surveyor of Jefferson county.
- An act for the benefit of Martha and Lucius D. Gilbert.
- An act to incorporate a company to construct a turnpike road from Versailles, by Christopher's landing, to intersect the road from Harrodsburg to Frankfort, in a direction to Louisville.
- An act for the benefit of Nathaniel Reynolds.
- An act to incorporate the Newport, Falmouth, Cynthiana, Paris and Winchester turnpike road company.

And asked leave to withdraw their report, announcing their disagreement to the passage of a bill from this house, of the following title, viz:

- An act for the benefit of George Wymore.
Mr. Anderson, from the committee of enrolments, reported that the committee had examined sundry enrolled bills, and had found the same truly enrolled, viz:

An act to change the time of holding the February term of the Christian circuit court.
An act for the benefit of John Blue, late sheriff of Union county.
An act to incorporate the Dock Company at Covington.
An act providing for a change of venue in the case of Gustavus A. Brown.
An act concerning public roads and ferries.
An act to declare Sexton's creek, in Clay county, a navigable stream.
An act concerning the Hartford bridge company.
An act for the benefit of the heirs of H. G. Wintersmith, deceased.
An act to authorize Preston Owen to erect gates across a certain road in Daviess county.
An act to amend an act to incorporate the Louisville Marine and Fire Insurance Company.
An act supplementary to an act entitled, an act to incorporate the Richmond and Lexington turnpike company.
And an act for benefit of the administrator and heirs of Jane Seeders, deceased.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Anderson inform the Senate thereof.

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

By Mr. J. E. Wright—1. A bill to incorporate the Stanford and Lancaster turnpike road company.
By Mr. Allen—2. A bill to incorporate a company to make a turnpike road from Perryville to Greensburg, by way of Lebanon and Newmarket.
By the committee of ways and means—3. A bill to authorize subscription of stock in the Louisville Bank of Kentucky.
By Same—4. A bill to authorize the purchase of half the stock in the Louisville turnpike company.
By the committee on internal improvement—5. A bill to incorporate the Carlisle, Flat Rock, North Middletown and Winchester turnpike road company.
By Same—6. A bill to incorporate the Paris, North Middletown and Mountsterling turnpike road company.
By Same—7. A bill to authorize the stockholders of the Covington and Lexington turnpike road company, to vote whether Dry creek post office, shall, or not be a point in said road.
By Same—8. A bill to amend the charter of the Shepherdsville and Elizabethtown turnpike road company.
By Same—9. A bill to amend the Owingsville and Big Sandy turnpike road company.

Which bills were severally received, 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 said bills having been dispensed with, the first, second and fourth, were committed to the committee on internal improvement; the third, fifth, sixth, seventh, eighth and ninth, (the sixth being amended,) were severally ordered to be engrossed and read a third time.

And thereupon, the rule of the House, constitutional provision, and third reading of the third, fifth, sixth, seventh, eighth and ninth bills having been dispensed with, and the same being engrossed;

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

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

A bill from the Senate entitled, an act to incorporate the Elizaville and Mayslick turnpike road company, 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 said bill having been dispensed with, the same was referred to the committee on internal improvement.

Mr. Johnson from the committee of ways and means, to whom was referred a bill from the Senate, entitled, an act concerning the listing of slaves for taxation, reported the same with an amendment.

Ordered, That the said bill, and amendment, be laid on the table until the first day of June next.

Mr. Johnson, from the same committee, to whom was referred, the petition of sundry citizens of Columbia, Adair county, Kentucky, moved the following resolution, viz:

Resolved, That the said petition be rejected.

Which, being twice read, was adopted.

Mr. Johnson, from the same committee, to whom was referred, the petition of sundry citizens of Shelbyville, moved the following resolution, viz:

Resolved, That the said petition be rejected.

Which, being twice read, was adopted.

The Speaker laid before the house the annual report of the board of internal improvement, for the state of Kentucky, accom-
panied by the reports of the principal and assistant engineers—which is as follows, viz:

**Frankfort, January 29, 1836.**

**Sir:** I have the honor to transmit to the House of Representatives, a printed report of the board of internal improvement, with the reports, annexed, from the principal and assistant engineers.

The original of which, (the enclosed is a copy,) has been communicated to the Senate, accompanied by maps and drawings; and the latter have been deposited in the Engineer's office, for the use of both Houses of the Legislature.

Very respectfully, I have the honor be, &c.

**J. T. MOREHEAD,**


**Hon. J. L. HELM,**

Speaker of the House of Representatives.

[For the above named report, see appendix to this journal.]

Ordered, That said reports be referred to the committee on internal improvement, and that the public printer, forthwith, print five hundred copies thereof, for the use of the members of the house.

The Speaker also laid before the house, the report of the president of the board of internal improvement, pursuant to a resolution thereof; which is as follows, viz:

**FRANKFORT, KY.**

**January 29, 1836.**

**Sir:**—I have the honor to transmit you the enclosed statement, to be laid before the House over which you preside, prepared in answer to a resolution calling for the information therein contained.

I have the honor to be,

Very respectfully,

Your obedient servant,

**J. T. MOREHEAD,**

Pres'lt Board Internal Improv't.

**Hon. J. L. HELM,**

Speaker of H. Repres'tives.

The following exhibits the amount of funds possessed by the State, set apart for purposes of Internal Improvement, so far as they have come into the hands, or are under the control of the Board of Internal Improvement; also, what portion thereof has been appropriated by the said Board—what portion remains unappropriated, and the amount of subscriptions now asked of said Board.
After paying the agent's commission who negotiated the sale of the scrip, and the expenses attending the sale, there was realized on sale of the $200,000 of the state bonds, authorized to be sold the past year, this sum, $202,707.50.

Of which sum there was absolutely appropriated by the Internal Improvement Act, and paid by the board, the following sums, viz:

To improve navigation of Green and Barren rivers, $50,000
To Licking Bridge, 19,200
To Muldrow's hill, 1,500
To remove fish dams, &c. in the Ky. river, 5,000

This was the whole sum under the control of the Board, applicable to the improvement of roads, $127,007.50.

The Board made subscriptions and payments as follows, to-wit:

**RECAPITULATION.**

Under control of the Board and applicable to improvement of roads, $127,007.50

Subscribed, as stated above, 84,400.00

Sum unsubscribed, $42,607.50

Applications are now before the Board of Internal Improvements for subscriptions to the following chartered roads, and the sums asked for are necessary to make the state's subscription equal that of individual stockholders in said roads.

Board of Internal Improvement, Franklin county, 7,000.00

Counties:
- Scott county, 20,000.00
- Nicholasville to Perryville, 25,200.00
- Board of Internal Improvement, Mercer county, 19,250.00
- Richmond to Lexington, 45,700.00
- Springfield to Bardstown, 42,500.00
- Danville, Lancaster and Nicholasville road, 30,600.00
- Board of Internal Improvement, Lincoln county, 20,600.00

$202,707.50
The committee on internal improvement, to whom was referred, a bill from the Senate, entitled, an act to amend an act, entitled, an act for the internal improvement of the state of Kentucky, approved, 28th February, 1835,—reported the same with an amendment, which being twice read, was concurred in.

Mr. Lansdale then moved the following amendment, viz:

Be it further enacted, That no part of the fund hereby authorized to be raised, shall be subscribed to roads or other works of internal improvement, in any county south of Green river, which has received its full proportion of internal improvement fund, by appropriations to the river or rivers on which such county may be situated.

And the question being taken on the adoption of said amendment, it was decided in the negative.

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


Ordered, That said bill be read a third time.

Mr. Kelly then moved to lay 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. Kelly and Lansdale, were as follows, viz:


NAYS—Mr. Speaker, Messrs. Allen, Austin, Bailey, Blair, Blewitt, Bowling, Buford, C. Campbell, Copeland, Cunningham,
And then the House adjourned.

MONDAY, FEBRUARY 1, 1836.

1. Mr. J. E. Wright presented the petition of sundry citizens, praying the passage of a law making an appropriation on the part of the state, to aid in the opening of a road from Stanford, by the mouth of Line creek, to Barboursville and Williamsburg.

2. Mr. Irwin presented the petition of Matthew H. Fuqua, administrator of Stephen Fuqua, Jr., praying the passage of a law authorizing said administrator to sell certain real estate belonging to the estate of said deceased.

3. Mr. C. A. Wickliffe presented the petition of sundry citizens of the Sugartree run precinct, in Breckinridge county, praying the passage of a law repealing an act changing the place of voting in said precinct.

4. Mr. Kirtley presented the petition of sundry citizens of Boone county, praying the passage of a law incorporating a company to construct a turnpike road from the Ohio river, opposite Lawrenceburg, Indiana, by way of Burlington, to a point on the Covington and Lexington turnpike road.

5. Mr. R. Wickliffe presented the petition of sundry citizens of the city of Lexington, praying that a law may pass repealing the act incorporating said city.

6. Mr. Ward presented the petition of sundry citizens of the counties of Lawrence and Greenup, praying the passage of a law authorizing the county court of Lawrence to make an order to view away for a road from the county road leading from Louisa to Greenup.

Which petitions were severally received, the reading thereof dispensed with, and referred; the first and fourth, to the committee on internal improvement; the second and fifth, to the committee for courts of justice; the third, to the committee on proposi-
tions and grievances; and the sixth, to a select committee of Messrs. Ward, Hollingsworth and Riley.

On the motion of Mr. Lucas—Leave was given to withdraw the petition of William L. Meredith.

Mr. Anderson, from the joint committee on enrolments, reported that they had examined sundry enrolled bills, of the following titles, and had found the same truly enrolled, viz:

- An act for the benefit of the jailer of Jessamine county.
- An act to establish the town of Bryantsville, in Garrard county.
- An act for the benefit of the heirs of Benjamin Long.
- An act for the benefit of Rebecca Dye.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Anderson inform the Senate thereof.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this house, to a bill from the Senate, entitled, an act for the benefit of the heirs of Benjamin Mills, deceased.

And the passage of bills from this House, of the following titles, viz:

- An act to extend the limits of the town of Brandenburg.
- An act for transcribing certain books in the office of the surveyor of Pulaski county, and for other purposes.
- An act for the benefit of Robert J. Terry.
- An act repealing the act of 1834, establishing an election precinct in Livingston county.
- An act to change the name of the town of Hendronsville, in the county of Henry.
- An act to change the second constable's district in Henry county.

And asked leave to withdraw their report announcing the passage of a bill from this house, entitled, an act to amend the charter of the Louisville turnpike road company, with their amendment thereto, which was granted.

And the passage of bills from the Senate, of the following titles, viz:

- An act to amend the charter of the city of Maysville.
- An act for the benefit of Eliza Maxfield and children.
- An act for the benefit of the children of John Ball.
- An act incorporating the Union Agricultural Society.
- An act authorizing the trustees of Mount Vernon, in Rockcastle county, to tax shows within one quarter of a mile of the limits of said town.

An act for the benefit of Elizabeth Graham.
An act concerning public roads in Mason county.
And a resolution for an engineer to examine Muddy river.
A message was received from the Lieutenant and acting Governor, by Mr. Owlsley, Secretary of State, announcing that he had approved and signed sundry enrolled bills, which originated in this House, of the following titles, viz:

An act giving to the Livingston circuit court an additional week to its terms.
An act for the benefit of Wm. McCoy.
An act to change the time of holding the Graves and Hickman county courts.
An act to authorize the county court of Logan to appoint an additional constable.
An act for the benefit of Penelope Jones.
An act for the benefit of Beverly Stubblefield.
An act for the benefit of the administrators of G. C. Goodridge.
An act for the relief of James Branham.
An act for the benefit of Matthew Robertson.
An act for the benefit of William Morris, Sheriff of Clay county.
An act to establish an election precinct in Hickman county.
An act to protect actual and bona fide settlers on islands in the Mississippi river.
An act to allow additional justices of the peace to the counties of Lawrence and Morgan.
An act to allow an additional justice of the peace to the county of Lincoln.
An act to allow Waller R. Dupuy and Mary J. Dupuy, his wife, to sell a tract of land lying in Christian county.
An act declaring Collins' fork of Goose creek in Clay and Knox counties, a navigable stream.
An act to amend an act, entitled, an act to improve the navigation of Nolin, approved 22d February, 1834.
An act for the benefit of Thomas J. Kirtley.
An act for the benefit of the holders of headright certificates.
An act to reduce the number of justices of the peace in Butler county.
An act to establish the town of West Liberty, in Morgan county.
An act to establish the town of Bradfordsville, and appoint trustees to the town of Creelsburg.
An act for the benefit of the sheriff of Calloway county.
An act for the benefit of the sheriff of Grant county.
An act to change the time of holding the Laurel county court.
An act for the benefit of Whitley Seminary of learning.
An act to establish a State road from Morganfield in Union county, to Smithland in Livingston county,

Approved, January 29, 1836.

An act to incorporate the Dock company at Covington.
An act to change the time of holding the February term of the Christian circuit court.
An act for the benefit of John Blue, late sheriff of Union county.
An act for the benefit of the heirs of H. G. Wintersmith, dec'd.
An act concerning the Hartford bridge company.
An act to amend an act to incorporate the Louisville Marine and Fire Insurance Company.
An act to authorize Preston Owen to erect gates across a certain road in Daviess county.
An act to declare Sexton's creek, in Clay county, a navigable stream.
An act concerning public roads and ferries.
An act for benefit of the administrator and heirs of James Seeders, deceased.
An act supplementary to an act entitled, an act to incorporate the Richmond and Lexington turnpike road company.

Approved, February 1, 1836.

A message was received from the Senate, announcing their agreement to the passage of bills from this house, of the following titles, viz.

An act allowing an additional justice of the peace to the county of Russell.
An act for the benefit of James McGinnis.
An act allowing Spotswood Wilkinson, to sell an interest in certain real estate for the devisees of E. P. Wilkinson, deceased.
An act for the benefit of Susan Threlkeld.
An act for the benefit of Aaron Allison.

And the passage of bills which originated in this House, of the following titles, viz:

An act authorizing jailers to serve process in certain cases.
An act for the benefit of Susannah Drane.

Mr. Trapnall from the select committee, appointed to prepare and bring in the same, reported a bill to authorize Judge Kelly to hold a call court in Marion county; which 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, and the same being engrossed:

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

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

A bill to increase the revenue 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 said bill do pass, and that the title thereof be as aforesaid.

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

A bill to provide common school teachers and promote general education, in Kentucky, was read the second time.

Ordered, That the said bill be postponed to, and made the order of the day, for the 9th inst.

On the motion of Mr. Riley—Leave was given to bring in a bill to make an appropriation to build a bridge across Floyd’s fork of Salt river, in Bullitt county, at or near the site of the bridge built by the county court, on the road from Mount Washington to Shepherdsville.

Ordered, That the committee on internal improvement prepare and bring in the same.

The House then took up for consideration, the bill from the Senate, entitled, an act to amend an act, entitled, an act for the internal improvement of the state of Kentucky, approved 28th February, 1835; and the hour of 12 o’clock having arrived, the house proceeded to the orders of the day.

The house then resumed the consideration of the amendments proposed by the committee of the whole house to a bill to incorporate the Louisville, Cincinnati and Charleston rail road company, and the same being twice read, were concurred in; and the said bill was further amended at the clerk’s table.

The House then resolved itself into a committee of the whole House, on the bill to change the present mode of summoning jurors in this Commonwealth, and to provide for their compensation; Mr. Allen in the chair; and after some time spent therein, the Speaker resumed the chair, and Mr. Allen reported that the committee had, according to order, had under consideration the bill aforesaid, and had made sundry amendments thereto, which he handed in at the clerk’s table.

And then the House adjourned.
TUESDAY, FEBRUARY 2, 1836.

1. Mr. Trapnell presented the petition of the president and managers of the Bardstown and Springfield turnpike road company, praying the passage of a law amending the charter granted said company.

2. Mr. Kelly presented the petition of sundry citizens of Christian county, praying the repeal of an act, approved February 11, 1835, making an appropriation for the purpose of building a bridge across Pond river.

3. Mr. Thompson presented the petition of John A. Devenport, praying to be relieved from a judgment recorded against him in the general court, for a stand of arms received by him from the state.

Which petitions were severally received, the reading thereof dispensed with, and referred; the first and second to the committee on internal improvement; and the third to the committee on military affairs.

A message was received from the Senate, announcing the passage of bills from this house, of the following titles, viz:

- An act to extend the limits of the town of London.
- An act to establish a town on the land of Westley Hicks, in the county of Graves.
- An act to authorize the board of internal improvement to lay out the turnpike road on Muldrow’s bill examined by an engineer and report thereon his opinion of the value of said road, and for other purposes; with amendments to each.

And the passage of bills from the Senate of the following titles, viz:

- An act for the divorce of Virginia Thomas.
- An act to establish the town of Dover, in the county of Mason.

And had received official information that the Lieutenant and acting Governor, had signed and approved sundry enrolled bills which originated in the Senate, of the following titles, viz:

- An act for the benefit of the heirs of Willis Morgan, dec’d.
- An act to establish and improve a state road from Landing to Boone county, to intersect the Covington and Lexington turnpike road.
- An act to amend an act, entitled, an act to incorporate the Shepherdsville and Louisville turnpike company, and for other purposes, approved December 23, 1831.
- An act for the benefit of John Owens, of Clarke county.
- An act to amend an act to incorporate the Carlisle, Flemingsburg and Greenupsburg turnpike road company.
An act to apply the fines and forfeitures of Mason county to lessening the county levy.

An act for the benefit of Alfred Owens and Calloway Mullens. Approved, 29th January, 1836.

An act providing for a change of venue in the case of Gustavus A. Brown.

Approved, 1st February, 1836.

And also, asking leave to withdraw their report announcing their disagreement to the passage of a bill from this house, entitled, an act allowing Spottswood Wilkinson to sell an interest in certain real estate, for the devisees of P. P. Wilkinson, dec'd; which was granted.

An act to incorporate the Springfield, Perryville and Danville turnpike road company, was read a third time.

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

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

A bill for the benefit of Thomas S. Ellison, 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 said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the Clerk inform the Senate thereof, and request their concurrence.

Ordered, That the public printer, forthwith, print one hundred and fifty copies of the resolutions in relation to the difficulties between the United States and France, for the use of the members of this house.

A bill from the Senate entitled, an act to amend an act, entitled, an act for the internal improvement of the state of Kentucky, approved 28th February, 1835, was taken up.

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

Ordered, That the Clerk inform the Senate thereof, and request their concurrence in the amendment to said bill.

An act to amend an act, approved 22d December, 1831, entitled, an act to incorporate the Green river road company, was taken up and referred to a committee of Messrs. C. A. Wickliffe, Harry, G. Davis, Thompson and Johnson.

The committee on internal improvement, to whom was referred, a bill from the Senate entitled, an act to appoint commissioners to
make certain improvements in the navigation of Green river, reported the same with amendments, which being twice read, were concurred in; and the same being further amended:

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

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

Resolv'd, That said bill do pass, and that the title thereof be amended to read, "and for other purposes."

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

On motion—

Ordered, That Messrs. Dever and Clay be added to the committee on military affairs.

The amendments proposed by the Senate, to bills which originated in this House, of the following titles, viz:

An act to authorize the board of internal improvement to have the turnpike road on Muldrow's Hill examined by an engineer, and report thereon his opinion of the value of said road, and for other purposes.

An act for the benefit of John and Peggy Garvin, and their children, and of John Coleman's representatives. Were twice read and concurred in.

Ordered, That the Clerk inform the Senate thereof.

A bill from the Senate entitled, an act to incorporate the Newport, Falmouth, Cynthiana, Paris and Winchester turnpike road company, was taken up and read the first time, and ordered to read a second time.

And thereupon, the rule of the House, constitutional provision, and second reading of said bill having been dispensed with, the same was committed to the committee on internal improvement.

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

By Mr. R. N. Lewis—1. A bill to authorize the building of a bridge across Big Mayfield's creek, at or near Davis' old mill.

By the committee on internal improvement—2. A bill to amend an act, entitled, an act to incorporate the Glasgow and Munfordville turnpike company.

By Same—3. A bill to incorporate the Springfield, Maxville and Harrodsburg turnpike road company.

By Mr. Goodson—4. A bill to amend an act, entitled, an act to incorporate the Covington and Cincinnati Manufacturing Company.

By the committee on military affairs—5. A bill to digest the militia law of this state.
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 said bills having been dispensed with, the first, second and fourth, were severally ordered to be engrossed and read a third time; the third was committed to a committee of Messrs. Joyes, Trapnall, Dever, Thompson and Johnson; and the fifth, to the committee on military affairs.

And thereupon, the rule of the house, constitutional provision, and third reading of the first, second 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 the Clerk carry said bills to the Senate and request their concurrence.

The house then took up for consideration the amendments proposed by the committee of the whole house, to a bill to change the present mode of summoning jurors in this Commonwealth, and to provide for their compensation; which being twice read, were concurred in.

The reading of the 21st section of said bill was then called for, and the same was read as follows, viz:

Sec. 21. Be it further enacted, That grand jurors, who shall have served as such, shall not be liable to be summoned as petit jurors during the same term.

Mr. Harris then moved to add to said section, the following amendment, viz:

And the grand jurors shall be paid the sum of fifty cents, out of the public treasury, for each day's attendance as a grand juror, and the auditor is hereby directed to pay the same out of any money in the treasury not otherwise appropriated; and the clerk shall, after each term of the circuit court, transmit to the auditor the names of all grand jurors for said term, and state the number of days each have served, and give each a certificate stating his service, which shall be received by the sheriff in payment of the revenue tax and county levy.

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

The yeas and nays being required thereon, by Messrs. Harris and G. Davis, were as follows, viz:

YEAS—Messrs. Allen, Anderson, Austin, Beaseman, Blackwell, Blevitt, Bowling, Bradley, Clark, Copeland, Cunningham, H. G. Davis, Donaldson, Dougherty, Flournoy, Funk, Garnett, Goodson, Griffith, Harris, Harvie, Heran, Hollingsworth, Holloway, Hud-


And 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 as aforesaid.

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

The Yeas and Nays being required on the passage of said bill, by Messrs. Stevenson and Norvell, were as follows, viz:


On the motion of Mr. C. A. Wickliffe—

Ordered, That the following be adopted as the standing rules for the government of this house, viz:

That all standing committees be composed of seven members, and no more.

That a standing committee on agriculture and manufactures be appointed.

That a committee on the expenditures of the board of internal improvement be appointed.

And then the House adjourned.
1. Mr. Huston presented the petition of sundry citizens of Jefferson county, praying that a law may pass allowing an additional justice of the peace and constable to the county of Jefferson, to reside in said town.

2. Mr. Flournoy presented the petition of sundry citizens of Graves county, praying the passage of a law establishing a public road in said county, and direct the county court to appoint overseers to keep the same in repair.

3. Mr. Trapnall presented the petition of sundry citizens of Washington county, praying the passage of a law changing the present place of voting in an election precinct in said county.

4. Mr. R. Wickliffe presented the petition of Margaret Boggs, a woman of color, (with other documents accompanying the same,) praying the passage of a law investing her with the title of certain real estate, in the city of Lexington.

Which petitions were severally received, the reading thereof being dispensed with, and referred; the first, to a select committee of Messrs. Huston, Funk, Meriwether and Riley; the second, to the committee on internal improvement; the third, to the committee on privileges and elections; and the fourth, to the committee for courts of justice.

On the motion of Mr. Allen—

Leave was given to bring in a bill for the benefit of the widow and heirs of John Smith, M. deceased; and that Messrs. Allen, Norvell, Anderson and Riley, be appointed a committee to prepare and bring in the same.

A message was received from the Senate, announcing the passage of bills from this House, of the following titles, viz:

- An act to authorize John S. Anderson to build gates across a certain road in Montgomery county.
- An act to authorize the Pulaski county court to construct a gate on the road from Somerset to Monticello.
- An act to change the place of elections in the Lower Blue Lick precinct, in Nicholas county.
- And resolutions in relation to the revenue arising from the sale of public lands.
- And the passage of bills from the Senate, of the following titles, viz:
  - An act for the benefit of the children of Bernard Vanderen.
  - An act for the benefit of the estate of Benjamin Cawthorn, dec'd.
An act to establish the Mechanics' Savings Institution of Louisville.

An act to amend the charter of the Lexington and Ohio railroad company.

An act to establish the college of physicians of the city of Louisville.

An act to establish a Police Court in the city of Louisville, and to amend the charter of said city.

Mr. Anderson, from the joint committee of enrolments, reported that the committee had examined sundry enrolled bills, and found the same truly enrolled, viz:

An act to authorize the board of internal improvement to have the turnpike road on Muldrow's bill examined by an engineer, and report thereon his opinion of the value of said road, and for other purposes.

An act for the benefit of John and Peggy Garvin, and their children, and of John Coleman's representatives.

An act repealing the act of 1834, establishing an election precinct in Livingston county.

An act authorizing jailers to serve process in certain cases.

An act to change the name of the town of Hendersonville, in the county of Henry.

An act to change the second constable's district in Henry county.

An act for the benefit of Robert J. Terry.

An act to extend the limits of the town of Brandenburg.

An act for transcribing certain books in the office of the surveyor of Muhlenburg county, and for other purposes.

An act for the benefit of Susannah Drane.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Anderson inform the Senate thereof.

Mr. Allen, from the committee of propositions and grievances, to whom was referred bills from the Senate of the following titles, viz:

An act establishing an additional election precinct in the county of Hardin, and for other purposes.

An act to appropriate the fines and forfeitures of Green county to the New Athens Academy.

An act for the benefit of the county of Jefferson and the city of Louisville.

Reported the same without amendment.

Ordered, That said bills be read a third time.

And thereupon, the rule of the house, constitutional provision and third reading of said bills having been dispensed with, Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the Clerk inform the Senate thereof.
Mr. Harris, from the committee of claims, to whom was referred a bill for the benefit of C. M. Vaughn, reported said bill with an amendment, which being twice read, was concurred in.

Ordered, That 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 as aforesaid.

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

Mr. Allen, from the committee of propositions and grievances, to whom was referred the petition of the citizens of Madisonville, moved the following resolution:

Resolved, That said petition is unreasonable.

Which being twice read, was concurred in.

Mr. C. A. Wickliffe, from the committee for courts of justice, to whom was referred a bill from the Senate, entitled, an act to change the time of holding certain circuit courts, and for other purposes; reported the same without amendment.

On motion—

Ordered, That said bill be laid on the table until the first day of June next.

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

By Mr. Allen—1. A bill for the benefit of the widow and heirs of John Smith, M.

By the committee on propositions and grievances—2. A bill to amend an act to authorize the sale of certain lands belonging to Edmund H. Taylor.

By Same—3. A bill to establish the county of Trimble, and for other purposes.

By Same—4. A bill allowing an additional magistrate and constable to Washington county.

By Same—5. A bill for building a bridge across Russell's creek, in Adair county.

By Same—6. A bill for the benefit of Mary E. Stansbury.

Which bills were severally received, 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, fourth, fifth and sixth bills having been dispensed with, the first, second, fourth and sixth,
were severally ordered to be engrossed and read a third time; and
the fifth was committed to the committee on internal improvement.

And thereupon, the rule of the House, constitutional provision
and third reading of the first, second, fourth and sixth 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 said bills to the Senate, and re-
quest their concurrence.

The committee of propositions and grievances, to whom was
referred leave to bring in a bill to reduce into one, the several acts
in relation to the town of Nicholasville, reported the same; which
was received and read the first time, and ordered to be read a sec-

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

Mr. C. A. Wickliffe then moved the previous question; which
call, being sustained by the house, the main question was then put:
shall the bill be engrossed and read a third time?

And the question being taken thereon, it was decided in the af-

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 the Clerk carry said bill to the Senate and re-
quest their concurrence.

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

YEAS—Mr. Speaker, Messrs. Allen, Anderson, Austin, Bailey,
Beaseman, Blackwell, Blewitt, Bowling, Bradley, Brown, Bulford,
C. Campbell, W. Campbell, Clark, Clay, Cunningham, Curd, C.
Davis, Deyer, Dougherty, Drye, Flournoy, Funk, Garnett, Griffin,
Haddix, Harris, Hawkins, Hollingsworth, Holloway, Hudspeth,
Hughes, Hunter, Huston, Ingram, Irwin, F. F. Jackson, J. Jack-
son, Jasper, Johnson, Joyes, Kelly, Kirtley, Lansdale, Leavell, R.
G. Lewis, R. N. Lewis, Lucas, McClure, McElroy, McKee, Mc-
Nary, Mansfield, Marshall, Mason, N. Maxey, R. Maxey, Men-
wether, Miles, Mitchell, Myers, Noel, Pryor, Rice, Riley, Ritchie,
Schoolfield, Spalding, Stevenson, Stewart, Thompson, Tompkins,
Trapp, Tusan, Wallace, Ward, D. White, S. W. White, C.
A. Wickliffe, R. Wickliffe, Winfrey, J. M. Wright, J. E. Wright,
Wood, Woodson—86.

NAYS—Messrs. Copeland, Donaldson, Goodson, Norvell, Par-
rish—5.
The House then took up for consideration, the bill to incorporate the Louisville, Cincinnati and Charleston railroad Company:

The reading of the 17th section was then called for, and the same was read as follows, viz:

§ 17. The company shall have power and may proceed to construct as speedily as their means will permit, rail roads with one or more tracts, to be used with steam, animal or other power, which shall pass through the states of Kentucky, Tennessee, North Carolina and South Carolina, so as to form continuos lines of rail road between the cities of Louisville and Charleston, and Cincinnati and Charleston, the lines of which roads shall be established by the General Board of directors, subject to the control of the stockholders at a general meeting.

Provided, That it is a condition of this charter, that when the line of road shall have been established through the Cumberland mountains, the company shall lay out a route of rail road from some point on the said road northwest of the said mountains, and as near thereto as the ground will well permit, running therefrom in the best practicable direction, having due regard to the most direct line to the city of Louisville, which shall be constructed by the said company, simultaneously with the construction of the rail road from that point to the Ohio river at Covington or Newport. The said company may use any section of the rail roads by them to be constructed, before the whole shall be completed, subject to the rates hereinafter mentioned.

Mr. G. Davis then moved to amend said section by inserting after the word "Charleston," the following words, "and also a lateral rail road, commencing as near as may be practicable, at the point where the Cincinnati and Charleston line may cut the Maysville, Washington, Paris and Lexington turnpike road, and running on the east side thereof to the city of Maysville;" and to strike out all after the word "Louisville" in the proviso, to the word "Newport," inclusive, and insert in lieu thereof, "and the two principal lines of said rail road, terminating at Louisville and Covington or Newport, and the lateral road to the city of Maysville, shall be constructed simultaneously."

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

The yeas and nays being required thereon, by Messrs. G. Davis and R. Wickliffe, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Beaseman, Blewitt, Brown, Buford, C. Campbell, Clay, G. Davis, H. G. Davis, Dever, Dougherty, Garnett, Goodson, Haddix, Harris, Harvie, Hawkins, Holloway, F. F. Jackson, J. Jackson, Johnson, Kelly, Kirtley, Lansdale, Leavell, McElroy, McKee, McNary, Mansfield, Miles, Myers,
Norvell, Rice, Ritchie, Schoolfield, Spalding, Stevenson, Tupman, Ward, D. White, Winfrey—42.


Mr. R. Wickliffe then moved to amend said section by striking out the word "Cincinnati," and inserting "Maysville," and strike out all after the word "out," in said section, and insert the following, "two routes of a railroad from the most convenient and suitable points northwest of said mountains, and run from them a branch railroad by way of Lexington to Maysville, in the state of Kentucky, and the other branch railroad in the most direct and practicable route to the city of Louisville, in said state, to be constructed simultaneously from the cities of Louisville and Maysville, to the point from which the branches diverge: Provided, that said branch railroad to the city of Louisville, shall run in the most practicable direction south of the Kentucky river.

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

The yeas and nays being required thereon, by Messrs. Harris and R. Wickliffe, were as follows, viz:


Mr. Trappall then moved to amend the said section by adding after the word "Charleston," the words "by way of Lexington."
And the question being taken thereon, it was decided in the affirmative.

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


Mr. Goodson then moved the previous question, and the call having been sustained by the house—

The Yeas and Nays being required thereon, by Messrs. Marshall and R. Wickliffe, were as follows, viz:


The main question was then put, shall the said bill be engrossed and read a third time?

And the question being taken thereon, it was decided in the affirmative.
The yeas and nays being required thereon, by Messrs. Flournoy and Goodson, were as follows, viz:


Mr. G. Davis then moved that said bill have its third reading on this day; upon which the question of order arose, and the chair decided that said motion was in order; from which decision of the chair, Mr. C. A. Wickliffe appealed, believing that it required by the constitution, four fifths to concur in dispensing with the rule requiring bills to be read on three several days.

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. C. A. Wickliffe and —, were as follows, viz:


Mr. Tompkins then moved an adjournment at 10 minutes past 4 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. Harris and Tompkins, were as follows, viz:


And then the House adjourned.

THURSDAY, FEBRUARY 4, 1836.

1. Mr. Trapnall presented the petition of the heirs of John B. Mudd, deceased, praying the passage of a law authorizing the sale of certain real estate devised to them as heirs of said Mudd.

2. Also, the petition of John C. Moffett, praying the repeal of a law authorizing the county court of Washington to cause a road to be opened from Springfield to Wathen's Spring, which runs through the land of said Moffett.

3. Mr. Johnson presented the petition of Benjamin B. Ford, Clerk of the Scott county court, praying the passage of a law authorizing him to renew his official bond as Clerk.

4. Mr. R. N. Lewis presented the petition of John Watts, Jr. and sundry other citizens, praying the passage of a law granting a
quarter section of land to said Watts, for the purpose of erecting
a grist mill thereon.

Which petitions were severally received, the reading thereof
dispensed with, and referred; the first, third and fourth to the com-
mittee for courts of justice; and the second to the committee on
propositions and grievances.

On motion—
Ordered, That Mr. Allen be discharged from, and Mr. Hollings-
worth be added to, the committee to visit and examine Transylva-
nia University and the Lunatic Asylum.

Mr. C. A. Wickliffe, from the committee to whom was referred
a bill from the Senate, entitled, an act to incorporate the Western
Navigation Company, reported the same without amendment.

And the question being taken upon reading said bill a third
time, it was decided in the negative; and so the said bill was dis-
agreed to.

Mr. C. A. Wickliffe, from the same committee, to whom was re-
ferred a bill from the Senate, entitled, an act to change the time
of holding the General Court, reported the same without amend-
ment.

Ordered, That the said bill be laid on the table until the first
day of June next.

On motion—
Ordered, That the committee for courts of justice, be discharg-
ed from the further consideration of the petition of the heirs of
Samuel Wilson, dec'd.

Mr. C. A. Wickliffe, from the committee for courts of justice,
to whom was referred bills from the Senate, of the following ti-

tles, viz:
An act for the better regulation of the town of Hardinsburg
and for other purposes.
An act to incorporate the Kentucky Silk Culture and Manufac-
turing Company.
Reported each of said bills with amendments, which being twice
read were concurred in.

Ordered, That said bills, as amended, be read a third time.

And thereupon, the rule of the house, constitutional provi-
sion, and third reading of said bills having been dispensed with,
Resolved, That said bills do pass, and that the titles thereof be
as aforesaid.

Ordered, That the Clerk inform the Senate thereof, and re-
quest their concurrence in said amendments.
Mr. C. A. Wickliffe, from the same committee, to whom was referred a bill from the Senate, entitled, an act to establish and regulate the town of Hawesville, in the county of Hancock, reported the same without amendment.

Ordered, That said bill be read a third time.

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

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

Ordered, That the Clerk inform the Senate thereof.

A bill to incorporate the Lexington Fuel Company, was taken up, read the second time and referred to the committee for courts of justice.

Mr. C. A. Wickliffe, from the committee for courts of justice, to whom was referred a bill for the benefit of Washington county, and for other purposes, reported the same with an amendment; which being twice read, was concurred in.

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

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

Ordered, That the Clerk inform the Senate thereof, and request their concurrence.

Mr. C. A. Wickliffe, from the same committee, to whom was referred a bill to improve the roads in Monroe, Allen and Cumberland counties, reported said bill without amendment,

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

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

Mr. C. A. Wickliffe, from the same committee, to whom was referred a bill to amend an act regulating the settling the accounts of executors, administrators and guardians, reported the same without amendment.

Ordered, That said bill be laid on the table for the present.
Mr. Spalding, from the select committee to whom was referred a bill to incorporate the Springfield and Lebanon turnpike road company, reported the same with an amendment in lieu of the original bill, which being twice read, was 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, an act to incorporate the Lebanon and Marion turnpike road company.

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

A message was received from the Senate, announcing their agreement to the passage of a bill from this house entitled, an act to construct a turnpike road from Taylorsville, by way of Jeffersontown to Louisville.

And the passage of bills from this House of the following titles, viz:

An act for the benefit of Thomas B. Megowan, jailer of Fayette county.
An act for the benefit of Sarah More.
An act for the benefit of John H. Combs.
An act for the benefit of Pandora A. Huff.
An act for the benefit of the committee of David Ford.
An act for the benefit of Keziah Branham.
With amendments to the two latter bills.

And the passage of bills of the following titles, viz:

An act to amend the charter of the Bardstown and Louisville turnpike company.
An act supplemental to an act entitled, an act to incorporate company to construct a turnpike road from Taylorsville, in Spencer county, to intersect the turnpike from Bardstown to Louisville.
An act to extend the limits of the town of Paducah.
An act for the relief of Mary G. Overton.
An act for the benefit of Sarah Woods.
An act concerning the road law in Greenup county.
An act for the benefit of the widow and heirs of Nelson C. Johnson, dec'd.
An act to provide a sinking fund for the payment of the interest on loans for internal improvement, and for the final redemption of the principal of said loans.
An act providing for erecting a bridge across Mayfield's creek in a direction from Paducah to Columbus.
The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee for courts of justice—1. A bill to amend the laws relating to restraining orders in chancery.

By Same—2. A bill for the benefit of the jailer of Marion county.

By Same—3. A bill to authorize the county court of Jessamine county to sell the poor house of said county.

By Same—4. A bill to amend an act entitled, an act vesting jurisdiction in the circuit courts to authorize the sale of real estate and slaves of infants in certain cases.

By Same—5. A bill to amend the several acts of the General Assembly in relation to the Deaf and Dumb Asylum at Danville.

By the committee on religion—6. A bill for the benefit of Eliza Davis.

By same—7. A bill for the benefit of Euphemia L. Schooler.

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 said bills having been dispensed with, the first, fourth, fifth, sixth and seventh were severally ordered to be engrossed and read a third time; 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, fourth, fifth, sixth and seventh bills having been dispensed with, (the fourth and fifth having been amended at the clerk's table,) and the same being engrossed,

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

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

The house then took up for consideration, the bill entitled, an act to incorporate the Louisville, Cincinnati and Charleston rail road company, which was read the third time.

Mr. Marshall moved to amend said bill by an engrossed clause, by way of rider, which is as follows, viz:

Be it further enacted, That when the branch of the rail road which is to terminate at Covington, shall have been finished to Lexington, the company shall be compelled to construct a branch from Lexington to Maysville, by the most practicable route, and to be constructed simultaneously with the branch running to Covington.

And the question being taken thereon, it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Harris and Marshall, were as follows, viz:


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

The yeas and nays being required on the passage thereof by Messrs. Irwin and Ritchie, were as follows, viz:


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

The Speaker laid before the house, the annual report of the public librarian, which is as follows, viz:
LIBRARY ROOM,
Frankfort, 4th Feb'y. 1836.

Sir:—You will please lay before the honorable House, over which you preside, the accompanying report, which contains a catalogue of all the books received in the State Library the past year, 1835.

Yours, respectfully,

GEORGE A. ROBERTSON, Librarian.

Hon. WM. B. BLACKBURN.

A Catalogue of Books received in the Public Library, from the Secretary of State, in 1835.

<table>
<thead>
<tr>
<th>State</th>
<th>Books Received</th>
<th>Year(s)</th>
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<tbody>
<tr>
<td>Laws of Maine</td>
<td>2 vols.</td>
<td>1833</td>
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<tr>
<td>Laws of Maryland</td>
<td>2 vols.</td>
<td>1833</td>
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<tr>
<td>Laws of Pennsylvania</td>
<td>2 vols.</td>
<td>1834-5</td>
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<td>Laws of New Jersey</td>
<td>2 vols.</td>
<td>1834</td>
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<tr>
<td>Laws of Connecticut</td>
<td>1 vol.</td>
<td>1835</td>
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<tr>
<td>Laws of Delaware</td>
<td>2 vols.</td>
<td>1835</td>
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<tr>
<td>Laws of Ohio</td>
<td>2 vols.</td>
<td>1834</td>
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<tr>
<td>Laws of Louisiana</td>
<td>2 vols.</td>
<td>1835</td>
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<tr>
<td>Dana's Reports</td>
<td>vol. 2nd, year 1835, 107 vols.</td>
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<tr>
<td>Acts of Kentucky</td>
<td>for 1834-5, 100 vols.</td>
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<tr>
<td>Senate Journals of Kentucky</td>
<td>for 1834-5, 20 vols.</td>
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<tr>
<td>House Journals of Kentucky</td>
<td>for 1834-5, 20 vols.</td>
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Received in exchange for—10 copies of J. J. Marshall's Reports in 7 vols.; 5 copies Pirtle's Digest, in 2 vols.; and 10 copies Hardin's Reports, in 1 vol.—by the direction of the Secretary of State, the following books, to-wit:

- 1 copy Binney's Reports, in 6 vols.
- 1 " Rawley's Reports, in 4 "
- 1 " Barlenques N. P. Law, 2 vols.
- 1 " Massachusetts Reports, in 17 vols.
- 1 " Yeate's Reports, in 4 vols.
- 1 " Cain's N. Y. Reports, in 3 vols.
- 1 " Saunders on Pleading and Evidence, 3 vols.
- 1 " Chitely on Bills, in 1 vol.
- 1 " Day's Reports, 4 vols.
- 1 " Root's Reports, 2 vols.
- 1 " Washington's Reports, 4 vols.
- 1 " Peter's Reports, 1 vol.
- 1 " Debates on Judiciary.
- 1 " Angell and Ains, on Corporation,
- do. on water courses,
- 1 " East's Reports, in 16 vols.
- 1 " Archibald's Blackstone, 4 vols.
The following books purchased by the direction of the Judges of the Court of Appeals, in the year 1835.

1 copy of Atkin's Reports, in 3 vols. $13 00
1 " Peer Williams' Reports, in 3 " 15 00
1 " Coke's Reports, in 6 " 20 00
1 " Randolph's Reports, in 6 " 30 00
1 " Call's Reports, in 6 " 25 00
1 " Mumford's Reports, in 6 " 33 00
1 " Clayne on Rights, in 1 " 4 00
1 " Hovenden on Frauds, in 1 " 5 50
1 " Tidt's Practice, in 2 " 8 00
1 " Chitty's Equity, in 2 " 12 00
1 " 6th vol. condensed Eng. Ch'y Reports, 1 " 5 00
1 " Stephen on Pleading, in 1 " 4 50
1 " English Common Law Reports, in 24 vols. 100 00
1 " Mallock's Chancery, in 2 " 43 00
1 " English Ecclesiastical Reports, in 4 " 10 00
1 " Wentworth on Executors, 1 " 8 00
1 " Butler's Horace, 1 " 7 50
1 " Hoffman's Legal Outlines, 1 " 4 00
1 " Bosanquet and Puller's Reports, 5 " 15 00
1 " Hovenden on Frauds, 1 " 5 50
1 " Caldwell on Arbitration, 1 " 5 00
1 " Jeremy's Equity, 1 " 7 50
1 " Wharton's Digest, 1 " 8 00
1 " Living's Reports, 2 vols. folio, 1 " 10 00
1 " Rule in Shelly's case, 1 " 1 75
1 " Theobald on Principal and Surety, 1 " 7 50
1 " Peters' Reports, vol. 8th, 1 " 4 75
1 " Story on the Constitution, 3 vols. 9 00
1 " Coke's Reports, 6 " 42 50
1 " Cooper's Equity Pleading, 4 " 3 25
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All of which is respectfully submitted to your consideration.

GEORGE A. ROBERTSON.

And then the House adjourned.
FRIDAY, FEBRUARY 5, 1836.

Mr. R. Maxey presented the petition of John Howard, and sundry other citizens of Monroe county, praying the passage of a law authorizing said Howard to retail spirits in a house on the opposite side of the street in Tompkinsville, to the one in which he is now keeping a tavern.

The Speaker laid before the house the petition of sundry citizens of Elizabethtown, in Hardin county, praying the passage of a law to prevent the keeping of stud horses and jacks within the limits of any town in this Commonwealth.

Which petitions were severally received, the reading thereof dispensed with, and referred; the first to the committee on ways and means; and the second, to the committee on propositions and grievances.

On motion—

Ordered, That the committee of ways and means be discharged from the further consideration of the petition of sundry citizens of Mason county, and that the same be referred to the committee for courts of justice.

Mr. Johnson, from the committee of ways and means, to whom was referred leave to bring in a bill to amend the law in relation to taking in taxable property, and the petition of sundry citizens of Scott county, on the same subject, moved the following resolution, viz:

Resolved, That said leave and petitions be rejected.

Which being twice read, was concurred in.

Mr. Johnson, from the same committee, to whom was referred leave to bring in a bill for the benefit of Robert G. Slack, moved the following resolution, viz:

Resolved, That said committee be discharged from bringing in a bill.

Which being twice read, was concurred in.

On motion—

Ordered, That the committee of ways and means be discharged from the further consideration of the petition of the citizens of Elizabethtown, praying authority to tax retailers of spirituous liquors.

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 establish a Police Court in the city of Louisville, and to amend the charter of said city.
2. An act to incorporate the Smithland General Insurance Company.
3. An act to establish a warehouse and inspection of tobacco, flour, pork and salt upon the lands of Wm. E. Sublett, at his warehouse landing upon the Little Obion, in the county of Hickman.
4. An act establishing an election precinct in Breckenridge county.
5. An act for the benefit of George Calmes.
6. An act for the benefit of William Green, of Harlan county.
7. An act divorcing Sarah Crutcher from her husband, James W. Crutcher.
8. An act the better to protect the proprietors of ferries across the Ohio and Mississippi rivers.
9. An act for the benefit of the widow and heirs of Samuel Woods, dec'd.
10. An act to incorporate the Maysville and Mason county manufacturing company.
11. An act for the benefit of John Woods.
12. An act for condemning land and materials for the construction of turnpike roads, bridges, and other works of internal improvement.
13. An act to authorise the county courts of Barren, Hardin and Hart counties, to subscribe for stock in certain turnpike roads.
14. An act further to define the powers of the trustees of the town of Somerset, in Pulaski county.
15. And an act to authorize the citizens of the town of Columbus, in the county of Hickman, to elect trustees.
16. An act to enlarge the constable's district including the town of Mount Vernon, in Rockcastle county.
17. An act to amend an act entitled, an act further to regulate the Wilderness turnpike road, approved 11th January, 1830.
18. An act to amend an act entitled, an act to establish a road from the mouth of Salt River, to intersect the road from Brandenburg to Bowlinggreen.
19. An act for the benefit of John and Mary Jones, and their children.
20. An act for the benefit of the devisees of Thomas Courtney, deceased.
21. An act to appoint commissioners to run and mark the line between Marion and Washington counties, and for other purposes.
22. An act for the benefit of Thomas C. Davis.
23. An act to incorporate the Cumberland river turnpike road company.
25. An act to incorporate a company to construct a turnpike
road from Versailles, by Christopher's landing, to intersect the road from Harrodsburg to Frankfort.

26. An act to incorporate a company to construct a turnpike road from Elizabethtown to Greensburg, by the way of Hodginsville and Somerville.

27. An act to amend the charters of the Bank of Kentucky, and the Northern Bank of Kentucky.

28. An act for the benefit of Martha and Lucius D. Gilbert.


30. An act authorizing the trustees of Mount Vernon, in Rockcastle county, to tax shows within one quarter of a mile of the limits of said town.

31. An act to amend the charter of the city of Maysville.

32. An act concerning public roads in Mason county.

33. An act for the benefit of Elizabeth Graham.

34. An act for the benefit of the children of John Ball.

35. An act for the benefit of Eliza Maxfield and children.

36. An act for the benefit of Virginia Thomas.

37. An act to establish the college of physicians of the city of Lexington.

38. An act for the benefit of the estate of Benjamin Cawthon, deceased.


40. An act to establish the Mechanics' Savings Institution of Louisville.

41. An act supplemental to an act entitled, an act to incorporate a company to construct a turnpike road from Taylorsville in Spencer county, to intersect the turnpike from Bardstown to Louisville.

42. An act to establish the town of Dover, in the county of Mason.

43. An act to amend the charter of the Lexington and Ohio rail road company.

44. An act to provide a sinking fund for the payment of the interest on loans for internal improvements, and for the final redemption of the principal of said loans.

45. An act to amend the road law in Greenup county.

46. An act for the relief of Mary G. Overton.

47. An act to extend the limits of the town of Paducah.

48. An act for the benefit of the widow and heirs of Nelson C. Johnson, deceased.

49. An act to amend the road law in Greenup county.

50. An act for the benefit of Sarah Woods.

51. An act for the benefit of Sarah Woods.
And thereupon, the rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the first, second, eighth, ninth, tenth, twelfth, fourteenth, fifteenth, nineteenth, twentieth, twenty-second, twenty-seventh, twenty-eighth, thirty-first, thirty-fourth, thirty-fifth, thirty-sixth, thirty-ninth, forty-first, forty-fourth, forty-sixth and forty-ninth, were committed to the committee for courts of justice; the fifth, seventh, thirty-seventh and forty-seventh, to the committee on religion; the sixth, eleventh, twenty-fourth and twenty-ninth, to the committee on claims; the thirteenth, seventeenth, eighteenth, twentieth, twenty-third, twenty-fifth, twenty-sixth, thirty-second, forty-second and fiftieth, to the committee on internal improvement; the twenty-first, thirty-first, forty-eighth and fifty-first, to the committee on propositions and grievances; the thirty-eighth, to the committee on education; the forty-fifth, to the committee on ways and means; the third, fourth, sixteenth and thirty-third, were ordered to be read a third time.

And thereupon, the rule of the house, constitutional provision, and third reading of the third, fourth, sixteenth and thirty-third 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.

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

On the motion of Mr. Hudspeth—1. A bill for the benefit of the heirs of Thomas Chism, dec'd.

On the motion of Mr. Bradley—2. A bill to allow an additional constable to Hopkins county.

On the motion of Mr. Norvell—3. A bill for the benefit of part of Stephen Peyton's heirs.

On the motion of Mr. Riley—4. A bill to provide for the appointment and compensation of patrollers in Bullitt county.

On the motion of Same—5. A bill for the benefit of the sheriff of Bullitt county.

On the motion of Mr. Lansdale—6. A bill to amend the law in relation to constables.

On the motion of Mr. Dever—7. A bill to repeal in part, an act entitled, an act for chusing tobacco, in this Commonwealth, and for other purposes, approved December 13th, 1820.

On the motion of Same—8. A bill to enlarge the incorporation of New Market, in Marion county.

On the motion of Mr. Griffith—9. A bill appropriating the revenue tax of Daviess county, for one year, to aid in building a hospital in the town of Owensboro', on the Ohio river.

On the motion of Mr. Miles—10. A bill amending the law appropriating the vacant lands of this Commonwealth, to the counties in which they lie.
On the motion of Mr. Mitchell—11. A bill to incorporate a company to construct a turnpike road from Dover, in Mason county, through Minerva, to intersect the contemplated Maysville and Bracken turnpike road, at such point as said company may think best.

On the motion of Mr. D. White—12. A bill to change the name of Williamsburg, in Mason county.

On the motion of Mr. Clarke—13. A bill subjecting to county levy, in the counties of Caldwell and Livingston, all slaves that may, each year hereafter, be hired or otherwise introduced into said counties.

On the motion of Mr. Myers—14. A bill for the benefit of Benjamin Craig.

Messrs. Hudspeth, Wood and Allen were appointed a committee to prepare and bring in the first; Messrs. Bradley, Mansfield and McElroy, the second; the committee for courts of justice, the third and seventh; Messrs. Riley, Huston and Meriwether, the fourth; the committee on claims, the fifth; Messrs. Lansdale, Irwin and Clark, the sixth; Messrs. Dever, Spalding and Allen, the eighth; Messrs. Griffith, Holloway and Peyton, the ninth; Messrs. Miles, McElroy and Anderson, the tenth; Messrs. Mitchell, Hunter, Schoolfield and Lashbrook, the eleventh; Messrs. D. White, Lashbrook and J. Jackson, the twelfth; Messrs. Clark, Miles and Bradley, the thirteenth; and the committee on religion, the fourteenth.

The amendments proposed by the Senate to bills which originated in this House, of the following titles, viz:

An act to amend an act, entitled, an act to provide for the improvement of the road from Franklin county to Crab Orchard, in Lincoln county.

An act to provide for cleaning and repairing the public arms in the arsenal.

Were twice read and concurred in, with amendments to each.

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

The amendments proposed by the Senate to bills which originated in this House, of the following titles, viz:

An act to amend the road law in the county of Campbell.

An act authorizing the sale of certain land belonging to the infant heirs of Samuel Bradley, dec'd.

An act to authorize the purchase of Scientific books for the use of the Engineer Department of the State.

An act establishing the town of Farmington, in Graves county.

An act to incorporate and extend the limits of the town of London.

An act for the benefit of the committee of David Ford.

An act for the benefit of Kesiah Branham.
Were twice read and concurred in.

Ordered, That the Clerk inform the Senate thereof.

Mr. Harris moved the following resolution, viz:

Resolved, That the committee of ways and means inquire into the expediency of requiring the commissioners in the different counties, towns and cities of this Commonwealth, to re-value the real estate therein, and report to this house by bill or otherwise.

Which being twice read, was adopted.

Mr. C. A. Wickliffe moved the following resolution, viz:

Resolved, That when this house adjourns to-day, it will adjourn to meet on Monday morning at 10 o'clock.

Which being twice read, was adopted.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this house, to a bill from the Senate, entitled, an act to amend an act, entitled, an act for the internal improvement of the state of Kentucky, approved 28th February, 1835.

And the passage of bills from the Senate, of the following titles, viz:

An act to authorize the county court of Bourbon county to increase the levy of said county, and for other purposes.

An act to amend the charter of the Louisville Savings Institution.

An act for the divorce of Rachael Scott.

An act for the divorce of Eliza Brown.

An act to add an additional term to the Allen circuit court.

An act for the benefit of the county of Jefferson.

An act prohibiting the making and circulating drafts, checks and orders, as money in this Commonwealth.

And the passage of bills from this House, of the following titles, viz:

An act to authorize the subscription of stock in the Louisville Bank of Kentucky.

An act to increase the revenue.

With amendments to each.

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

By the committee on religion—1. A bill for the benefit of Mary Brown.

By Same—2. A bill for the benefit of Mary P. Clark.

By the committee of ways and means—3. A bill extending for a certain period, and with certain limitations, the charter of the old Bank of Kentucky.

By Same—4. A bill respecting the Bank of the Commonwealth.
Which bills were severally received, 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 said bills having been dispensed with, the first, second and fourth were severally ordered to be engrossed and read a third time; and the third was committed to the committee of ways and means.

And thereupon, the rule of the House, constitutional provision, and third reading of the first, second and fourth bills having been dispensed with, the fourth was recommitted to the committee on ways and means.

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

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

Ordered, That the public printer, forthwith, print one hundred and fifty copies of the third and fourth bills, for the use of the members of this house.

A bill from the Senate entitled, an act to incorporate the Franklin Bridge Company, was read a third time.

Mr. C. A. Wickliffe moved to amend said bill by an engrossed clause, by way of rider.

Which being twice read, was adopted.

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

Ordered, That the Clerk inform the Senate thereof, and request their concurrence in said amendment.

A bill to amend the penal laws and to authorize certain improvements within the walls of the penitentiary, was taken up and read a second time, and referred to the committee on the Penitentiary.

The House then resolved itself into a committee of the whole house, on a bill concerning the liabilities and duties of executors and administrators, (Mr. Allen in the chair,) and after some time spent therein, the Speaker resumed the chair, when Mr. Allen reported that the committee had, according to order, had under consideration the bill aforesaid, and had made sundry amendments thereto; which he handed in at the clerk's table; and the said amendments were then twice read and concurred in.

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

And then the House adjourned.
A message was received from the Senate, announcing their concurrence in the amendments proposed by this house, to the amendments of the Senate, to a bill which originated in this house, of the following title, viz:

An act to provide for cleaning and repairing the public arms in the arsenal.

And their concurrence in the amendments proposed by this house, to bills which originated in the Senate, of the following titles, viz:

An act for the benefit of John and Lucy Vining.

An act for the better regulation of the town of Hardinsburg, and for other purposes.

An act to incorporate the silk culture manufacturing company.

And the passage of bills which originated in this House, of the following titles, viz:

An act to appropriate a sum of money to build a seminary of learning in the town of Brandenburg.

An act for the benefit of John Davis and his children.

An act for the benefit of the town of Flemingsburg.

An act to amend an act entitled, an act to enlarge the boundaries of Georgetown, and for other purposes, approved February 11, 1835.

A resolution for the benefit of the commissioned officers of the United States' army, who served in the last war with Great Britain.

An act for the benefit of William Weeks.

An act for the benefit of George Wymore.

An act allowing Spottiswood Wilkinson, to sell an interest in certain real estate for the devisees of E. P. Wilkinson, deceased.

An act to amend an act entitled, an act to appropriate the vacant lands of this Commonwealth, east and north of the Tennessee river, to the counties in which they lie, for the purposes of internal improvement.

An act to amend the Owingsville and Big Sandy turnpike road company.

With amendments to the five latter bills.

And the passage of bills from the Senate, of the following titles, viz:

An act to regulate the compensation of members of the Legislature.

An act to establish and construct a state road from Pikeville to the Virginia state line, at the Sounding Gap in the Cumberland mountains.

An act for the benefit of the widow and heirs of Thomas Wood.
Mr. Anderson, from the joint committee on enrolments, reported that they had examined sundry enrolled bills, and had found the same truly enrolled, viz:

An act concerning the number of Justices of the peace in the county of Hardin.

An act for the benefit of Judith P. Thornton, and her children.

An act to regulate the commencement of the Boone and Grant circuit courts.

An act for the benefit of the heirs of Samuel Lovejoy, dec'd.

An act for the benefit of the administrator and heirs of Joseph Haydock.

An act for the benefit of the heirs of Benjamin Mills, deceased.

An act for the benefit of Philip Graves, of Boone county.

An act to change the time of the meeting of the General Assembly.

An act to amend an act, entitled, an act for the internal improvement of the State of Kentucky, approved 28th February, 1835.

An act for the divorce of Elizabeth Whitaker.

An act for the benefit of Zellica Clow.

An act for the benefit of Yelverton D. Booker.

An act to authorize the county court of Rockcastle county to sell a part of the public ground in the town of Mount Vernon.

An act to repeal the first section of an act entitled, an act to amend an act establishing a female academy in the town of Harrodsburg, and reviving the third section of the act thereby repealed.

An act to establish three additional election precincts in the counties of Estill and Perry, and for other purposes.

And a resolution in relation to the navigation of Cumberland river, and the extension of certain roads into the state of Tennessee.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Anderson inform the Senate thereof.

1. Mr. Blair presented the petition of B. McCord, and sundry other citizens, praying the passage of a law divorcing the said McCord from his wife, Jane McCord.

2. Mr. Hunter presented the petition of Abner Pepper, and sundry other citizens, praying the passage of a law divorcing the said Pepper from his wife, Sarah Pepper.

3. Mr. Huston presented the petition of the administrator and heirs of James L. Mc Gee, deceased, praying the passage of a law authorizing the sale of certain real estate belonging to the estate of said deceased, for the purpose of paying the debts against said estate.

4. Mr. Parrish presented the petition of sundry citizens of Adair county, praying the passage of a law authorizing the construction of a bridge across Russell's creek, in said county.
5. Mr. Mitchell presented the petition of sundry citizens of the city of Maysville, praying the passage of a law amending the charter of said city.

6. Mr. Riley presented the petition of sundry citizens of Bullitt county, praying the passage of a law amending the charter granted to the Rolling Fork bridge company.

Which petitions were severally received, the reading thereof dispensed with, and referred; the first and second, to the committee on religion; the third and fifth, to the committee for courts of justice; the fourth and sixth, to the committee on internal improvement.

The committee on internal improvement, to whom was referred a bill from the Senate entitled, an act to incorporate the Elizaville and Mayslick turnpike road company, reported the same with an amendment, which being twice read, was concurred in.

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

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

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

Ordered, That the Clerk inform to the Senate thereof, and request their concurrence in said amendment.

The same committee, to whom was referred, a bill from the Senate, entitled, an act to incorporate the Newport, Falmouth, Cynthiana, Paris and Winchester turnpike road company, reported the same without amendment.

Ordered, That said bill be read a third time.

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

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

Ordered, That the Clerk inform the Senate thereof.

The same committee, to whom was referred, a bill to incorporate the Standford and Lancaster turnpike road company, reported the same without amendment.

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

Ordered, That the Clerk inform the Senate thereof, and request their concurrence.
The same committee, to whom was referred a bill for the purpose of building a bridge across Chaplin river, where the road from Harrodsburg to Springfield crosses the same, reported the same without amendment.

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

The committee on education, to whom was referred a bill from the Senate entitled, an act to incorporate the Elizabethtown Circulating Library Company, reported the same without amendment.

Ordered, That said bill be read a third time.

And thereupon, the rule of the House, constitutional provision, and third reading of said bill having been dispensed with:

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

Ordered, That the Clerk inform the Senate thereof.

The same committee, to whom was referred a bill for the benefit of the Monroe Seminary of Learning, reported the same with an amendment, which being twice read, was concurred in.

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

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

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

The committee for courts of justice, to whom was referred a bill from the Senate, entitled, an act to incorporate the Union White Sulphur Springs Company, reported the same with an amendment, which being twice read, was concurred in.

Ordered, That said bill be read a third time.

And thereupon, the rule of the House, constitutional provision, and third reading of said bill having been dispensed with:

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.
Ordered, That the Clerk inform the Senate thereof, and request their concurrence in said amendment.

The committee on military affairs, to whom was referred a bill to digest the militia laws of this state, reported the same with amendments, which being twice read, were concurred in.

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

The committee on internal improvement, to whom was referred the petition of Robert Rankin, moved the following resolution, viz:

Resolved, That the said petition be rejected.

Which being twice read, was concurred in.

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

By the committee on internal improvement—1. A bill to establish a state road from the mouth of Troublesome creek, to the Sounding Gap of Cumberland mountain.

By Same—2. A bill to authorize the construction of a bridge over Buck creek, in Pulaski county.

By Same—3. A bill for the improvement of the navigation of the North, Middle and South forks of the Kentucky river.

By Same—4. A bill to incorporate a company to construct a turnpike road from Porter's ferry, through Burlington, to the Lexington and Lebanon turnpike road.

By Same—5. A bill defining the powers and duties of the board of internal improvement, and for other purposes.

By Same—6. A bill incorporating the Bardstown Female Academy.

By the committee on military affairs—7. A bill for the benefit of John A. Davenport and John Cunningham.

By Mr. Clark—8. A bill subjecting to county levy, in the counties of Livingston and Caldwell, all slaves that may, each year hereafter, be hired or otherwise introduced into said counties.

By Mr. Riley—9. A bill to provide for the appointment of postmasters in this Commonwealth.

By Mr. Winegar—10. A bill to appropriate a sum of money to improve the road from Columbia to Grider's ferry, on Cumberland river.

By Mr. Ashby—11. A bill to repeal in part and modify the 23d section of an act approved 8th February, 1834, entitled, an act to amend and reduce into one the several acts constituting the boards of internal improvement for Shelby and Franklin counties.

By Same—12. A bill for the benefit of the town of Danville.

By Mr. Hollingsworth—13. A bill to incorporate the Maysville and Mason county Hemp Manufacturing Company.

By Mr. Allen—14. A bill to amend the law respecting the emancipation of slaves, approved November 13, 1823.
By Mr. Bradley—15. A bill to authorize certain county courts to appoint constables and magistrates.

By Mr. Ward—16. A bill to repeal the 14th section of an act entitled, an act to provide for the sale of the vacant lands west of the Tennessee river, approved January 3, 1825.

By Same—17. A bill to amend an act entitled, an act more effectually to guard the occupants of land, approved February, 1828.

By Mr. Irwin—18. A bill to alter the time of holding the Logan county court.

By Mr. Ward—19. A bill to provide for constructing a bridge across Licking river, in Morgan 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 third reading of said bills having been dispensed with, the first, second, third, fourth, fifth, tenth and nineteenth, were committed to the committee on internal improvement; the sixth, to the committee on education; the seventh, eighth, eleventh, twelfth, fifteenth and eighteenth, were severally ordered to be engrossed and read a third time; the ninth, thirteenth, fourteenth, sixteenth and seventeenth, were committed to the committee for courts of justice.

And thereupon, the rule of the House, constitutional provision, and third reading of the seventh, eighth, eleventh, twelfth, fifteenth and eighteenth having been dispensed with, (the seventh, twelfth and fifteenth having been amended,) and the same being engrossed, Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

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

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

On the motion of Mr. Schoolfield—1. A bill incorporating a company to construct a turnpike road from Powersville, in Bracken county, by William Blackerby's, to Falmouth, in Pendleton county.

On the motion of Mr. Riley—2. A bill to legalize the proceedings of the January term, 1836, of the Bell county court.

On the motion of Mr. Thomas—3. A bill to change the place of voting in the Licking precinct, in Bath county.

On the motion of Mr. Goodson—4. A bill to amend the law relating to ferries in this Commonwealth.

On the motion of Mr. Anderson—5. A bill to repeal the 26th section of an act for the internal improvement of the state of Kentucky, approved February 28, 1835, and for other purposes.

On the motion of Mr. Cunningham—6. A bill for the benefit of owners and vendors of wood to steam boats, and for other purposes.

On the motion of Mr. Pryor—7. A bill for the benefit of the New Castle Female Academy.
On the motion of Mr. N. Maxey—8. A bill to appropriate the fines and forfeitures of the county of Hancock, to be applied to lessening the county levy.

On the motion of the same—9. A bill to add an additional Constable to the county of Hancock.

On the motion of Mr. Jones—10. A bill to repeal in part and to amend the laws relative to the military lands south and west of the Tennessee river.

On the motion of Mr. Miles—11. A bill to establish a state road from Flinn's old ferry across the Ohio river, in the county of Livingston, to Princeton, in Caldwell county.

On the motion of Mr. Thompson—12. A bill to amend the charter incorporating the Harrodsburg Library.

On the motion of Mr. R. Maxey—13. A bill for the purpose of improving the stage road from Glasgow, by way of Tompkinsville, to the state line, in a direction to Sparta, in the state of Tennessee.

On the motion of Mr. H. G. Davis—14. A bill to change the time of holding the November term of the Meade circuit court, for 1836.

Messrs. Schoolfield, Myers and Hunter, were appointed a committee to prepare and bring in the first; Messrs. Riley, Huston and C. A. Wickliffe, the second; Messrs. Thomas, Ward and Hamilton, the third; the committee for courts of justice, the fourth and fifth; the committee on internal improvement, the fifth; Messrs. Irwin, Stewart and Curd, the seventh; the committee on ways and means, the eighth; Messrs. N. Maxey, Griffith and Holloway, the ninth; Messrs. Joyes, Lewis, Harris, McElroy and Griffith, the tenth; Messrs. Miles, McElroy and Clark, the eleventh; Messrs. Thompson, Woodson and Bowling, the twelfth; Messrs. R. Maxey, Tompkins and Mansfield, the thirteenth; Messrs. H. G. Davis, C. A. Wickliffe, Riley and Cunningham, the fourteenth.

Mr. J. Jackson moved the following resolution, viz:

Resolved, That the committee on military affairs be instructed to report a bill requiring the public arms to be returned to the state arsenal, and to prohibit the further distribution of the public arms.

Which being twice read, was adopted.

Mr. Irwin moved the following resolution, viz:

Resolved, That the committee on ways and means be instructed to inquire into the expediency of changing the mode of paying for slaves executed in this Commonwealth, and report by bill or otherwise.

Which being twice read, was adopted.

On motion—

Ordered, That the petition of sundry citizens, praying the repeal of the law authorizing the erection of a bridge across Pond river, be referred to the committee on internal improvement.
A message was received from the Senate asking leave to withdraw their report announcing their disagreement to a bill from this house entitled, an act for the benefit of Aaron Allison, which was granted.

A bill from the Senate entitled, an act to establish and construct a state road from Pikeville to the Virginia state line, at the Sounding Gap in the Cumberland mountains, 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 said bill having been dispensed with, the same was referred to the committee on internal improvement.

Ordered, That a message be sent to the Senate requesting leave to withdraw the message announcing the concurrence of this house in the amendments proposed by the Senate, to a bill from this house, entitled, an act to amend an act, entitled, an act to provide for the improvement of the road from Franklin county to Crab Orchard, in Lincoln county; and after a short time, the messenger returned with said bill.

And then the House adjourned.

TUESDAY, FEBRUARY 9, 1836.

Mr. Anderson, from the joint committee of enrolments, reported that the committee had examined sundry enrolled bills, and had found the same truly enrolled, viz:

An act establishing the town of Farmington, in Graves county.
An act for the benefit of the committee of David Ford.
An act authorizing the sale of certain land belonging to the infant heirs of Samuel Bradley, deceased.
An act to authorize the purchase of scientific books for the use of the Engineer department of the state.
An act to incorporate and extend the limits of the town of London, and extend the limits of the town of Richmond.
An act for the benefit of Keziah Branham.
An act for the benefit of John H. Combs.
An act for the benefit of Sarah More.
An act to authorize the Pulaski county court to construct a gate on the road from Somerset to Monticello.
An act for the benefit of Thomas B. Megowan, jailer of Fayette county.
An act to change the place of elections in the Lower Blue Lick precinct, in Nicholas county.

An act to authorize John S. Anderson to build gates across certain roads in Montgomery county.

An act for the benefit of Pandora A. Huff.

An act for the benefit of John and Lucy Vining.

An act to amend an act entitled, an act to incorporate the Newport Manufacturing Company.

An act to improve the state road from Mountsterling to the Virginia state line, by way of Prestonsburg and Pikeville.

An act to incorporate a company to construct a turnpike road from Taylorsville, in Spencer county, to intersect the turnpike from Bardstown to Louisville.

An act concerning the town of Elizabeth in the county of Hardin.

An act to incorporate the Louisville Dock Company.

An act to incorporate the Bowling Green and Double Spring turnpike road company.

An act to incorporate the Bowling Green Portage railway company.

An act to incorporate a company to turnpike a road from Greensburg, by way of Columbia, Jamestown and Monticello, to the Tennessee State line, in a direction to Knoxville.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Anderson inform the Senate thereof.

A message was received from the Senate, announcing their disagreement to the passage of bills from this house, of the following titles, viz:

An act making an appropriation to the Allen Seminary of learning.

An act for the benefit of C. M. Vaught.

And the passage of bills from this House, of the following titles, viz:

An act to establish the town of Edmonton, in Barren county.

An act to amend an act, to authorize the sale of certain lands belonging to Edmund H. Taylor.

An act to amend the laws in relation to restraining orders in chancery.

An act to authorize Judge Kelly to hold a call court in Marion county.

An act for the benefit of Reuben Elliott.

An act for the benefit of Mary Ann and Henry Stemmons.

An act for the benefit of the widow and heirs of John Smith, M.

An act to amend an act, entitled, an act regulating the prices of taking up boats and crafts on the Ohio river.
An act for the benefit of Mary E. Stansbury.
An act to amend the several acts of the General Assembly, in relation to the Deaf and Dumb Asylum at Danville.
An act to amend an act entitled, an act to incorporate the Covington and Cincinnati Manufacturing Company.
An act to amend the charter of the Shepherdsville and Elizabethtown turnpike road company.
With amendments to the four latter bills.
And the passage of bills from the Senate of the following titles, viz:
An act declaring the Middle fork of the Kentucky river a navigable stream, up to the mouth of Laurel, on said fork.
An act to amend the charters of the Bank of Louisville, and the Louisville Savings Institution.
An act regulating the salary of the Governor.

1. Mr. McNary presented the petition of the heirs of John McKinney, deceased, praying the passage of a law authorizing the sale of certain real estate and slaves, belonging to the estate of said McKinney.
2. Mr. Joyes presented the petition of Eveline Adams, praying the passage of a law divorcing her from her husband, John Adams.
3. Mr. Bailey presented the petition of the citizens of the town of Crab Orchard, praying the passage of a law amending the charter granted to the Franklin and Crab Orchard turnpike road company, and allowing an additional justice of the peace to said town of Crab Orchard.
4. Mr. Norvell presented the petition of Mrs. Malinda R. Devers, praying the passage of a law divorcing her from her husband, William P. Devers.
5. Mr. Stevenson presented the petition of sundry citizens, praying the passage of a law appropriating the sum of twelve hundred dollars for the purpose of purchasing the three years' time, which is yet to expire, of the charter of the road from Georgetown to Cincinnati, in order to make said road toll free.

Which petitions were severally received, the reading thereof dispensed with, and referred; the first and third, to the committee for courts of justice; the second and fourth, to the committee on religion; and the fifth, to the committee on internal improvement.

Mr. Anderson, from the joint committee on enrolments, reported that they had examined sundry enrolled bills, and a resolution, and had found the same truly enrolled, viz:
An act for the benefit of the county of Jefferson and the city of Louisville.
An act establishing an additional election precinct in the county of Hardin, and for other purposes.
An act to appropriate the fines and forfeitures of Green county to the New Athens academy; and
Resolutions in relation to the revenue arising from the sale of the public lands.
Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Anderson inform the Senate thereof.

The amendments proposed by the Senate to bills which originated in this House, of the following titles, viz:
An act for the benefit of William Weeks.
An act to amend an act entitled, an act to appropriate the vacant lands of this Commonwealth, east and north of the Tennessee river, to the counties in which they lie, for the purposes of internal improvement.
An act to amend the Owingsville and Big Sandy turnpike road company.
An act allowing Spottswood Wilkinson, to sell an interest in certain real estate for the devisees of E. P. Wilkinson, deceased.
An act for the benefit of George Wymore.
An act to authorize the subscription of stock in the Louisville Bank of Kentucky.
An act to increase the revenue.
Were severally taken up, twice read and concurred in.

Ordered, That the Clerk inform the Senate thereof.

On motion—

Ordered, That the committee on claims be discharged from further consideration of the petition of C. & J. Samuel.

Mr. Harris moved the following resolution, viz:
Resolved by the House of Representatives of the Commonwealth, That they cheerfully tender to the Ladies of Frankfort, the House of Representatives, on Wednesday evening, this the 1st of this instant, to hold a Concert for benevolent purposes, which being twice read, was adopted.

Mr. Allen, from the committee of propositions and grievances to whom was referred bills from the Senate of the following titles, viz:
An act for the benefit of Sarah Woods.
An act to extend the limits of the town of Paducah.
An act to establish the town of Dover, in the county of Mason—Reported each of said bills without amendment.

Ordered, That said bills be read a third time.

And thereupon, the rule of the house, constitutional provision, and third reading of said bills having been dispensed with,

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

Ordered, That the Clerk inform the Senate thereof.
The committee of claims, to whom was referred a bill from the
Senate entitled, an act for the benefit of John Woods, reported
the same without amendment.

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

And thereupon, the rule of the House, constitutional provision,
and third reading of said bill having been dispensed with.

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

Ordered, That the Clerk inform the Senate thereof.

Mr. C. A. Wickliffe, from the committee for courts of justice,
to whom was referred bills from the Senate, of the following
titles, viz:

An act further to define the powers of the trustees of the town
of Somerset, in Pulaski county.

An act to incorporate the Smithland General Insurance
Company.

An act for the benefit of John and Mary Jones, and their
children.

An act for the benefit of Eliza Maxfield and children.

An act for the benefit of the children of John Ball.

An act for the benefit of the estate of Benjamin Cawthorn, de-
ceased.

An act for the benefit of the widow and heirs of Nelson C.
Johnson, dec'd.

An act to incorporate the Union Agricultural Society.

An act for the benefit of the widow and heirs of Samuel
Woods, dec'd.

Reported each without amendment.

Ordered, That the said bills be read a third time.

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

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

Ordered, That the Clerk inform the Senate thereof.

Mr. C. A. Wickliffe, from the same committee, to whom was re-
ferred bills from the Senate of the following titles, viz:

An act to amend the charters of the Bank of Kentucky, and
the Northern Bank of Kentucky.

An act for the benefit of the devisees of Thomas Courtney,
deceased.

Reported said bills with amendments to each, which being twice
read, were concurred in.

Ordered, That said bills, as amended, be read a third time.
And thereupon, the rule of the House, constitutional provisions, and third reading of said bills having been dispensed with,

Resolved, That 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 said amendments.

The committee on propositions and grievances, to whom was referred a bill from the Senate entitled, an act to authorize the trustees of the town of Mount Vernon, in Rockcastle county, to tax shows within one quarter of a mile of the limits of said town, reported the same with an amendment, which being twice read, was concurred in.

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

And thereupon, the rule of the House, constitutional provisions, and third reading of said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be amended to read, an act authorizing the trustees of towns in this Commonwealth, to tax shows within one quarter of a mile of the limits of said towns.

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

The committee for courts of justice, to whom was referred a bill from the Senate entitled, an act for the benefit of Martha and Lucius D. Gilbert, reported the same without amendment.

And the question being taken upon reading said bill a third time, it was decided in the negative, and so the said bill was disagreed to.

Ordered, That the Clerk inform the Senate thereof.

The committee on internal improvement, to whom was referred a bill from the Senate entitled, an act to amend an act entitled, an act to incorporate a company to turnpike the road from Nicholasville to Perryville, by way of Shakertown and Harrodsburg, reported the same without amendment.

Ordered, That said bill be read a third time.

And thereupon, the rule of the House, constitutional provisions, and third reading of said bill having been dispensed with,

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

Ordered, That the Clerk inform the Senate thereof.

The amendments proposed by the Senate, to a bill from this House entitled, an act to amend an act entitled, an act to provide for the improvement of the road from Franklin county to Crab Orchard, in Lincoln county, were twice read and concurred in, with amendments to the said amendments of the Senate.

Ordered, That the Clerk inform the Senate thereof, and request their concurrence in said amendments.
The committee for courts of justice, to whom was referred a bill to incorporate the Lexington Fuel Company, reported the same with amendments, which being twice read, were concurred in. Ordered, That the said bill be engrossed and read a third time.

The same committee, to whom was referred a bill to amend an act, approved 23d December, 1831, entitled, an act to incorporate the Green river rail road company, reported the same with amendments.

The joint resolutions of the Senate, to appoint joint committees to examine the Auditor's, Treasurer's, and Register's offices, were twice read and concurred in.

Ordered, That the Clerk 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 for the divorce of Richard Scott.
3. An act to authorize the county court of Bourbon county, to increase the levy of said county, and for other purposes.
4. An act providing for erecting a bridge across Mayfield's creek, in a direction from Paducah to Columbus.
5. An act to add an additional term to the Allen circuit court.
6. An act prohibiting the making and circulating drafts, checks and orders as money, in this Commonwealth.
7. An act for the benefit of the county of Jefferson.
8. An act to amend the charter of the Louisville Savings Institution.
9. An act for the benefit of the widow and heirs of Thomas Wood.
10. An act to regulate the compensation of members of the Legislature.
11. An act to regulate the salary of the Governor.
12. An act declaring the Middle fork of the Kentucky river a navigable stream, up to the mouth of Laurel, on said fork.

And thereupon, the rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the first and second were referred to the committee on religion; the third was ordered to be read a third time; the fourth and twelfth, were referred to the committee on internal improvement; the fifth, sixth, eighth, ninth, tenth, eleventh and thirteenth, were referred to the committee for courts of justice; and the seventh, to the committee on education.

And thereupon, the rule of the House, constitutional provision, and third reading of the third bill having been dispensed with,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the Clerk inform the Senate thereof.

An act concerning the liabilities and duties of executors and administrators, was read the third time.

Mr. C. A. Wickliffe moved to amend said bill by an engrossed clause, by way of rider, which being read, was adopted.

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

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

A bill to authorize circuit courts to license the printers of newspapers, to insert certain public orders and notices in their papers, was read the 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,

Mr. Riley moved to amend said bill by an engrossed clause, by way of rider, which being twice read, was adopted.

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

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

On motion—

Leave was given to withdraw the petition of the citizens of Elizabethtown, praying the passage of a law authorizing the trustees to tax the retailers of spirituous liquors.

On motion—

Ordered, That a bill to provide common school teachers and promote general education, in Kentucky, be made the special order of the day, for to-morrow.

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

By the Speaker, (by permission of the House)—1. A bill to incorporate the Louisville and Nashville rail road company.

By the committee of privileges and elections—2. A bill changing a precinct in Washington county.

By the committee for courts of justice—3. A bill to extend the terms of the McCracken circuit court, and to change the terms of the Calloway circuit court.

By Same—4. A bill for the benefit of the heirs of Mary Hornbeck.
By Mr. Anderson—5. A bill for the benefit of William Mayo.
Which were severally received, 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 said bills having been dispensed with, the first was committed to the committee on internal improvement; the second, third and fourth, were severally 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 second, third and fourth bills having been dispensed with, and the same being engrossed;

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

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

The House then resolved itself into a committee of the whole House, on the bill to authorize writs of error with supersedeas, in criminal cases—Mr. Johnson in the chair—and after some time spent therein, the Speaker resumed the chair, when Mr. Johnson reported that the committee had, according to order, had under consideration the bill aforesaid, and had made an amendment thereto, which he handed in at the clerk’s table.

The said amendment proposed to strike out all of the bill after the enacting clause,—and the said bill reads as follows:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That in all cases of conviction for offences, the punishment of which is confinement in the Penitentiary, or death, the defendant, after conviction in the court of original jurisdiction, shall have a right to apply to the Court of Appeals, if in session, or a judge thereof, in vacation, for a supersedeas upon the judgment of the inferior court; and for that purpose it shall be the duty of the clerk of the court below to furnish the prisoner, his agent or attorney, upon request, a copy of the record; upon the inspection of which, if the appellate court, or a judge thereof, in vacation, shall be of opinion that error, in a material and substantial point, in said cause, has been committed upon the trial, a supersedeas shall be granted by said court, or judge, directed to the inferior court to suspend the execution of said judgment of conviction; whereupon the judgment of the court below shall be suspended, and said cause shall be finally determined by the appellate court, who shall have said causes placed at the head of their docket, and hear and determine them first, at each term after they are docketed: Provided, however, That pending the cause in the Court of Appeals, the prisoner...
convict shall not be admitted to bail, and moreover shall be liable to all costs, both of the writ of error and jailer's fees, which shall occur after such conviction, in case the judgment of the court of original jurisdiction shall be affirmed; and in case said cause be reversed, a new trial shall be had, to be governed and regulated by the principles settled by the Court of Appeals.

Sec. 2. Be it further enacted, That in all cases, where the attorney prosecuting for the commonwealth, shall believe the acquittal of the prisoner was caused by the erroneous opinion of the inferior court, upon a question of law, to reserve the question, by bill of exception or agreed case, and transmit a copy of the record to the Attorney General, who shall, if he concur in opinion with the attorney prosecuting below, file the record with the clerk of the Court of Appeals, who shall hear and determine the cases without the service of process on the defendant. Provided, however, That a reversal of the decision of the inferior court shall not subject the defendant to another trial or the payment of costs.

Sec. 3. Be it further enacted, That it shall be the duty of all inferior courts, in which such convictions take place, not to suspend the execution of its judgment in consequence of any of the provisions of this act, unless the counsel of the person convicted shall file an affidavit, in open court, that he verily believes an error in the administration of the law in this case has been committed, and that it is his intention to apply to the Court of Appeals, or a judge thereof, for a supersedeas therein; whereupon it shall be the duty of such inferior court to suspend the execution of its judgment a reasonable time, allowing to the prisoner not less than one day for every twenty miles which it may be necessary to travel in going and returning from the Court of Appeals, or the residence of one of the judges in vacation.

The question was then taken on the adoption of said amendment, and decided in the affirmative.

The yeas and nays being required thereon, by Messrs. C. A. Wickliffe and Thompson, were as follows, viz:


And then the House adjourned.

WEDNESDAY, FEBRUARY 10, 1836.

1. Mr. J. Jackson presented the petition of sundry citizens of Rockcastle county, praying the passage of a law making John Slaughter compensation for his trouble and expenses in arresting a negro slave from Currency Crowder, (who was conveying said slave from said county to Frankfort, for the purpose of selling her,) and taking said slave back.

2. Mr. Norvell presented the petition of the heirs of Jacob Mann, guardian for his infant children, praying the passage of a law authorizing the sale of certain real estate, devised to his said children.

3. Mr. Ford presented the petition of sundry members of the South Union and Laurel River Associations of United Baptists in Kentucky, praying the passage of a law, making an amendment to the charter of the Kentucky Baptist Education Society.

4. Mr. Thompson presented the petition of Abigail Linney, praying to be divorced from her husband, Henderson Linney.

5. Mr. R. N. Lewis presented the petition of Thomas W. Pitt, (with other documents accompanying the same,) praying the passage of a law vesting him with the title to a tract of land which he therefore caused to be conveyed in trust to his children, and to authorize him to sell the same.

6. Mr. Trapnail presented the petition of the administrators and heirs of George Parrott, deceased, praying the passage of a law authorizing the sale of certain real estate belonging to the estate of said Parrott.

7. Mr. Tompkins presented the petition of John Fishburn, Jr. (with other documents accompanying the same,) praying the passage of a law releasing him from any fine or penalty which may be imposed on him by the Barren circuit court, in certain prosecution which he is threatened with.

Which petitions were severally received, the reading thereof dispensed with, and referred; the first, to the committee on claims; the second, fifth, sixth and seventh, to the committee for courts of justice; the third, to the committee on education; and the fourth, to the committee on religion.
A message was received from the Senate, announcing their concurrence in the amendments proposed by this House, to a bill from the Senate, entitled, an act to incorporate the Union White Sulphur Springs Company.

And their concurrence in the amendments proposed by this House, to a bill from the Senate entitled, an act to incorporate the Franklin Bridge Company, with an amendment to the amendment.

And the passage of bills which originated in this House, of the following titles, viz:

An act for the benefit of William C. Connett.
An act to reduce into one the several acts regulating the town of Nicholasville.
An act for the divorce of Ruth Hall.
An act for the benefit of Euphemia L. Schooler.
An act for the benefit of Rebecca Shepherd.
An act to amend an act entitled, an act vesting jurisdiction in the circuit courts, to authorize the sale of real estate and slaves of infants, in certain cases:

With an amendment to the latter bill.
And their disagreement to the passage of a bill, entitled, an act for the benefit of Frances Taylor.
And the passage of bills which originated in the Senate, of the following titles, viz:

An act to incorporate a company to construct a turnpike road from Springfield to Maxville, and thence to intersect the Crab Orchard road at Harrodsburg.
An act to amend the charter of the city of Covington.
An act to repeal in part, an act amendatory of the several acts relating to the town of Newport, in Campbell county, approved 24th February, 1834, and also amendatory thereof.
An act to incorporate the Cumberland Rail Road and Navigation Company.
An act for the benefit of Ureth O. Hundley and her children.
An act to incorporate the Kentucky Mining Company.
An act for the benefit of Elizabeth Logan's heirs.
An act to establish the county of Clinton.
An act to incorporate the towns of Harrodsburg and Danville.
And a resolution fixing a day for the election of a Treasurer, Public Printer, Librarian, a President and Directors of the Bank of the Commonwealth, and old Bank of Kentucky.

Mr. Anderson, from the committee on enrolments, reported that they had examined an enrolled bill, entitled, an act to incorporate the Union White Sulphur Springs Company, and had found the same truly enrolled;

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Anderson inform the Senate thereof.
Mr. Hudspeth, from the select committee, appointed to prepare and bring in the same, reported a bill for the benefit of the heirs of Thomas Chism, deceased, 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 said bill having been dispensed with, it was referred to the committee for courts of justice.

On the motion of Mr. Goodson—

Leave was given to bring in a bill to incorporate the Covington Hotel Company,—and that the committee for courts of justice prepare and bring in the same.

Mr. Thompson presented the petition of William A. Taylor, praying to be divorced from his wife, Frances Taylor, which was received, the reading dispensed with, and referred to the committee on religion.

The House then took up for consideration the amendments proposed by the select committee, to a bill to amend an act approved 21st December, 1831, entitled, an act to incorporate the Green river rail road company.

Mr. Tompkins moved to amend the amendments by adding the following proviso, viz:

*And provided further, That the Board of Internal Improvement, or any other person, on the part of the state, shall not be permitted to subscribe, under the provisions of this act, any sum raised, or to be raised for internal improvement, greater than that part of the fund for internal improvement, set apart, or to be set apart for the section of country, South of Green river, to which the counties through which said rail road shall pass, shall be entitled in their respective proportion, according to the respective population of each county south of Green river.*

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

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


Mr. C. A. Wickliffe then moved further to amend said amendment, by adding thereto the following proviso, viz:

Provided further, That no subscription shall be made under the provisions of this act to the railroad for one year, at the expiration of which time, if the whole of the fund set apart for internal improvement south of Green river has not been subscribed by the board, under the law for the internal improvement of the state, then the board shall subscribe the unexpended balance not exceeding $100,000.

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

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


Mr. Hawkins then moved to lay 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. Lucas and Hawkins, were as follows, viz:


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

Mr. Kelly then moved that said bill have its third reading on this day; and the said bill was then read a third time.

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

The yeas and nays being required on the passage of said bill, by Messrs. Tompkins and Lansdale, were as follows, viz:


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

And then the House adjourned.

THURSDAY, FEBRUARY 11, 1836.

A message was received from the Senate, announcing their concurrence in the amendment proposed by this house, to the amendment of the Senate, to a bill which originated in this house, of the following title, viz:
An act to amend an act to provide for the improvement of the road from Franklin county to Crab Orchard, in Lincoln county.

And their concurrence in the amendment proposed by this House, to a bill from the Senate, entitled, an act to incorporate the Elizaville and Mayslick turnpike road company.

And the passage of bills from this House, of the following titles, viz:

- An act to incorporate the Russellville Male Academy.
- An act allowing an additional magistrate and constable to Washington county.
- An act to authorize the stockholders of the Covington and Lexington turnpike road company, to vote whether Dry Creek post office shall, or not be made a point in said road.
- An act to incorporate the New Castle Female Academy, and for other purposes.

With amendments to the latter bill.

And the passage of bills which originated in the Senate of the following titles, viz:

- An act to amend the charter of the Bardstown and Green river turnpike road company.
- An act to incorporate a College in Shelbyville, Shelby county.
- An act to incorporate the Newport Lyceum.
- An act providing further compensation for killing wolves in this Commonwealth.
- An act for the benefit of James McDowell, Jr., of Rockbridge county, Virginia.

1. Mr. Meriwether presented the remonstrance of sundry citizens of the city of Louisville, remonstrating against the extension of the limits of said city.

2. Mr. Johnson presented the petition of sundry citizens of the northern part of Scott county, praying the passage of a law allowing an additional justice of the peace for said county.

3. Mr. Lucas presented the petition of sundry citizens of Warren, Barren and Allen counties, praying the passage of a law allowing Thomas Potter to build a dam across Big Barren river, at the head of the Three Islands.

4. Mr. Harris presented the petition of James Ramey, praying the passage of a law allowing him compensation for apprehending two felons, by order of a justice of the peace for Floyd county, as a constable.

Which remonstrance and petitions were severally received, the reading thereof dispensed with, and referred; the first, to the committee of courts of justice; the second, to the committee on propositions and grievances; the third, to the committee on internal improvement; and the fourth, to the committee on claims.
Mr. Norvell read and laid on the table the following joint resolution, viz:

Resolved, by the General Assembly of the Commonwealth of Kentucky, That the committee on the Penitentiary, appointed at the present session, be instructed and authorized to complete the settlement between Joel Scott, former keeper of that institution, and the Commonwealth, and make report thereof as soon as practicable, in this Legislature.

Mr. Ford, from the committee on Religion, moved the following resolution, viz:

Resolved, That the petition of James B. McChord, praying to be divorced from his wife, Jane McChord, be rejected.

Which being twice read, was adopted.

On motion—

Ordered, That leave be given to withdraw the petition and papers of Elizabeth Hall.

On the motion of Mr. McNary—

Leave was given to bring in a bill to build a bridge across Cypress creek, in Muhlenburg county, and that the committee on internal improvement prepare and bring in the same.

The committee of ways and means, to whom was referred the petition of sundry citizens of Monroe county, praying that John Howard be permitted to retail liquor in a house different from his own, moved the following resolution, viz:

Resolved, That the said petition be rejected.

The Speaker, in pursuance of a joint resolution, appointed the following committees, viz:

To examine the Auditor's office—Messrs. Norvell, Ford, R. Haxey, Curd, McElroy and Hudspeth.
To examine the Register's office—Messrs. G. Davis, Mitchell, Johnson, Anderson, Meriwether and Kelly.
To examine the Treasurer's office—Messrs. Allen, Woodson, Riley, Heston, R. N. Lewis and Mason.

The committee on Religion, to whom was referred bills from the Senate, of the following titles, viz:

An act for the benefit of George Calmes.
An act to restore Philip King to the rights of an unmarried man.
An act for the relief of Mary G. Overton.
An act for the divorce of Virginia Thomas.
Reported each of said bills without amendment.

Ordered, That said bills be read a third time.
And thereupon, the rule of the House, constitutional provision, and third reading of said bills having been dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the Clerk inform the Senate thereof.

The same committee, to whom was referred a bill from the Senate entitled, an act divorcing Sarah Crutcher from her husband, James W. Crutcher, reported said bill without amendment.—The said bill was then amended.—

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

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

Resolved, That the said bill do pass, and that the title thereof be amended to read, an act divorcing Sarah and James W. Crutcher.

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

A bill from the Senate entitled, an act for the benefit of Uriah O. Hundley and her children, 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 the Clerk inform the Senate thereof.

Mr. Johnson, from the committee of ways and means, to whom was referred a bill from the Senate entitled, an act to provide a sinking fund for the payment of the interest on loans for internal improvement, and for the final redemption of the principal of such loans, reported the same without amendment.

Ordered, That said bill be read a third time.

The same committee, to whom was referred a bill respecting the Bank of the Commonwealth, reported the same without amendment.

Mr. Allen moved to amend said bill by striking out $900, and inserting $750.

Mr. C. A. Wickliffe moved a division of the question.—The question was then put, upon striking out, and decided in the negative.

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


Ordered, That the said bill 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 foresaid.

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

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

By the committee on religion—1. A bill for the benefit of Martha R. Devers.
By Same—2. A bill for the benefit of Mary Lightfoot.
By Same—3. A bill for the benefit of Benjamin Craig.
By Same—4. A bill for the benefit of Abner Pepper.
By the committee on internal improvement—5. A bill to incorporate the Paris 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 said bills having been dispensed with, the first, second, third and fourth, were severally ordered to be engrossed and read a third time; and the fifth was committed to the committee on internal improvement.

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

Resolved, That said bills do pass, and that the titles thereof be as foresaid.
Ordered, That the Clerk carry said bills to the Senate, and request their concurrence.

The committee on ways and means, to whom was referred a bill extending, for a certain period, and with certain limitations, the charter of the old Bank of Kentucky, reported the same without amendment.

Mr. C. A. Wickliffe then moved an amendment to said bill, and after some discussion had thereon, the hour of 12 o'clock having arrived, the House, according to the rule, proceeded to the consideration of the orders of the day.

The bill to establish the county of Trimble, and for other purposes, was then read the second time.

A bill from the Senate entitled, an act to establish the county of Clinton, 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 said bill having been dispensed with, the same was referred to the committee of propositions and grievances.

And then the House adjourned.

FRIDAY, FEBRUARY 12, 1836.

Mr. Maxey, from the joint committee on enrolments, reported that the committee had examined sundry enrolled bills, and had found the same truly enrolled, viz:

An act to amend an act entitled, an act to appropriate the vacant lands of this Commonwealth, east and north of the Tennessee river, to the counties in which they lie, for the purposes of internal improvement.

An act allowing Spottswood Wilkinson to sell an interest in certain real estate, for the devisees of E. P. Wilkinson, dec'd; and

An act to authorize Judge Kelly, to hold a court in Marion county.

An act to amend the law in relation to restraining orders in chancery.

An act to authorize the subscription of stock in the Louisville Bank of Kentucky.

An act to amend the Owingsville and Big Sandy turnpike road company.

An act for the benefit of William Weeks.
An act for the benefit of George Wymore.
An act to increase the revenue.
An act for the benefit of the widow and heirs of John Smith, M.
An act to amend an act, entitled, an act regulating the prices of taking up boats and crafts on the Ohio river.
An act for the benefit of Mary Ann and Henry Stemmons.
An act to establish the town of Edmonton, in Barren county.
An act for the benefit of Reuben Elliott.
An act to amend an act, to authorize the sale of certain lands belonging to Edmund H. Taylor.
An act for the benefit of Rebecca Shepherd.
An act for the benefit of Euphemia L. Schooler.
An act for the benefit of William C. Comett.
An act for the divorce of Ruth Hall.
An act to reduce into one the several acts regulating the town of Nicholasville.
An act for the benefit of the widow and heirs of Nelson C. Johnson, dec'd.
An act to incorporate the Smithland General Insurance Company.
An act for the benefit of Sarah Woods.
An act to extend the limits of the town of Paducah.
And a resolution to appoint joint committees to examine the Treasurer's, Register's and Auditor's office.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Maxey 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, viz:
An act for the benefit of Pamela M. Parker.
An act for the benefit of Eliza Davis.
An act for the benefit of Mary Brown.
An act for the benefit of Washington county, and for other purposes.
An act to incorporate the Lebanon and Marion turnpike road company.
An act to extend the terms of the McCracken circuit court, and to change the terms of the Calloway circuit court.
And the passage of bills which originated in the Senate, of the following titles, viz:
An act concerning the town of Bowlinggreen.
An act defining the powers and duties of the board of internal improvement, and for other purposes.
An act to incorporate a company to turnpike the road leading from Elizabethtown to Bardstown, and for other purposes.
An act to incorporate the South Western Louisville turnpike road company.
An act to incorporate a company to construct a turnpike road from Shelbyville to a point of intersection with the contemplated rail road near Christiansburg, in Shelby county.

1. Mr. Winfrey presented the petition of sundry citizens of Wayne and Cumberland counties, praying the formation of a new county out of part of said counties.

2. Mr. Beaseman presented the petition of the officers of the 86th and 20th Regiments of Kentucky Militia, praying an amendment to the Militia Laws.

3. Mr. McKee presented the petition of the officers of the 34th Regiment of Kentucky Militia, praying the passage of a law legalizing the proceedings of a court of assessment held in said regiment, on the 12th Dec. last.

Which petitions were severally received, the reading thereof dispensed with, and referred; the first, to the committee on propositions and grievances; the second to the committee on military affairs; and the third, to a select committee of Messrs. McKee, G. Davis and Rice.

Mr. Wallace moved the following resolution, viz:

Resolved, That this House, for the remainder of this session meet at the hour of half after nine o'clock, instead of their usual hour.

Which being twice read, was adopted.

Mr. Trapnall moved the following resolution, viz:

Resolved, That on Monday evening next, at seven o'clock, the use of the Representative Hall be allowed to Doctor Charles Caldwell, to deliver an address on the affairs of the Medical department of Transylvania University, and the subject of Education generally.

Which being twice read, was adopted.

On motion—

Ordered, That leave be given to withdraw the petition and papers of William Weeks.

The following bills from the Senate were read the first time, and ordered to be read a second time, viz:

1. An act defining the powers and duties of the board of internal improvement, and for other purposes.

2. An act to amend the charter of the Bardstown and Green river turnpike road company.

And thereupon, the rule of the House, constitutional provision and second reading of said bills having been dispensed with, the said bills were committed to the committee on internal improvement.
Ordered, That the public printer, forthwith, print one hundred and fifty copies of the first bill, for the use of the members of this House.

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

On the motion of Mr. Holloway—1. A bill for the benefit of the heirs of Leonard Bouldin.
On the motion of Mr. Allen—2. A bill to establish a town at the mouth of Little Barren river.
On the motion of Mr. Lansdale—3. A bill for the benefit of Nancy Halliard.
On the motion of Mr. McClure—4. A bill to extend the jurisdiction of magistrates to one hundred dollars, on plain notes of hand and liquidated accounts.
On the motion of Mr. Drye—5. A bill for the benefit of John Chesney.

Messrs. Holloway, Griffith and Peyton, were appointed a committee to prepare and bring in the first; the committee of propositions and grievances, the second; Messrs. Lansdale, Irwin and Hawkins, the third; the committee for courts of justice, the fourth; and Messrs. Drye, J. E. Wright and Dever, the fifth.

The House resumed the consideration of the bill extending, for a certain period, and under certain limitations, the charter of the Old Bank of Kentucky; and the said bill having been further amended,

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 as aforesaid.

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

The committee on internal improvement, to whom was referred a bill to incorporate the Paris rail road company, reported the same without amendment;

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

Mr. G. Davis then moved that said bill have its third reading on this day, and the same was accordingly read.

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

Ordered, That the Clerk inform the Senate thereof, and request their concurrence.
Mr. Joyes, from the same committee, to whom was referred a bill from the Senate entitled, an act to authorize the county courts of Barren, Hardin and Hart counties, to subscribe for stock in certain turnpike roads, reported the same without amendment.

Ordered, That the said bill be laid on the table until the first day of June next.

Mr. Joyes, from the same committee, to whom was referred a bill from the Senate entitled, an act to incorporate the Crab Orchard and Cumberland Gap turnpike company, reported the same with amendments, which being twice read, were concurred in.

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

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

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

Ordered, That the Clerk inform the Senate thereof, and request their concurrence in said amendment.

The committee for courts of justice, to whom was referred a bill from the Senate entitled, an act to add an additional term to the Allen circuit court, reported the same without amendment.

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

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

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

Ordered, That the Clerk inform the Senate thereof.

The same committee, to whom was referred the bill for the benefit of Marion and Henry county, reported the same with an amendment, which being twice read, was concurred in.

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

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

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

By the committee on ways and means—I. A bill to apply the fines and forfeitures of Hancock county to the lessening the county levy.
By the committee for courts of justice—2. A bill to repeal the proviso in the 6th section of an act entitled, an act for classing tobacco, and for other purposes, approved December 13, 1820.

By Same—3. A bill to amend the attachment law.

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 said bills do pass, and that the titles thereof be as foresaid.

Ordered, That the Clerk carry-said bills to the Senate, and request their concurrence.

A message was received from the Lieutenant and acting Governor, by Mr. Owlesley, Secretary of State, announcing that he had approved and signed sundry enrolled bills, which originated in this House, of the following titles, viz:

An act for the benefit of the jailer of Jessamine county.

An act to establish the town of Bryantsville, in Garrard county.

An act for the benefit of the heirs of Benjamin Long.

An act for the benefit of Rebecca Dye.

An act to authorize the Board of Internal Improvement to have the turnpike road on Muldrow's hill examined by an Engineer, and report thereon his opinion of the value of said road, and for other purposes.

An act for the benefit of John and Peggy Garvin, and their children, and of John Coleman's representatives.

An act for the benefit of Susannah Drake.

An act to provide for transcribing certain books in the office of the surveyor of Muhlenburg county, and for other purposes.

An act repealing the act of 1834, establishing an election precinct in Livingston county.

An act to authorize the jailer to serve process in certain cases.

An act for the benefit of Robert J. Terry.

An act to extend the limits of the town of Brandenburg.

An act to change the second constable's district in Henry county.

An act to change the name of the town of Hendronsville, in the county of Henry.

Approved 9th February, 1836.

An act for the benefit of Sarah Moore.

An act for the benefit of John H. Combs.

An act to establish the town of Farmington, in Graves county.

An act for the benefit of the committee of David Ford.

An act to incorporate and extend the limits of the town of London, and extend the limits of the town of Richmond.
An act to authorize the purchase of scientific books for the use of the Engineer Department of the state.
An act to authorize the sale of certain lands belonging to the infant heirs of Samuel Bradley, dec'd.
An act for the benefit of Keziah Brumham.
An act for the benefit of Pandora A. Huff.
An act for the benefit of Thomas B. Megowan, jailer of Fayette county.
An act to change the place of elections in the Lower Blue Lick precinct, in Nicholas county.
An act to authorize the Pulaski county court to construct a gate on the road from Somerset to Monticello.
An act to authorize John S. Anderson to build gates across a certain road in Montgomery county.
Preamble and resolutions in relation to the revenue arising from the sale of public lands.

Approved 10th February, 1836.

An act to incorporate the Union White Sulphur Springs Company.
An act for the benefit of Ruth Hall.
An act for the benefit of Wm. C. Connett.
An act to authorize the subscription of stock in the Louisville Bank of Kentucky.
An act allowing Spottswood Wilkinson to sell an interest in certain real estate, for the devisees of E. P. Wilkinson, dec'd.
An act to amend an act entitled, an act to appropriate the vacant lands of this Commonwealth, east and north of the Tennessee river, to the counties in which they lie, for the purposes of internal improvement.
An act to amend the law in relation to restraining orders in chancery.
An act to authorize Judge Kelly to hold a call court in Marion county.
An act for the benefit of the widow and heirs of John Smith, dec'd.
An act to increase the revenue.
An act for the benefit of George Wymore.
An act for the benefit of William Weeks.
An act to amend the Owingsville and Big Sandy turnpike road company.
An act for the benefit of Sarah Ann and Henry Stemmons.
An act to amend the act entitled, an act regulating the prices of taking up boats and crafts on the Ohio river.
An act to amend an act authorizing the sale of certain lands belonging to Edmund H. Taylor.
An act for the benefit of Reuben Elliott.
An act for the benefit of Euphemia L. Schooler.
An act for the benefit of Rebecca Shepherd.

An act to reduce into one the several acts regulating the town of Nicholasville.

Approved 12th February, 1836.

The House then resumed the consideration of the bill to establish the county of Trimble, and for other purposes.

Mr. Pryor moved to strike out from said bill, the whole thereof except the enacting clause.

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

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


Ordered, That said bill be engrossed and read a third time to­morrow.

And then the House adjourned.

SATURDAY, FEBRUARY 13, 1836.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this house, to bills which originated in the Senate, of the following titles, viz:

An act divorcing Sarah Crutcher from her husband, James W. Crutcher.

An act to amend the charters of the Bank of Kentucky, and the Northern Bank of Kentucky.
An act authorizing the trustees of the town of Mount Vernon, in Rockcastle county, to tax shows within one quarter of a mile of the limits of said town.

An act for the benefit of the devisees of Thomas Courtney, deceased.

And the passage of bills which originated in the Senate, of the following titles, viz:

An act to incorporate a company to construct a turnpike road from Frankfort to Ghent, by way of Owenton and New Liberty, and to incorporate a company to construct a turnpike road from Georgetown to Warsaw, by way of Stampingground and Newport.

An act for the benefit of John P. Porter, and the heirs and securities of Ruben Adams, deceased.

And the passage of bills which originated in this House, of the following titles, viz:

An act to incorporate the Springfield, Perryville and Danville turnpike road company.

An act to amend the charter of the Louisville turnpike road company.

An act for the benefit of Thomas S. Ellison.

An act to incorporate the Paris, North Middletown and Mount-sterling turnpike road company; with amendments to each.

And that the Senate had received official information from the Lieutenant and acting Governor, that he had signed and approved sundry bills which originated in the Senate, of the following titles, viz:

An act to amend an act for the internal improvement of the state, approved the 28th February, 1835.

An act to change the time of the meeting of the General Assembly.

An act to repeal the first section of an act entitled, an act establishing a female academy in the town of Harrodsburg, and reviving the third section of the act thereby repealed.

An act to establish three additional election precincts in the counties of Estill and Perry, and for other purposes.

An act for the divorce of Elizabeth Whitaker.

An act for the divorce of Zellica Clow.

An act to authorize the county court of Rockcastle county to sell a part of the public ground in the town of Mount Vernon.

An act for the benefit of Yelverton D. Booker.

An act for the benefit of the heirs of Benjamin Mills, deceased and for other purposes.

An act for the benefit of Philip Graves, of Boone county.

An act concerning the number of justices of the peace for the county of Hardin.
An act to regulate the commencement of the Boone and Grant circuit courts.
An act for the benefit of the heirs of Samuel Lovejoy, deceased.
An act for the benefit of Judith P. Thornton, and her children.
An act for the benefit of the administrator and heirs of Joseph Haydock.
And a resolution in relation to the navigation of Cumberland river, and the extension of certain roads into the state of Tennessee.

Approved 9th February, 1836.

An act to incorporate the Louisville Dock Company.
An act for the benefit of John and Lucy Vining.
An act to improve the state road from Mountsterling to the Virginia state line, by way of Prestonsburg and Pikeville.
An act concerning the town of Elizabeth, in the county of Hardin.
An act to incorporate a company to turnpike a road from Greensburg, by way of Columbia, Jamesstown and Monticello, to the Tennessee State line, in a direction to Knoxville.
An act to incorporate the Bowlinggreen and Double Spring turnpike road company.
An act to amend an act entitled, an act to incorporate the Newport Manufacturing Company.
An act to incorporate the Bowlinggreen Portage railroad company.
An act to incorporate a company to construct a turnpike road from Taylorsville, in Spencer county, to intersect the turnpike road from Bardstown to Louisville.
An act for the benefit of the county of Jefferson and the city of Louisville.
An act to appropriate the fines and forfeitures of Green county to the New Athens Academy.
An act to establish an additional election precinct in the county of Hardin, and for other purposes.
An act to incorporate the Union White Sulphur Springs company.

Approved 11th February, 1836.

An act to incorporate the Smithland General Insurance Company.
An act for the benefit of Sarah Woods.
An act to extend the limits of the town of Paducah.
An act for the benefit of the widow and heirs of Nelson C. Johnson, deceased.
And a resolution to appoint joint committees to examine the Auditor's, Treasurer's and Register's offices.

Approved 12th February, 1836.
Mr. Maxey, from the joint committee of enrolments, reported that the committee had examined sundry enrolled bills, and had found the same truly enrolled, viz:

An act allowing an additional magistrate and constable to Washington county.

An act to incorporate the Russellville Male Academy.

An act to amend an act entitled, an act to provide for the improvement of the road from Franklin county to Crab Orchard, in Lincoln county.

An act to authorize the stockholders of the Covington and Lexington turnpike road company to vote whether Dry Creek post office shall, or not, be made a point in said road.

An act to appropriate a sum of money to build a seminary of learning in the town of Brandenburg.

An act to amend an act entitled, an act to enlarge the boundaries of Georgetown, and for other purposes, approved February 11, 1835.

An act for the benefit of John Davis and his children.

An act for the benefit of the town of Flemingsburg.

An act to provide for cleaning and repairing the public arms in the arsenal.

And resolutions for the benefit of the commissioned officers of the United States' army, who served in the last war with Great Britain.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Maxey inform the Senate thereof.

1. Mr. Kelly presented the petition of sundry citizens of Christian county, praying the passage of a law establishing an election precinct in said county.

2. Mr. Myers presented the petition of sundry citizens of Pendleton county, praying the passage of a law changing the place of voting in an election precinct in said county.

3. Mr. Meriwether presented the petition of sundry citizens of Jefferson county, residing near the city of Louisville, praying the extension of the limits of said city so as to include them.

4. Mr. R. Wickliffe presented the petition of sundry citizens of the city of Lexington, praying the passage of a law repealing the charter of incorporation granted said city.

5. Mr. Ward presented the petition of Israel Rose, and sundry other citizens, praying that a law may pass divorcing him from his wife, Polly Rose.

6. Mr. McKee presented the petition of John Hall, (with other documents accompanying the same,) praying that a law may pass divorcing the said Hall from his wife, Ruth Hall.

Which petitions were severally received, the reading thereof dispensed with, the third was laid on the table, and the others re-
A message was received from the Senate asking leave to withdraw their report announcing their concurrence in the amendment of this House to a bill from the Senate entitled, an act to incorporate the Maysville and Bracken turnpike road company; which was granted.

Mr. Griffith, from the committee on internal improvement, to whom was referred a bill from the Senate entitled, an act to establish and construct a state road from Pikeville to the Virginia line, at the Sounding Gap in the Cumberland mountain, reported the same without amendment.

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

And thereupon, the rule of the House, constitutional provision, and third reading of said bill having been dispensed with, the further consideration thereof was postponed until Monday next.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this House, to a bill from the Senate, entitled, an act to incorporate the Maysville and Bracken turnpike road company; with an amendment to the amendment.

An act entitled, an act to establish the county of Trimble, and for other purposes, was read a third time.

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

The yeas and nays being required on the passage thereof, by Messrs. Dougherty and Ritchie, were as follows, viz:


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

And then the House adjourned.
MONDAY, FEBRUARY 15, 1836.

Mr. Maxey, from the joint committee on enrolments, reported that the committee had examined sundry enrolled bills, and had found the same truly enrolled, viz:

An act to amend the road law in Campbell county.
An act to incorporate the Lebanon and Marion turnpike road company.
An act for the benefit of Pamela M. Parker.
An act for the benefit of Eliza Davis.
An act for the benefit of Washington county, and for other purposes.
An act for the benefit of Mary Brown.
An act to extend the terms of the McCrackin circuit court, and to change the terms of the Calloway circuit court.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Maxey inform the Senate thereof.

1. Mr. Ward presented the petition of Lewis Adams, praying the passage of a law allowing him a change of venue from the county of Morgan, in which he is recognized to appear at the next term of the circuit court for said county, to answer a charge of larceny, to the county of Greenup.

2. Mr. Thomas presented the petition of sundry citizens of Bath county, praying the passage of a law directing the location of the Owingsvill and Big Sandy turnpike road.

3. Mr. Bradley presented the petition of Elizabeth Hinds, and others, praying that a law may pass divorcing her from her husband, Wm. Hinds.

4. Mr. Joyes presented the petition of Nicholas M. Ferguson and Harriet, his wife, and sundry other citizens, praying the passage of a law divorcing the said Ferguson and wife from each other.

5. Mr. Hollingsworth presented the petition of Amelia Baber, praying that a law may pass divorcing her from her husband, Duncan Baber.

6. Mr. R. Wickliffe presented the petition of sundry citizens of Fayette and Jessamine counties, praying the passage of a law exempting them from working on a certain road running through said counties.

Which petitions were severally received, the reading thereof dispensed with and referred; the first to the committee for courts of justice; the second, to the committee on internal improvement; the
third, fourth and fifth, to the committee on religion; and the sixth, to the committee on propositions and grievances.

A message was received from the Senate, announcing the passage of bills which originated in this House, of the following titles, viz:

- An act for the benefit of John A. Davenport and John Cunningham.
- An act to incorporate the Carlisle, Flat Rock, North Middletown and Winchester turnpike road company, with amendments to the latter bill.
- And the passage of a bill from the Senate entitled, an act for the benefit of A. B. Morton, and others.

A resolution fixing a day for the election of a Treasurer, Public Printer, Librarian, a President and Directors of the Bank of the Commonwealth and old Bank of Kentucky, was taken up, twice read and concurred in.

Ordered, That the Clerk inform the Senate thereof.

The amendments proposed by the Senate to the amendments proposed by this House, to bills which originated in the Senate, of the following titles, viz:

- An act to incorporate the Maysville and Bracken turnpike road company.
- An act to incorporate the Franklin Bridge company;
- Were taken up, twice read and concurred in.

Ordered, That the Clerk inform the Senate thereof.

The amendments proposed by the Senate to bills which originated in this House, of the following titles, viz:

- An act to incorporate the Carlisle, Flat Rock, North Middletown and Winchester turnpike road company.
- An act to amend an act entitled, an act vesting jurisdiction in the circuit courts to authorize the sale of the real estate of infants, in certain cases;
- Were taken up, twice read and concurred in.

Ordered, That the Clerk inform the Senate thereof.

Mr. Maxey, from the joint committee on enrolments, reported that the committee had examined a resolution fixing on a day for the election of a Treasurer, Public Printer, Librarian, a President and Directors of the Bank of the Commonwealth and the old Bank of Kentucky.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Maxey inform the Senate thereof.

A message was received from the Senate, announcing that they had received official information that the Lieutenant and acting
Governor did, on this day, sign and approve a joint resolution fixing on a day for the election of a Treasurer, Public Printer, Librarian, a President and Directors of the Bank of the Commonwealth and old Bank of Kentucky.

Mr. Hughes, from the committee appointed to prepare and bring in the same, reported a bill to regulate the subscription of stock of the part of the state, to turnpike road companies, which was received and read the first time, and ordered to be read a second time.

And thereupon, the rule of the house, constitutional provisions and second reading of said bill having been dispensed with, the said bill was referred to the committee on internal improvement.

The House then resumed the consideration of the bill from the Senate entitled, an act to establish and construct a state road from Pikeville to the Virginia line, at the Sounding Gap in the Cumberland mountain.

Mr. C. A. Wickliffe, moved the following engrossed clause, by way of ryder.

Provided, That before the board of internal improvement shall proceed to construct said road, they shall report to the legislature a survey of said road; and if the construction of said road, upon the plan recommended, shall be approved by the legislature, then the board shall proceed to the construction of the same under the provisions of this act.

And the question being taken on the adoption thereof, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Harvis, and C. A. Wickliffe, were as follows, viz:


Mr. McClure moved the following engrossed clause, by way of ryder.
Be it further enacted, That the sum of five thousand dollars be, and the same is hereby appropriated to improve the road from Columbia in Lair county, by way of Jamestown, Monticello, to the Tennessee State line, in a direction to Jacksboro—which appropriation, shall be under the direction of the Board of Internal Improvement.

Be it further enacted, That the sum of five hundred dollars be appropriated to make a road from the mouth of Martin’s creek in Casey county, to the town of Liberty in said county—which appropriation, shall be under the direction of the Board of Internal Improvement: provided the Board of Internal Improvement shall be of opinion, that said improvement shall be of sufficient public utility, to justify the said expenditure.

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

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


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

The yeas and nays being required on the passage of said bill, by Messrs. C. A. Wickliffe and Harris, were as follows, viz:


NAYS—Messrs. Allen, Bailey, Beaseman, Blackwell, C. Campbell, Clark, Copeland, Dever, Drye, Ford, Holloway, Hudspeth, Hughes,
Ordered, That the Clerk inform the Senate thereof.

A bill from the Senate entitled, an act for the benefit of A. B. Morton and others, 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 said bill having been dispensed with, the same was referred to the committee for courts of justice.

On motion—

Ordered, That Mr. D. White be added to the committee on internal improvement.

Mr. R. Maxey, from the joint committee on enrolments, reported that the committee had examined sundry enrolled bills from the Senate of the following titles, and had found the same truly enrolled, viz:

An act for the divorce of Virginia Thomas.
An act for the relief of Mary G. Overton.
An act for the benefit of George Calmes.
An act to restore Philip King to the rights of an unmarried man.
An act to authorize the county court of Bourbon county, to increase the levy of said county, and for other purposes.
An act for the benefit of the estate of Benjamin Cawthorn, deceased.
An act for the benefit of John and Mary Jones, and their children.
An act for the benefit of the widow and heirs of Samuel Woods, dec'd.
An act for the benefit of the children of John Ball.
An act for the benefit of John Woods.
An act for the benefit of Uriah O. Hundley and her children.
An act to establish a warehouse and inspection of tobacco, flour, pork and salt, upon the lands of Wm. E. Sublett, at his warehouse landing upon the Little Obion, in the county of Hickman.
An act establishing an election precinct in Breckenridge county.
An act for the benefit of Elizabeth Graham.
An act for the benefit of Eliza Warfield and her children.
An act to enlarge the constable's district including the town of Mount Vernon, in Rockcastle county.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Maxey inform the Senate thereof.
The committee for courts of justice, to whom was referred a bill from the Senate entitled, an act for the benefit of A. B. Morton and others, reported the same without amendment.

Ordered, That said bill be read a third time.

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

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

Ordered, That the Clerk inform the Senate thereof.

A bill for the benefit of Elizabeth Pugh was read a second 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 said bill do pass, and that the title thereof be as aforesaid.

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

Mr. Marshall, from the committee on internal improvement, to whom was referred a bill from the Senate entitled, an act to amend the charter of the Bardstown and Green river turnpike road company, reported the same without amendment.

Ordered, That said bill be read a third time.

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

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

Ordered, That the Clerk inform the Senate thereof.

Mr. Irwin, from the committee to whom was referred a bill to authorize the construction of a bridge over Buck creek, in Pulaski county, reported the same with an amendment, which being twice read, was concurred in.

Ordered, That 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,

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

Ordered, That the Clerk inform the Senate thereof, and request their concurrence.

A message was received from the Senate by Mr. Roberts, announcing that they are now ready to proceed to the election of Treasurer, Public
Printed, Librarian, President and Directors of the Bank of the Commonwealth, and of the old Bank of Kentucky.

Ordered, That Mr. Trapnall inform the Senate that this House is now ready to proceed to said elections.

After interchanging nominations between the Houses for the several officers, the House of Representatives proceeded to the election of Treasurer; and Messrs. Harris, R. Wickliffe and Trapnall, were appointed a committee on the part of this House, to compare the joint vote and report the result.

After a short time, Mr. Harris reported that James Davidson had received the unanimous vote of both Houses for Treasurer. Whereupon, he was declared duly elected Treasurer of this State for the ensuing year.

The House then proceeded to the election of Public Printer, and the vote stood thus:


Messrs. Harris, R. Wickliffe, and Trapnell, were appointed a committee on the part of this House, to compare the joint vote of both Houses and report the result. After a short time, Mr. Harris reported that the joint vote stood thus:

For Mr. Jacob H. Holeman, 69
For Mr. Albert G. Hodges, 59

Whereupon, Mr. Jacob H. Holeman was declared duly elected Public Printer for the ensuing year.

The House then proceeded to the election of Librarian, President and Directors of the Bank of the Commonwealth, and of the old Bank of Kentucky. And a committee was appointed on the part of this House to compare the joint vote and report the result.
After a short time, Mr. Harris, from the committee, reported that Mr. George A. Robertson was elected Librarian for the ensuing year, and that Mr. Henry Wingate had received the unanimous vote of both Houses, as President of the Bank of the Commonwealth; and Messrs. Austin P. Cox, James Davidson, Thomas S. Page, and Edward P. Johnson, Directors of that Bank; and that Mr. Peter Dudley, had received the unanimous vote of both Houses as President of the old Bank of Kentucky; and Messrs. James Shannon and Moses B. Morrison, as Directors of that Bank.

And then the House adjourned.

TUESDAY, FEBRUARY 16, 1836.

1. Mr. J. E. Wright presented the petition of sundry citizens of Lincoln county, praying the passage of a law establishing a town in said county, at the place called the Hangingfork, and that an additional justice of the peace be allowed to said county.

2. Also, the petition of sundry citizens of Lincoln county, praying the passage of a law establishing an election precinct in the neighborhood of the village called Hangingfork, in said county.

3. Mr. Mansfield presented the petition of William Parker, praying the passage of a law divorcing him from his wife.

4. Mr. Joyes presented the petition of Mann Butler, praying the passage of a law authorizing him to publish, under the authority and patronage of the State, certain State papers.

Which petitions were severally received, the reading thereof dispensed with, and referred; the first, to a select committee of Messrs. J. E. Wright, Dever and Bailey; the second, to Messrs. J. E. Wright, Drye, Bailey and Dever; the third, to the committee on religion; and the fourth, to the committee on education.

A message was received from the Senate, announcing their disagreement to bills from this house, of the following titles, viz:

An act for the benefit of the Monroe Seminary of learning.
An act for the benefit of the heirs and representatives of E. Willett, dec'd.

And the passage of bills which originated in this House, of the following titles, viz:

An act to apply the fines and forfeitures of Hancock county, to lessening the county levy.
An act to alter the time of holding the Logan county court.
An act changing a precinct in Washington county.
An act for the benefit of the town of Danville.
An act to amend the several acts to suppress the practice of duelling in this Commonwealth.

And the passage of bills which originated in the Senate, of the following titles, viz:
An act to incorporate the Maysville Hotel company.
An act to enlarge the boundary of the town of Glasgow.
An act to abolish the February chancery term of the Mason circuit court.
An act for the relief of Catharine Anderson.
An act for the benefit of Christopher Rinerson, Jr., of Clay county.
An act to enlarge the constable's district of the town of Greensburg.
An act for the benefit of the heirs of John R. Nelson, dec'd.

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 incorporate the Kentucky Mining Company.
2. An act to incorporate a company to construct a turnpike road from Springfield to Maxville, and thence to intersect the Crab Orchard road at Harrodsburg.

And thereupon, the rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the first was referred to the committee for courts of justice; and the second, to the committee for internal improvement.

The committee on internal improvement, who were appointed to prepare and bring in the same, reported a bill to repeal an act to appropriate vacant lands in the county of Muhlenburg to build a bridge across Pond river, which was received and read the first time, and ordered to be read a second time.

Ordered, That said bill be laid on the table.

A bill to provide common school teachers and promote general education in the state of Kentucky, was read a second time, and the same being amended,

Ordered, That 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,

The question was taken upon the passage of said bill and decided in the negative.

The yeas and nays being required thereon, by Messrs. Clay and , were as follows, viz:
Whereas, It is the confirmed opinion of this Legislature, that the security and permanence of this Commonwealth, and all republican governments, depend upon the virtue and intelligence of the individual members of society, constituting the strongest barriers against the tyranny of the few, and the no less destructive anarchy of the many; and, whereas, early, thorough, and diffuse education, are necessary to produce these essential effects: therefore,

1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That there shall be a college of common school teachers formed in the following manner, viz: The Sheriffs of the several counties of this Commonwealth, at the next general election of representatives to the State Legislature, and at every such succeeding election, shall open a poll for the election of common school teachers, by the qualified voters of their counties, and those receiving the highest number of votes shall be returned to the Secretary of State, at the time of returning the members of the Legislature, as duly elected members of the college of teachers. Each county shall elect as many common school teachers as it is entitled to representatives in the State Legislature: Provided, Every county shall be entitled to one teacher. No one shall be eligible as common school teacher, who shall not, at the time of his election, have attained the age of seventeen years, and have the other qualifications of a representative to the State Legislature.

2. Be it further enacted, That the Secretary of State, shall, before the first day of November next succeeding each general election, transmit to the board of trustees of Transylvania University, a complete list of the common school teachers returned to him as elected in pursuance of the first section of this act; upon the reception of which list, the said trustees are authorized to call upon the Auditor of public accounts, who shall thereupon issue his warrant in favor of said trustees for the sum of $5,000, to be paid out of any moneys in the Treasury not otherwise appropriated.

3. Be it further enacted, That each common school teacher, elected as aforesaid, shall forthwith enter into bond, in the county court.
clerk's office of his county, with security to be approved by said clerk, in the penalty of $400, upon condition that he will faithfully teach, for three years, a school in said county in conformity to the provisions of this act; and upon his so entering into bond, the said clerk shall give him a certificate of the fact, and said certificate shall entitle said common school teacher to admission into the academic department of Transylvania University for the term of four years, commencing on the 1st November next succeeding his election, and they shall there, without charge upon them, be furnished with the requisite text books, and be instructed in such a course of literature, science, and practical teaching, as the trustees may deem best to fit them for able and virtuous school teachers: Provided, That the constitutions of the United States and the State of Kentucky, with oral or written commentaries, shall constitute a part of the studies of the senior year; and there having passed a satisfactory examination in the presence of a committee of three, appointed by the Governor of the state, the board of trustees, and faculty of the college, they shall receive an honorary degree indicative of their merits and attainments.

§ 4. Be it further enacted, That if any of the said teachers elected, through incompetence or insobriety, should not pass a satisfactory examination, to be held yearly in the presence of the board of examiners, formed according to the 3rd section of this act, or they shall be privately dismissed; but should any of said teachers be guilty of such misconduct or trangression of college rules as to subject them to expulsion, they shall be considered, in that event, to have forfeited their bonds.

No one shall be admitted to the privileges of admission into said college under the provisions of this act, who shall not bring to the institution a competent knowledge in reading, writing, arithmetic, geography, and English grammar, of which competent knowledge the faculty and trustees of said University shall be the sole judges.

§ 5. Be it further enacted, That in case of a vacancy occasioned by non-admission, dismissal, expulsion, or otherwise, of any teacher elect, it shall be the duty of the said trustees to return immediately such fact to the Secretary of State, and to the Sheriff of the county whose representation is so vacated, which vacancy shall be supplied at the next election, as prescribed by section first of this act: Provided, That the total school deputation shall not be diminished by any vacancy so occurring.

§ 6. Be it further enacted, That it shall be the duty of the committee of examination appointed as aforesaid by the Governor, to make a yearly report to the same, of the number of students in said college, educated at the expense of the State, and all others, including the academic and professional departments, to give an outline of the course of academic studies therein pursued, and suggest such changes, additions, and reform, in discipline and study, as may seem to them advisable, which report shall be annually laid before the legislature for their consideration and action.

§ 7. Be it further enacted, That it shall be the duty of the several county courts in this Commonwealth, to lay off their counties into districts.
least as many districts, as there are common school teachers allotted to
each county, and appoint three discreet school commissioners in each
district, who shall hold their office for four years, and until their suc­
cessors shall be appointed; and said commissioners shall have all the
powers necessary to erecting, organizing and governing as many com­
mon schools as may be necessary, in their several districts, and to that
end, shall have the following powers: they, and their successors to re­
ceive, and hold, by deed, devise, gift, or purchase, any lands or other
property, for the benefit of said schools; to prescribe to the said com­
mon school teachers the place of holding their schools; the tuition fees
to be paid said teachers; to determine who shall be admitted to said
schools through inability to pay, without charge, they, and the teachers
being hereby required to keep secret the names of all students thus ex­
empt; to make all contracts necessary for the organization and contin­
uance of said schools; to appoint one of their number treasurer, who
shall receive, collect, and disburse all funds belonging to their district,
and keep in a blank book, a record of his receipts and expenditures,
who shall settle with said other two commissioners, from time to time,
and hand over, to his successors in office, all books, funds, and papers in
his hands: provided, that when an original district shall be divided into
two or more districts, the fund held as aforesaid, shall be divided equally
among them; they shall make an annual report to the sheriff
of their county, of the number of scholars in their schools, and the
amount of property belonging to their districts, of the number of school houses and teachers,
and the price of tuition: which report the sheriff shall, at the time of
turning the members elect, forward to the Governor, to be laid before the legislature; in consideration of which services, the said com­
missioners shall be entitled to send their children to said schools, free
of charge, during their term of office.

8. Be it further enacted, That it shall be the duty of the county
attorneys, whenever they shall become informed, by the commissioners
otherwise, that the bond of any school teacher is forfeited, to com­
ence suit in the respective circuit courts to enforce payment of the
penalty of said bond; which suit shall be in the name of the Common­
weal of Kentucky, the recovery to the use of the common schools of
the district.

9. Be it further enacted, That in case the county court should fail

to perform the duties herein assigned them, it shall be the duty of said
school teachers, where such failure exists, to call together the good citizens of
their neighborhood, by public notice, put up at the school house door, and
at their public place or places, who shall, on the day appointed, proceed to

elect three commissioners, who shall possess all the powers and capaci­
ties given the commissioners by the seventh section of this act.

10. Be it further enacted, That all persons accepting of the office
of commissioner, according to this act, shall be liable for all monies,
and other property coming into their hands, as school commissioners,
together with the costs of suit, to be proceeded against as in case of for­
sure, by the eighth section of this act: all recoveries to revert to the
district school fund: *Provided, That no suit shall be brought after two
years from the expiration of their term of office.*

§ 11. *Be it further enacted, That should any school teacher, under
this act, be guilty of such misconduct or immoral practices, as in the
opinion of twelve jurors, to disqualify him for teaching school, said
teacher shall forfeit the amount of his bond: proceedings to be had as in
the eighth section of this act.*

And so the said bill was rejected.

The committee on internal improvement, to whom was referred
bills from the Senate of the following titles, viz:

1. An act to amend an act entitled, an act to establish a road
from the mouth of Salt river, to intersect the road from Branden-
burg to Bowling green.
2. An act declaring the Middle fork of Kentucky river a navigable
stream, up to the mouth of Laurel, on said fork.
3. An act amending the road law in Greenup county.
4. An act supplemental to an act entitled, an act to incorporate
a company to construct a turnpike road from Taylorsville in Spe-
cer county, to intersect the turnpike from Bardstown to Louis-
ville.
5. An act to amend an act entitled, an act further to regulate
the Wilderness turnpike road, approved 11th January, 1830.
6. An act concerning public roads in Mason county.

Reported said bills without amendment.

Ordered, That said bills be read a third time.

And thereupon, the rule of the house, constitutional provision,
and third reading of said bills having been dispensed with, the
first having been amended,

Resolved, That 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 amendment to the first bill.

The same committee, to whom was referred bills of the follow-
ing titles, viz:

A bill to amend an act approved 28th February, 1835, entitled,
an act to incorporate the Bardstown and Green river turnpike road
company.

A bill to incorporate a company to construct a turnpike road
from Porter's ferry, through Burlington to the Covington and Lex-
ington turnpike road;

Reported said bills with amendments to each, which being twice
read, were concurred in.

Ordered, That said bills be engrossed and read a third time.

And thereupon, the rule of the House, constitutional provision
and third reading of said bills having been dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

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

The same committee, to whom was referred bills of the following titles, viz:

1. A bill to incorporate the Springfield, Maxville and Harrodsburg turnpike road company.
2. A bill to appropriate a sum of money to improve the road from Columbia to Grider's ferry on Cumberland river.
3. A bill to incorporate a company to make a turnpike road from Perryville, to Greensburg, by way of Lebanon and New Market.
4. A bill to establish a state road from the mouth of Troublesome creek, to the Sounding Gap of Cumberland mountain.
5. A bill for the improvement of the navigation of the North, Middle and South fork of the Kentucky river.
6. A bill to incorporate the Versailles, Midway and Georgetown turnpike road company.

Reported each of said bills without amendment.

Ordered, That the third, fourth, fifth and sixth bills be engrossed and read a third time, and that the first be laid on the table for the present.

And thereupon, the rule of the house, constitutional provision, and third reading of the third, fourth, fifth and sixth bills having been dispensed with, and the same being engrossed,

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

Ordered, That the Clerk inform the Senate thereof, and request their concurrence.

The same committee, to whom was referred a bill to establish a board of internal improvement for Cumberland river, reported the same with an amendment, which being twice read, was concurred in.

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

The same committee, to whom was referred a bill from the Senate entitled, an act to incorporate the Cumberland river turnpike road company, reported the same without amendment.

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

And thereupon, the rule of the House, constitutional provision, and third reading of said bill having been dispensed with,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the Clerk inform the Senate thereof.

Mr. Joyes, from the same committee, to whom was referred a bill from the Senate entitled, an act to amend the several acts of Assembly relating to and incorporating a company to turnpike a road from Louisville to Nashville, reported the same with an amendment, which being twice read, was concurred in.

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

Ordered, That the Clerk carry said bill to the Senate and request their concurrence in said amendment.

The committee of propositions and grievances, to whom was referred a bill from the Senate entitled, an act to incorporate the county of Clinton, reported the same with an amendment, which being twice read, was concurred in.

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

Mr. Riley from the committee on internal improvement, to whom was referred a bill from the Senate entitled, an act defining the powers and duties of the board of internal improvement, and for other purposes, reported the same with amendments.

Ordered, That the said bill be made the special order of the day for Thursday next.

The hour of 12 o'clock having arrived, Mr. Lansdale moved to dispense with the orders of the day.

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

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


Mr. Joyes from the committee on education, to whom was referred a bill from the Senate, entitled, an act to establish the College of Physicians of the city of Lexington, reported the same without amendment. The said bill was then amended.

Ordered, That said bill be read a third time.

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

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

Ordered, That the Clerk carry said bill to the Senate and request their concurrence in said amendment.

Mr. Joyes, from the same committee to whom was referred a bill incorporating the Bardstown Female Academy, reported the same with an amendment, which being twice read, was concurred in.

Ordered, That 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 as aforesaid.

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

Mr. Norvell from the committee on the Penitentiary, to whom was referred a bill to amend the penal laws and to authorize certain improvements within the walls of the Penitentiary, reported the same with an amendment, which being twice read, was concurred in.

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

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

By Mr. R. N. Lewis—1. A bill concerning roads west of Tennessee river.

By the committee on internal improvement—2. A bill to incorporate the Richmond and London turnpike road company.

By same—3. A bill to incorporate the Canton, Cadiz and Hopkinsville turnpike road company.

By Same—4. A bill to incorporate the Clarke and Madison turnpike road company.

By Same—5. A bill to amend the several acts concerning the Rolling fork bridge company.
By the committee on military affairs—6. A bill concerning the public arms.

Which bills were severally received, 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 said bills having been dispensed with, the first, second, third, fourth, and fifth, were severally ordered to be engrossed and read a third time; and the sixth were committed to the committee on military affairs.

And thereupon, the rule of the House, constitutional provision, and third reading of the first, second, third, fourth and fifth bills having been dispensed with, and the same being engrossed, (the fifth being amended.)

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.

The committee of propositions and grievances, who were appointed to prepare and bring in the same, reported a bill for the benefit of John Seward, 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 said bill having been dispensed with,

Mr. Hawkins moved 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. Hawkins and C. A. Wickliffe, were as follows, viz:


NAYS—Mr. Speaker, Messrs. Allen, Beaseman, Bowing, Bradley, Brown, Clark, Drye, Flournoy, Funk, Goodson, Harris, Hudspeth, Irwin, Johnson, Joyes, Kirtley, Lansdale, R. N. Lewis, McClure, Miles, Norvell, Tupman, Ward, R. Wickliffe, J. E. Wright—26.

And then the House adjourned.
WEDNESDAY, FEBRUARY 17, 1836.

A message was received from the Senate, announcing their disagreement to a bill from this house, entitled, an act for the benefit of Hezekiah and Fanny Duzan.

And the passage of bills which originated in this House, of the following titles, viz:

- An act for the benefit of Hannah Hunter.
- An act for the benefit of Benjamin Craig.
- An act for the benefit of Abner Pepper.
- An act to amend an act entitled, an act to incorporate the Glasgow and Munfordsville turnpike company.
- An act to amend an act, approved 22d December, 1831, entitled, an act to incorporate the Green river rail road company.
  With amendments to the two latter bills.

And the passage of bills which originated in the Senate, of the following titles, viz:

- An act to repeal an act entitled, an act to amend the laws prohibiting the importation of slaves into this state, approved February 2, 1833.
- An act to incorporate a company to construct a road from Cloverport to Hardinsburg.
- An act to authorize a state road to be opened from Bloomfield, in Nelson county, to McCann’s ferry, in Mercer county.
- An act for the benefit of George P. Jollitt and others.
- An act to legalize the proceedings of the Franklin county court, at their February term, 1836.
- An act for the benefit of George Ann Vincent.
- An act for the benefit of the settlers west of the Tennessee river, whose improvements have been entered by Seminary claims.

Mr. R. Maxey, from the joint committee on enrolments, reported that the committee had examined sundry enrolled bills, and had found the same truly enrolled, viz:

- An act for the benefit of A. B. Morton, and others.
- An act to amend an act entitled, an act to incorporate a company to turnpike the road from Nicholasville to Perryville, by way of Shaker Town and Harrodsburg.
- An act to incorporate the Franklin bridge company.
- An act to incorporate the Kentucky Silk Culture and Manufacturing company.
- An act to incorporate the Newport, Falmouth, Cynthiana, Paris and Winchester turnpike road company.
An act to amend the several acts to suppress the practice of duelling in this Commonwealth.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Maxey inform the Senate thereof.

The committee on propositions and grievances, to whom was referred a bill from the Senate entitled, an act to appoint commissioners to run and mark the line between Marion and Washington counties, and for other purposes, reported the same without amendment.

Ordered, That the said bill be re-committed to the committee on propositions and grievances.

The same committee, who were appointed to prepare and bring in the same, reported a bill to prevent the letting of stud horses and jack asses to mares within the limits of the towns of this Commonwealth, which was received and read the first time, and ordered to be read a second time.

And thereupon, the rule of the House, constitutional provisions, and second reading of said bill having been dispensed with.

Mr. Jasper moved 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. Jasper and Hudspeth, were as follows, viz:


Ordered, That the said bill be re-committed to the committee of propositions and grievances.

Mr. Allen from the same committee, to whom was referred the petition of sundry citizens of Barren, Allen and Monroe counties.
ties, praying for the formation of a new county out of said coun-
ties, moved the following resolution, viz:

Resolved, That the said petition be rejected.
Which being twice read, was adopted.

On motion—

Ordered, That the committee on propositions and grievances be

discharged from the further consideration of the petition of sundry

citizens of Sugar Tree Run precinct, in Breckenridge county.

The committee on claims, to whom was referred bills from the

Senate of the following titles, viz:
An act for the benefit of Nathaniel Reynolds.
An act for the benefit of the surveyor of Jefferson county.
An act for the benefit of William Green, of Harlan county.

Reported each of said bills without amendment.

Ordered, That the said bills be read a third time.

And thereupon, the rule of the House, constitutional provision,

and third reading of said 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.

Mr. C. A. Wickliffe, from the committee for courts of justice, to

whom was referred bills from the Senate of the following titles, viz:
An act to amend the charter of the Lexington and Ohio rail-

road company.
An act to incorporate the Eddyville Hotel Company.
An act to amend the charter of the Bardstown and Louisville

turnpike company.

Reported each of said bills without amendment.

Ordered, That the said bills be read a third time.

And thereupon, the rule of the House, constitutional provision,

and third reading of said 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.

A message was received from the Senate asking leave to with-

draw their report announcing their disagreement to the passage of

bills from this House of the following titles, viz:
An act for an appropriation to the Allen Seminary of learning.
An act for the benefit of the Monroe Seminary of learning.

Which was granted.

A bill from the Senate entitled, an act to establish the county

of Clinton, was read a third time.
Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the Clerk inform the Senate thereof.

Mr. C. A. Wickliffe, from the committee for courts of justice, to whom was referred bills from the Senate of the following titles, viz:

An act prohibiting the making and circulating drafts, checks and orders, as money, in this commonwealth.

An act for condemning land and materials for the construction of turnpike roads, bridges, and other works of internal improvement.

Reported each of said bills without amendment.

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

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

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

Ordered, That the Clerk carry said bills to the Senate and request their concurrence in said amendments.

Mr. C. A. Wickliffe, from the same committee, to whom was referred a bill from the Senate entitled, an act to establish the Mechanics' Savings Institution of Louisville, reported the same with amendments, which being twice read, were concurred in.

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

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

Resolved, That the said bill do pass and that the title be amended to read, an act to establish the Mechanics' Savings Institution of Louisville, and Savings Institution of Bardstown.

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

Mr. C. A. Wickliffe, from the same committee to whom was referred a bill to repeal the 14th section of an act entitled, an act to provide for the sale of the vacant lands west of the Tennessee river, approved January 3, 1825, reported the same without amendment.

Ordered, That the said bill 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 said bill do pass, and that the title thereof be as aforesaid.
Ordered, That the Clerk inform the Senate thereof, and request their concurrence.

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

By the committee on propositions and grievances—1. A bill to change the Maysville election precinct, and for other purposes.

By the committee on claims—2. A bill for the benefit of the sheriff of Bullitt county.

By Same—3. A bill for the benefit of James Ramey.

By the committee for courts of justice—4. A bill for the benefit of the county court clerk of Scott county, and for other purposes.

By Same—5. A bill to authorize the citizens of Lexington to vote upon the question of a repeal of their charter.

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 said bills having been dispensed with, the same were severally ordered to be engrossed and read a third time.

And thereupon, the rule of the House, constitutional provision, and third reading of the first, second, third and fourth bills having been dispensed with; (the first and fourth being amended,) and the same being engrossed,

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

Ordered, That the Clerk inform the Senate thereof and request their concurrence.

A message was received from the Senate, announcing their concurrence in the first and second amendments, and their disagreement to the third amendment proposed by this House, to a bill from the Senate entitled, an act for condemning land and materials for the construction of turnpike roads, bridges and other works of internal improvement.

And then the House adjourned.

THURSDAY, FEBRUARY 18, 1836.

Mr. R. Maxey, from the joint committee on enrolments, reported that the committee had examined sundry enrolled bills, of the following titles, and had found the same truly enrolled, viz:
An act to incorporate the Carlisle, Flat Rock, North Middletown and Winchester turnpike road company.

An act changing a precinct in Washington county.

An act for the benefit of the town of Danville.

An act to apply the fines and forfeitures of Hancock county to the lessening the county levy.

An act for the benefit of John A. Davenport and John Cunningham.

An act to amend an act entitled, an act vesting jurisdiction in the circuit courts to authorize the sale of the real estate of infants, in certain cases.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. R. Maxey inform the Senate thereof.

A Message was received from the Senate announcing their concurrence in the amendments proposed by this House to bills from the Senate, of the following titles, viz:

An act to amend the several acts of Assembly relating to and incorporating a company to turnpike the road from Louisville to Nashville.

An act to establish the college of physicians of the city of Lexington.

An act to amend an act entitled, an act to establish the road from the mouth of Salt river, to intersect the road from Brandenburg to Bowlinggreen.

And the passage of bills which originated in this House, of the following titles, viz:

An act for the benefit of Mary Hornbeck.

An act to incorporate the Russellville Male Academy.

An act to authorize circuit courts to license the printers of newspapers to insert certain public orders and notices in their papers.

An act respecting the Bank of the Commonwealth.

An act for the benefit of the jailer of Marion and Henry counties.

An act to improve the roads in Monroe, Allen and Cumberland counties.

With an amendment to the latter bill.

And the passage of bills which originated in the Senate, of the following titles, viz:

An act for the benefit of J. B. Husbands, county surveyor of McCracken county.

An act to change the time of holding the Owen circuit court, and for regulating the terms of the Fayette circuit court.

An act to amend an act to establish the Louisville chancery court.

An act for the benefit of Anter Conder.
An act for the benefit of the heirs of John Fouch.
An act to fix the ratio and apportion the representation for the ensuing four years.

1. Mr. Joyes presented the petition of sundry citizens of Louisville, praying the passage of a law incorporating a Medical College in said city.

2. Mr. Woodson presented the petition of William N. Fishback and others, praying the passage of a law authorizing them to appoint an attorney in fact to convey certain real estate.

3. Mr. Joyes presented the petition of Nancy Calahan, and sundry others, praying that a law may pass divorcing her from her husband, Samuel Calahan.

4. Mr. Thomas presented the petition of sundry citizens of Bath county, in relation to the Owingsville and Big Sandy road.

5. Mr. Harvie presented the petition of Joseph Clarke, late sheriff of Franklin county, praying that a law may pass allowing him further time to return his delinquent list of muster fines, in the 22d Regt. Ky. Militia, for the year 1835.

Which petitions were severally received, the reading thereof dispensed with, and referred; the first to the committee on education; the second, to the committee for courts of justice; the third, to the committee on religion; the fourth, to the committee on internal improvement; and the fifth, to a select committee of Messrs. Harvie, Trapnall and Thompson.

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

On the motion of Mr. Trapnall—1. A bill donating an extra copy of the Session acts, Journals of the Legislature and Digest of the statutes, and a copy of all the reports of the court of appeals, that may be spared from the public library, to the legal department of Transylvania University.

On the motion of Mr. Norvell—2. A bill to appropriate certain fines and forfeitures to the town of Carlisle.

On the motion of Mr. Harris—3. A bill to more fully protect the occupants of land in this Commonwealth, and to extend the preemption right to actual settlers, settlers and improvers.

On the motion of Mr. J. Jackson—4. A bill to change the line between the counties of Madison and Rockcastle.

On the motion of Mr. Huston—5. A bill for the benefit of Wm. McNutt.

Also—6. A bill for the benefit of the jailer of Spencer county.
Also—7. A bill to increase the powers of the trustees of the town of Taylorsville, in Spencer county.

On the motion of Mr. McElroy—8. A bill to amend the act establishing a state road from the mouth of Salt river to the Ohio river opposite Shawneetown.
On the motion of Mr. Lucas—9. A bill to change the time of holding the county court of Warren county.

On the motion of Mr. Tompkins—10. A bill to amend the law authorizing the construction of a bridge across Big Barren river.

On the motion of Mr. Thomas—11. A bill to establish a turnpike road from Owingsville, through Sharpsburg, to Paris.

On the motion of Mr. Ritchie—12. A bill to authorize the trustees of the town of Winchester to lay a tax on its citizens for the purpose of Macadamizing the main street of said town.

On the motion of Mr. Hughes—13. A bill to prevent the improper conduct of wagoners and other travellers on turnpike roads.

On the motion of Mr. R. Wickliffe—14. A bill for the benefit of the heirs of Charles Humphreys, dec'd.

Also—15. A bill for the benefit of the Lexington artillery company.

On the motion of Mr. Harris—16. A bill to amend an act entitled, an act to incorporate a turnpike road from Pikeville to the Virginia line, near the head of Elkhorn.

On the motion of Mr. R. G. Lewis—17. A bill to incorporate the town of Hillsborough, in the county of Fleming, and for other purposes.

On the motion of Mr. Harris—16. A bill to amend an act entitled, an act to incorporate a turnpike road from Pikeville to the Virginia line, near the head of Elkhorn.

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On the motion of Mr. Harris—16. A bill to amend an act entitled, an act to incorporate a turnpike road from Pikeville to the Virginia line, near the head of Elkhorn.
On the motion of Mr. Miles—28. A bill to incorporate a turnpike road company, for a road from Princeton, in Caldwell county, to Flynn's ferry, on the Ohio river, in Livingston county.

On the motion of Mr. McNary—29. A bill to improve the navigation of Pond creek.

On the motion of Mr. Mitchell—30. A bill to incorporate the Maysville and Lexington rail road company.

The committee on Ways and Means, were directed to prepare and bring in the first; Messrs. Norvell, Ingram and McClure, were appointed a committee to prepare and bring in the second; Messrs. Harris, Ward and Buford, the third; Messrs. J. Jackson, Clay, and D. White, the fourth; Messrs. Huston, Riley, and Meriwether, the fifth and sixth; Messrs. Huston, Riley and Joves, the seventh; Messrs. McElroy, Holloway and Griffitt, the eighth; Messrs. Lucas, Blewitt and Tompkins, the ninth; Messrs. Tompkins, Mansfield and Blewitt, the tenth; the committee on internal improvement, the eleventh, nineteenth, twenty-second, twenty-eighth, twenty-ninth and thirtieth; Messrs. Ritchie, R. Wickliffe and Trappall, the twelfth; Messrs. Hughes, G. Davis and Rice, the thirteenth; the committee for courts of justice, the fourteenth and eighteenth; the committee on military affairs, the fifteenth; Messrs. Harris, Ward and Riley, the sixteenth; Messrs. Lewis, Mail and Donaldson, the seventeenth; the committee on religion, the twenty-first; Messrs. Meriwether, Funk and Huston, the twenty-second; Messrs. Joves, Marshall and Funk, the twenty-fourth; Messrs. Bailey, Wright and Jasper, the twenty-fifth; Messrs. J. Jackson, White and Buford, the twenty-sixth; Messrs. Ward, Humes and Thomas, the twenty-seventh.

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

By Mr. Flournoy—1. A bill for the benefit of Maria D. Ewell and others.

By Same—2. A bill to amend an act to establish an inspection of tobacco and other articles of commerce in the town of Padurah.

By Mr. Dever—3. A bill to establish the town of Farmington, in Lincoln county, and for other purposes.

By Same—4. A bill to establish an election precinct at Farmington, in Lincoln county.

By Same—5. A bill to allow an additional justice of the peace in Lincoln county, and for other purposes.

By Same—6. A bill for the benefit of John Chesney.

By Mr. Brown—7. A bill for the benefit of the Newcastle Female Academy.

By Mr. Myers—8. A bill to regulate the town of Falmouth, in Pendleton county.

By Mr. McClure—9. A bill for the benefit of the Russell Seminary of learning.
By Mr. S. W. White—10. A bill to regulate the haymarket in Shelbyville, and for other purposes.

By Mr. Stevenson—11. A bill to allow an additional justice of the peace to the county of Scott, and for other purposes.

By Mr. Johnson—12. A bill appointing a commissioner on the Georgetown and Cincinnati road.

By Mr. Huston—13. A bill to incorporate the Taylorsville and Harrodsburg turnpike company, and for other purposes.

By Mr. Lansdale—14. A bill for the benefit of Nancy Halliard.

By Mr. McElroy—15. A bill to establish a state road from Flynn's old ferry across the Ohio river, in the county of Livingston, to Princeton, in Caldwell county, and for other purposes.

By Same—16. A bill to amend the law appropriating the vacant lands in this Commonwealth, north and east of the Tennessee river, to the counties in which they lie, approved February 22d, 1835.

By Mr. Ingram—17. A bill to authorize certain records, &c. of the Wayne and Nicholas county courts to be transcribed.

By Mr. D. White—18. A bill to change the name of Williamsburg, in Mason county.

By Mr. Schoolfield—19. A bill to incorporate the Dover and Minerva turnpike road company.

By Mr. G. Davis—20. A bill to change the place of voting in the Harman or Licking precinct, in Bath county.

By Mr. Riley—21. A bill for the benefit of William Rogers, jailer of Spencer county, and for other purposes.

By Same—22. A bill to change the name of William McNeil to that of Wm. Basye.

By Mr. Flournoy—23. A bill for the benefit of the clerk of the Calloway county court, and for other purposes.

By Mr. Harris—24. A bill to protect the settlers and settlers of the vacant lands in this Commonwealth.

By Mr. R. N. Lewis—25. A bill to incorporate the Mills' patriarch warehouse company.

By Same—26. A bill providing for the sale of the unsurrendered land west of the Tennessee river.

By Mr. N. Maxey—27. A bill to allow an additional constable to the county of Hancock.

By Mr. Meriwether—28. A bill to amend an act entitled, an act authorizing the sale of a portion of the real estate of Samuel Blankenbecker, deceased, to pay his debts, approved 14th February 1835.

By Same—29. A bill to amend the revenue laws of this Commonwealth.

By Mr. J. Jackson—30. A bill to change the line between the counties of Madison and Rockcastle.
By Mr. Ward—31. A bill to incorporate a turnpike road company from the Poplar Plains, in Fleming county, to Louisa, in Lawrence county.

By Same—32. A bill appointing commissioners to locate the way for a road from near the farm of David Davis, in Lawrence county, to the state road in Greenup county.

By Mr. Hawkins—33. A bill to amend an act to improve the navigation of Muddy river.

By Mr. Irwin—34. A bill to incorporate the Russellville and Charlestown turnpike road company.

By Mr. McKee—35. A bill to legalize the proceedings of a court of assessment of fines in the 24th Regiment of Ky. Militia, and for other purposes.

By Mr. R. Maxey—36. A bill for improving the stage road from Glasgow, by way of Tompkinsville, to the state line, in a direction to Sparta, in Tennessee, and for other purposes.

By Mr. Ingram—37. A bill to enlarge the constable's district for the town of Monticello.

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 said bills having been dispensed with, the first, second, third, fourth, fifth, sixth, seventh, eighth, tenth, eleventh, twelfth, fourteenth, fifteenth, seventeenth, eighteenth, twentieth, twenty-first, twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-sixth, twenty-seventh, twenty-eighth, thirtieth, thirty-second, thirty-third, thirty-fourth, thirty-fifth, and thirty-seventh, were severally ordered to be engrossed and read a third time; the ninth was laid upon the table until the first day of June next; the thirteenth, nineteenth, twenty-first, and thirty-sixth, were committed to the committee on internal improvement; the sixteenth, twenty-fourth and twenty-sixth, were referred to the committee for courts of justice; the twenty-ninth to the committee of ways and means.

And thereupon, the rule of the House, constitutional provision, and third reading of the first, second, third, fourth, fifth, sixth, seventh, eighth, tenth, eleventh, twelfth, fourteenth, fifteenth, seventeenth, eighteenth, twentieth, twenty-first, twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-seventh, twenty-eighth, thirtieth, thirty-second, thirty-third, thirty-fourth, thirty-fifth and thirty-seventh bills having been dispensed with, (the third, fifth, eleventh, twenty-first, thirty-third and thirty-fifth, being amended,) and the same being engrossed,

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

Ordered, That the Clerk carry said bills to the Senate and request their concurrence.
Resolved, That this House recede from their third amendment, proposed to a bill from the Senate, entitled, an act for condemning land and other materials for the construction of turnpike roads, bridges and other works of internal improvement.

Ordered, That the Clerk inform the Senate thereof.

A bill from the Senate entitled, an act to incorporate a college in Shelbyville, Shelby county, 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 said bill having been dispensed with, the said bill was referred to the committee on education.

A message was received from the Lieutenant and acting Governor, by Mr. Owsley, Secretary of State, announcing that he did on this day, sign and approve sundry enrolled bills of the following titles, viz:

- An act for the benefit of the town of Flemingsburg.
- Resolution for the benefit of the commissioned officers of the United States' army, who served in the last war with Great Britain.
- An act to provide for cleaning and repairing the public arms in the arsenal.
- An act to appropriate a sum of money to build a seminary of learning at Brandenburg.
- An act to amend an act entitled, an act to enlarge the boundaries of Georgetown, and for other purposes.
- An act for the benefit of John Davis and his children.
- An act to incorporate the Russellville Male Academy.
- An act allowing an additional magistrate and constable to Washington county.
- An act to amend an act entitled, an act to provide for the improvement of the road from Frankfort to Crab Orchard, in Lincoln county.
- An act to authorize the stockholders of the Covington and London turnpike road company to vote whether Dry Creek post office shall, or not, be made a point in said road.
- An act to amend the law in relation to opening and repairing roads in Campbell county.
- An act for the benefit of Washington county, and for other purposes.
- An act for the benefit of Mary Brown.
- An act to extend the terms of the McCracken circuit court, and to change the terms of the Calloway circuit court.
- An act for the benefit of Eliza Davis.
- An act for the divorce of Pamela M. Parker.
- An act to incorporate the Lebanon and Marion turnpike road company.
An act to amend the several acts to suppress the practice of duelling in this Commonwealth.

Approved 13th February, 1836.

Mr. D. White moved the following resolution, viz:

Resolved, That the committee for courts of justice be instructed to inquire into the expediency of amending the rioting law of this Commonwealth.

Which being twice read, was adopted.

Mr. Tompkins moved the following resolution, viz:

Resolved, That the committee for courts of justice be instructed to inquire into the expediency and propriety of providing by law, that landlords reserving rent in corn or other property, shall have the right to distress for said rent in such manner and subject to such regulations as though the same had been reserved in money, and that they report by bill or otherwise.

Which being twice read, was adopted.

Mr. Joyes moved the following resolution, viz:

Whereas, the clerk of the House of Representatives has had much heavier duties to perform during the present session, than have been performed by that department at any former period—

Therefore,

Resolved, That the chief clerk be authorized to employ an additional assistant for the balance of the term, to enable him to keep up with those duties.

Which being twice read, was adopted.

Mr. Hawkins moved the following resolution, viz:

Resolved, That the committee on internal improvement be instructed to draft and bring in a bill laying on the capital stock, real and personal property of all turnpike, McAdamize, rail road and other incorporated companies in this Commonwealth, (except such as are calculated to advance literature in this state,) a tax not exceeding five cents on the hundred dollars worth of such capital stock, real and personal property, so soon as such stock shall yield a dividend of four per cent per annum; and so soon as any such company shall declare a dividend of six per cent per annum, then the capital stock, real and personal property of such company shall be taxed at the same rates that the real and personal property of other citizens of this state may then be taxed.

Mr. Irwin moved to lay said resolution on the table until the first of June next.

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

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

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A bill for the benefit of Greenup county, was read a second time, and the said bill being amended,

Ordered, That the same bill be engrossed and read a third time.

Mr. C. A. Wickliffe, from the committee for courts of justice to whom was referred a bill from the Senate entitled, an act to establish a police court in the city of Louisville, and to amend the charter of said city, reported the same with sundry amendments.

And then the House adjourned.

FRIDAY, FEBRUARY 19, 1836.

1. Mr. Kirtley presented the petition of sundry citizens of the town of Burlington, praying the passage of a law respecting said town.

2. Mr. McElroy presented the petition of sundry travelers on the Maysville and Lexington turnpike road, praying the passage of a law amending the road law of this state.

3. Mr. Parrish presented the petition of the trustees of Robertson Academy, in the town of Columbia, in Adair county, praying the passage of a law appropriating the fines and forfeitures in said county to said academy.

Which petitions were severally received, the reading thereof dispensed with, and referred; the first, to the committee for courts of justice; the second, to the committee on propositions and grievances; and the third, to the committee on education.
A message was received from the Senate, announcing their concurrence in the amendments proposed by this House, to bills from the Senate, of the following titles, viz:

An act to establish the county of Clinton.
An act to establish the Mechanics' Savings Institution of Louisville.
An act prohibiting the making and circulating drafts, checks and orders, as money, in this Commonwealth.
And their disagreement to the passage of a bill from this House, of the following title, viz:
An act concerning the liabilities and duties of executors and administrators.

And the passage of bills which originated in this House, of the following titles, viz:

An act to reduce the number of justices of the peace and constables in Adair county.
An act extending for a certain period and with certain limitations the charter of the old Bank of Kentucky.
An act to authorize certain county courts to appoint Constables and Magistrates.
With amendments to the two last.

And the passage of bills from the Senate of the following titles, viz:

An act to improve the State Arsenal.
An act to incorporate the Fleming White Sulphur Springs Hotel Company.
An act to amend the law of bail in civil actions.
An act concerning the laying and collecting of the county levy of Fayette county.

And that the Senate had received official information from the Lieutenant and acting Governor, that he did, on the 17th instant, approve and sign sundry enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of the children of John Ball.
An act for the benefit of John Woods.
An act for the benefit of Elizabeth Graham.
An act to enlarge the constable's district including the town of Mount Vernon, in Rockcastle county.
An act establishing an election precinct in Breckinridge county.
An act to establish a warehouse and inspection of tobacco, pork and salt, upon the lands of Wm. E. Sublett, at his warehouse landing upon the Little Obion, in the county of Hickman.
An act for the benefit of John and Mary Jones, and their children.
An act for the benefit of the widow and heirs of Samuel Wood, dec'd.
An act for the benefit of George Calmes.
An act to restore Philip King to the rights of an unmarried man.
An act for the benefit of Urith O. Hundley and her children.
An act for the benefit of Eliza Maxfield and her children.
An act to authorize the county court of Bourbon county, to increase the levy of said county, and for other purposes.
An act for the benefit of the estate of Benjamin Cawthorn, deceased.
An act for the benefit of Mary G. Overton.
An act for the divorce of Virginia Thomas.
An act to incorporate the Kentucky Silk Culture and Manufacturing company.
An act incorporate the Franklin Bridge Company.
An act to incorporate the Newport, Falmouth, Cynthiana, Paris and Winchester turnpike road company.
An act to amend an act entitled, an act to incorporate a company to turnpike the road from Nicholasville to Perryville, by way of Shakertown and Harrodsburg.
An act for the benefit of A. B. Morton, and others.

Mr. R. Maxey, from the joint committee on enrolments, reported that the committee had examined sundry enrolled bills, of the following titles, and had found the same truly enrolled, viz:

An act declaring the Middle fork of Kentucky river a navigable stream, up to the mouth of Laurel, on said fork.
An act supplemental to an act entitled, an act to incorporate a company to construct a turnpike road from Taylorsville in Spencer county, to intersect the turnpike from Bardstown to Louisville.
An act amending the road law in Greenup county.
An act to incorporate the Cumberland river turnpike road company.
An act to establish and construct a state road from Pikeville to the Virginia line, at the Sounding Gap in the Cumberland mountain.
An act to establish and regulate the town of Hawesville, in the county of Hancock.
An act to incorporate a company to turnpike a road from Shelbyville, Shelby county, to Taylorsville in Spencer county.
An act concerning public roads in Mason county.
An act to amend the charter of the Lexington and Ohio Rail Road Company.
An act for the benefit of the devisees of Thomas Courtney deceased.
An act further to define the powers of the trustees of the town of Somerset, in Pulaski county.
An act to incorporate the Union Agricultural Society.
An act to incorporate the Elizaville and Mayslick turnpike road company.
An act to establish the town of Dover, in the county of Mason.
An act to incorporate the Elizabethtown Circulating Library Company.
An act to add an additional term to the Allen circuit court.
An act divorcing Sarah and James W. Crutcher.
An act to amend the charters of the Bank of Kentucky, and the Northern Bank of Kentucky.
An act authorizing the trustees of the towns in this Commonwealth, to tax shows within one quarter of a mile of the limits of said towns.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Maxey inform the Senate thereof.

Mr. C. A. Wickliffe, from the committee for courts of justice, to whom was referred bills from the Senate of the following titles, viz: An act to amend the charter of the Louisville Savings Institution. An act for the benefit of Thomas C. Davis. An act to amend the charters of the Bank of Louisville, and the Louisville Savings Institution. Reported said bills without amendment. Ordered, That said bills be read a third time. And thereupon, the rule of the House, constitutional provision, and third reading of said 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.

Mr. Ford, from the committee on religion, to whom was referred a bill from the Senate entitled, an act for the divorce of Rachel Scott, reported the same without amendment. Ordered, That said bill be read a third time. And thereupon, the rule of the house, constitutional provision, and third reading of said bill having been dispensed with, Resolved, That the said bill do pass, and that the title thereof be as aforesaid. Ordered, That the Clerk inform the Senate thereof.

On the motion of Mr. Buford—Leave was given to bring in a bill to amend the Wilderness and Goose creek turnpike roads, and that Messrs. Buford, J. Jackson and D. White prepare and bring in the same.
Mr. C. A. Wickliffe, from the committee for courts of Justice, to whom was referred a bill from the Senate entitled, an act to regulate the salary of the Governor, reported the same without amendment.

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

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

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

Ordered, That the Clerk inform the Senate thereof.

The yeas and nays being required on the passage of said bill, by Messrs. Irwin and Hudspeth, were as follows, viz:


Mr. C. A. Wickliffe, from the same committee, to whom was referred a bill from the Senate entitled, an act to regulate the compensation of the members of the Legislature, reported the same without amendment.

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

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

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

Ordered, That the Clerk inform the Senate thereof.

The yeas and nays being required on the passage of said bill, by Messrs. Hudspeth and Bradley, were as follows, viz:

YEAS—Messrs. Blair, Blewitt, Buford, W. Campbell, C. Campbell, Cunningham, Curd, G. Davis, H. G. Davis, Dougherty, Flournoy, Ford, Funk, Goodson, Griffith, Harris, Harvie, Herron, Holloway, P. F. Jackson, J. Jackson, Johnson, Joyes, Kelly, Kirtley, and

Mr. R. N. Lewis, from the committee on internal improvement, on whom was referred a bill concerning roads west of the Tennessee river, reported the same without amendment.

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

The House then resumed the consideration of the amendments proposed to a bill from the Senate entitled, an act to establish a police court in the city of Louisville, and to amend the charter of said city, which being twice read, were concurred in: and the said bill being further amended—

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

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

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

Ordered, That the Clerk carry said bill to the Senate and request their concurrence in said amendments.

The House then took up for consideration, the resolutions in relation to the difficulties between France and the United States, which are in the following words, viz:

WHEREAS, We have not been idle and inattentive spectators of the pending controversy between the United States and the French government, relative to the fulfilment of the treaty of 1831, together with all the circumstances and events connected therewith,
and entertaining the decided opinion that our government has demanded nothing but what "is clearly right," from that proud and powerful nation, and that the manner of the demand has not been made in a tone to give offence—We will sustain our government in the stand taken, to resist the haughty and dictatorial requisitions made by the French king and his ministers, for a degrading apology from the United States, as a condition, precedent, before they will pay our injured fellow citizens the indemnity stipulated by the treaty of 1831, and that such a demand can never be answered in the manner required, as long as the honor and existence of the United States, as an independent nation, can be maintained.

Resolved, therefore, by the House of Representatives of the Commonwealth of Kentucky, That we never can consent to witness the humiliating spectacle of seeing the honor and rights of the United States prostrated in humble submission to any power on earth, in making a degrading "apology" for any communication from one department of the government to another.

2. Be it further resolved, That this house cannot but regard the naval preparations of France, as warlike; inasmuch as the French king and ministry, have ordered to our seas a distinguished naval commander, with a large squadron, as a "fleet of observation."

3. Be it further resolved, That it becomes the duty of the United States to prepare for the coming contest, by increasing our navy, fortifying our sea coast, and to put our Atlantic front in a posture of defence, in order to meet the approaching crisis, with a firm determination to protect, at all hazards, the honor and independence of the United States.

Mr. C. A. Wickliffe moved to strike out all of said resolutions after the word "whereas," and insert the following:—

We believe the state of Kentucky is opposed to the election of the candidate for the Presidency, nominated by the Baltimore Convention, and that the best interests of the American people, and the purity of our political institutions, demand of every friend of constitutional liberty, to waive all personal predilections in the coming contest for the first office in the gift of the free people.

Kentucky surrenders the claims of her favorite son, upon the altar of the public good, with undiminished confidence in his patriotism and public worth. We tender our support to one whose claims as a statesman and patriot, others of our sister states have acknowledged.

We contend not for men nor for office, but for our constitution and its principles. To maintain them we will make any and every sacrifice, which honor and duty allow. We disclaim the right to
dictate to our constituents. We urge them once more to a united effort in the rescue of the constitution of our common country.

Resolved therefore, by the House of Representatives of Kentucky, That our fellow citizens be requested to unite with us in the support of an electoral ticket favorable to the election of the well-tried patriot and statesman, General William Henry Harrison, of Ohio.

The Speaker decided said amendment out of order; from which decision of the chair, Mr. Wickliffe appealed—and the question was then put, is the decision of the chair correct? And it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. C. A. Wickliffe and —, were as follows, viz:


Mr. C. A. Wickliffe then offered the following, as a substitute for the resolutions, viz:

We believe the state of Kentucky is opposed to the election of the candidate for the Presidency, nominated by the Baltimore Convention, and that the best interests of the American people, and the purity of our political institutions, demand of every friend of constitutional liberty, to waive all personal predilections in the coming contest for the first office in the gift of the free people.

Kentucky surrenders the claims of her favorite son, upon the altar of the public good, with undiminished confidence in his patriotism and public worth. We tender our support to one whose claims as a statesman and patriot, others of our sister states have acknowledged.

We contend not for men or for office, but for our constitution and principles. To maintain them we will make any and every sacrifice, which honor and duty allow. We disclaim the right to
dictate to our constituents. We urge them, once more, to united effort in the rescue of the constitution of our common country.

Resolved therefore, by the House of Representatives of Kentucky, That our fellow citizens be requested to unite with us in the support of an electoral ticket favorable to the election of the well tried patriot and statesman, General William Henry Harrison, of Ohio, for President of the United States.

Mr. Norvell then moved to lay the resolutions and substitute 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. C. A. Wickliffe and Norvell, were as follows, viz:


The House then resolved itself into a committee of the whole House, on the said resolutions and substitute—Mr. Allen in the chair—and after some time spent therein, the Speaker resumed the chair, when Mr. Allen reported that the committee had, according to order, had under consideration the resolutions and substitute aforesaid, and had instructed him to report the same to the House without amendment.

Mr. Ward then moved the following amendment to the substitute offered by Mr. C. A. Wickliffe:

Be it further resolved, That while this Legislature recommends to the people, whom they represent, General William Henry Harrison, as worthy of their support for the Presidency of the United States, they feel constrained to acknowledge the superiority of the claims of the Hon. Henry Clay and the Hon. Daniel Webster.
that station, and the transcendency of their talents to discharge the duties thereof.

And the question being taken on the adoption thereof, it was decided in the negative.

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


On the motion of Mr. Tompkins—the substitute offered by Mr. Wickliffe was amended by adding thereto the following resolutions, viz:

Resolved, That the Treaty of Indemnity, concluded between the Government of the United States and that of France, on the 4th of July 1831, should be maintained, and its execution insisted upon by the United States.

Resolved, That we have learned with pleasure and entire approbation, that the Executive of the United States has accepted the proffered mediation of Great Britain for the adjustment of the dispute between the United States and France.

The question was then taken on the adoption of the preamble and first resolution of the said substitute, as offered by Mr. Wickliffe, and it was decided in the affirmative.

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

The question was then taken on the adoption of the second and third resolutions, which were offered by Mr. Tompkins, and decided in the affirmative.

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


And then the House adjourned.

SATURDAY, FEBRUARY 20, 1836.

A message was received from the Senate announcing their concurrence in the amendments proposed by this House to a bill from the Senate entitled, an act to establish a police court in the city of Louisville, and to amend the charter of said city.

And their disagreement to the passage of a bill from this House entitled, an act to change the line between the counties of Madison and Rockcastle.
And the passage of bills which originated in this House, of the following titles, viz:

An act to enlarge the constable's district for the town of Monticello.

An act to legalize the proceedings of a court of assessment of fines in the 34th Reg't. of Ky. Militia, and for other purposes.

An act to amend an act to improve the navigation of Muddy river.

An act to allow an additional constable to the county of Hancock.

An act to allow an additional justice of the peace to the county of Scott, and for other purposes.

An act for the benefit of William Rogerson, jailer of Spencer county, and for other purposes.

An act to change the name of Williamsburg, in Mason county.

An act appointing a commissioner on the Georgetown and Cincinnati road.

An act for the benefit of Nancy Halliard.

An act to change the place of voting in the Harman or Licking precinct, in Bath county.

An act to regulate the haymarket in Shelbyville, and for other purposes.

An act to establish an election precinct at Farmington, in Lincoln county.

An act to establish an inspection of tobacco and other articles of commerce, in the town of Paducah.

An act for the benefit of John Chesney.

An act for the benefit of Malinda R. Devers.

An act subjecting to county levy, in the counties of Caldwell and Livingston, all slaves that may, each year hereafter, be hired or otherwise introduced into said counties.

An act to incorporate the Louisville and Charlestown rail road company.

With amendments to the last.

And the passage of bills from the Senate, of the following titles, viz:

An act to change the time of holding the Shelby and Woodford circuit courts, after the 10th of May next, and for other purposes.

An act to incorporate the Franklin Fire and Marine Insurance Company of Louisville.

An act to incorporate the Portland Dry Dock and Insurance Company.

An act concerning the Grand Lodge of Kentucky.

An act for the benefit of George Davis.

An act to amend an act to incorporate the Newport, Palmouht, Cynthiana, Paris and Winchester turnpike road company.
An act extending the powers of the city authorities and trustees of towns in this Commonwealth.
And a resolution fixing upon a day for the final adjournment of the Legislature.

A message was received from the Lieutenant and acting Governor, by Mr. Owsley, Secretary of State, announcing that he did, on this day, approve and sign sundry enrolled bills which originated in this House, of the following titles, viz:

An act appropriating the fines and forfeitures of Hancock county to the lessening the county levy.
An act to alter the time of holding the Logan county court.
An act to incorporate the Carlisle, Flat Rock, North Middletown and Winchester turnpike road.
An act for the benefit of the town of Danville.
An act changing a precinct in Washington county.
An act to amend an act entitled, an act vesting jurisdiction in the circuit courts to authorize the sale of the real estate of infants in certain cases.
An act for the benefit of John A. Davenport and John Cunningham.

Approved 20th February, 1836.

Mr. Anderson, from the joint committee on enrolments, reported that the committee had examined sundry enrolled bills, and found the same truly enrolled, viz:

An act to incorporate the Maysville and Bracken turnpike road company.
An act to establish the county of Clinton.
An act to incorporate the Union White Sulphur Springs Company.
An act to amend the several acts of Assembly relating to and incorporating a company to turnpike the road from Louisville to Nashville.
An act to authorize circuit courts to license the printers of newspapers to insert certain public orders and notices in their papers.
An act for the benefit of the heirs of Mary Hornbeck.
An act respecting the Bank of the Commonwealth.
An act to reduce the number of justices of the peace and constables in Adair county.
An act for the benefit of Abner Pepper.
An act for the benefit of Benjamin Craig.
An act for the benefit of Hannah Hunter.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Anderson inform the Senate thereof.
The amendments proposed by the Senate to bills which originated in this House, of the following titles, viz:

1. An act to amend the several acts of the General Assembly, in relation to the Deaf and Dumb Asylum at Danville.
2. An act for the benefit of Mary E. Stansbury.
3. An act to amend the charter of the Shepherdsville and Elizabethown turnpike road company.
4. An act to amend an act entitled, an act to incorporate the Covington and Cincinnati Manufacturing Company.
5. An act to incorporate the Paris, North Middletown and Mountsterling turnpike road company.
6. An act to incorporate the Newcastle Female Academy, and for other purposes.
7. An act to incorporate the Springfield, Perryville and Danville turnpike road company.
8. An act to amend the charter of the Louisville turnpike road company.
9. An act for the benefit of Thomas S. Ellison.
10. An act to amend an act, entitled, an act to incorporate the Glasgow and Munfordsville turnpike company.
11. An act to improve the roads in Monroe, Allen and Cumberland counties.
12. An act to authorize certain county courts to appoint constables and magistrates.
13. An act extending for a certain period, and with certain limitations, the charter of the old Bank of Kentucky.
14. An act to amend an act, approved 22d December, 1831, entitled, an act to incorporate the Green river railroad company.
15. An act to incorporate the Louisville, Cincinnati and Charleston railroad company.

Were severally taken up, twice read and concurred in.

Ordered, That the Clerk 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 for the benefit of Elizabeth Logan's heirs.
2. An act to incorporate the towns of Harrodsburg and Danville.
3. An act to amend the charter of the city of Covington.
4. An act to repeal in part, an act amendatory of the several acts relating to the town of Newport, in Campbell county, approved 4th February, 1834, and also amendatory thereof.
5. An act to incorporate the Cumberland Rail Road and Navigation Company.
6. An act to incorporate the Newport Lyceum.
7. An act to provide a sinking fund for the payment of interest on loans for internal improvement, and for the final redemption of the principal of said loans.
8. An act providing further compensation for killing wolves in this Commonwealth.
10. An act to incorporate a company to construct a turnpike road from Shelbyville to a point of intersection with the contemplated rail road near Christiansburg, in Shelby county.
11. An act concerning the town of Bowlinggreen.
12. An act to incorporate the South Western Louisville turnpike road company.
13. An act to incorporate a company to turnpike the road leading from Elizabethtown to Bardstown, and for other purposes.
15. An act to incorporate a company to construct a turnpike road from Frankfort to Ghent, by way of Owenton and New Liberty, and to incorporate a company to construct a turnpike road from Georgetown to Warsaw, by way of Stampingground and Owenton.
16. An act for the benefit of the heirs of John R. Nelson, dec'd.
17. An act to enlarge the boundary of the town of Glasgow.
18. An act to incorporate the Maysville Hotel company.
19. An act to abolish the February chancery term of the Mason circuit court.
20. An act for the relief of Catharine Anderson.
21. An act for the benefit of Christopher Rinerson, Jr., of Casey county.
22. An act to enlarge the constable's district of the town of Greensburg.
23. An act to repeal an act entitled, an act to amend the law prohibiting the importation of slaves into this state, approved February 2, 1833.
24. An act to authorize a state road to be opened from Bloomfield, in Nelson county, to McCour's ferry, in Mercer county.
25. An act to incorporate a company to construct a road from Cloverport to Hardinsburg.
26. An act for the benefit of George P. Jouitt and others.
27. An act to legalize the proceedings of the Franklin county court, at their February term, 1836.
29. An act for the benefit of the settlers west of the Tennessee river, whose improvements have been entered by Seminary claims.
30. An act to amend an act to establish the Louisville chancery court.
31. An act for the benefit of J. B. Husbands, county surveyor of McCracken county.
32. An act for the benefit of Antor Condor.
33. An act for the benefit of the heirs of John Fouch.
34. An act to fix the ratio and apportion the representation for the ensuing four years.
35. An act to change the time of holding the Owen circuit court, and for regulating the terms of the Fayette circuit court.
36. An act to improve the state arsenal.
37. An act to amend the law of bail in civil actions.
38. An act concerning the laying and collecting of the county levy of Fayette county.
40. An act concerning the Grand Lodge of Kentucky.
41. An act to incorporate the Portland Dry Dock and Insurance Company.
42. An act to incorporated the Franklin Fire and Marine Insurance Company of Louisville.
43. An act to amend an act to incorporate the Newport, Cynthiana, Paris and Winchester turnpike road company.
44. An act for the benefit of George Davis.
45. An act to change the time of holding the Shelby and Woodford circuit courts, after the 10th of May next, and for other purposes.
46. An act extending the powers of the city authorities and trustees of towns, in this Commonwealth.
47. An act appointing a commissioner to make conveyances in certain cases.

And thereupon, the rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the first, second, third, fourth, fourteenth, sixteenth, nineteenth, twentieth, twenty-third, twenty-sixth, twenty-ninth, thirty-third, thirty-fifth, thirty-seventh, fortieith, forty-first, forty-second, forty-fifth, forty-sixth, and forty-seventh, were referred to the committee for courts of justice; the fifth, tenth, twelfth, thirteenth, fifteenth, twenty-fourth and twenty-fifth, to the committee on internal improvement; the sixth, ninth, eleventh, seventeenth, eighteenth, twenty-second, twenty-seventh, thirty-first, thirty-eighth, thirty-ninth and forty-third, were ordered to be read a third time; the seventh, eighth, and twenty-first, to the committee of ways and means; the twenty-eighth and forty-fourth, to the committee on religion; the thirty-sixth, to the committee on military affairs; the thirty-second, to the committee on claims; and the thirty-fourth, was committed to a committee of the whole House for Wednesday next.

And thereupon, the rule of the House, constitutional provision, and third reading of the sixth, ninth, eleventh, seventeenth, eighteenth, twenty-first, twenty-sixth, twenty-ninth, thirty-third, thirty-fifth, thirty-seventh, forty-first, forty-second, forty-fifth, and forty-sixth, were referred to the committee for courts of justice; the fifth, tenth, twelfth, thirteenth, fifteenth, twenty-fourth and twenty-fifth, to the committee on internal improvement; the sixth, ninth, eleventh, seventeenth, eighteenth, twenty-second, twenty-seventh, thirty-first, thirty-eighth, thirty-ninth, and forty-third, were ordered to be read a third time; the seventh, eighth, and twenty-first, to the committee of ways and means; the twenty-eighth and forty-fourth, to the committee on religion; the thirty-sixth, to the committee on military affairs; the thirty-second, to the committee on claims; and the thirty-fourth, was committed to a committee of the whole House for Wednesday next.
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teenth, twenty-second, twenty-seventh, thirty-first, thirty-eighth, thirty-ninth and forty-third 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.

1. Mr. Meriwether presented the petition of sundry citizens of the town of Portland, praying the passage of a law divesting the trustees of said town of the power to grant licenses to retailers of spirituous liquors.

2. Mr. Mitchell presented the petition of the members of the Bar of Mason county, praying that a law may not pass abolishing the February chancery term of the Mason circuit court.

Which petitions were severally received, the reading thereof dispensed with, and referred; the first, to the committee on propositions and grievances; and the second, to the committee for courts of justice.

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

On the motion of Mr. Lewis—1. A bill for the benefit of George W. Noland and others.

On the motion of Mr. G. Davis—2. A bill for the benefit of Amelia Allen.

The committee for courts of justice, were directed to prepare and bring in the first; Messrs. G. Davis, Rice and Hughes, the second.

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

By Mr. F. F. Jackson—1. A bill for the benefit of widows and infant children.

By Mr. D. White—2. A bill for the benefit of the citizens of Whitley and Knox counties.

Which were severally received, 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 said bills having been dispensed with, the first was committed to the committee for courts of justice; and the second, to the committee on internal improvement.

An act for the benefit of Lewis and Greenup counties was read a third time.

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

Ordered, That the Clerk carry said bill to the Senate and request their concurrence.
A message was received from the Senate, announcing the passage of a bill which originated therein, entitled, an act appointing a commissioner to make conveyances in certain cases.

And asked leave to withdraw their report, announcing their concurrence in the amendments proposed by this House, to a bill from the Senate entitled, an act establishing a police court in the city of Louisville, and to amend the charter of said city, which was refused.

Mr. Woodson from the committee for courts of justice, to whom was referred a bill to authorize the county courts of Jessamine, Woodford, Mercer and Warren counties, to sell their poor houses, reported the same with an amendment, which being twice read, was concurred in.

Ordered, That the said bill 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,

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

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

Mr. Joyes presented the petition of sundry citizens of Louisville, stating that the Legislature of the state of Pennsylvania had incorporated the stockholders of the Bank of the United States, and praying the passage of a law authorizing the location of a branch thereof in the state of Kentucky, which was received and read.

Mr. Joyes moved that the said petition be referred to a select committee.

Mr. G. Davis moved to amend said motion by instructing the committee to report said petition unreasonable.

A division of the question was called for—and the question was then taken upon referring said petition, and decided in the affirmative.

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


Whereupon, Messrs. Marshall, C. A. Wickliffe, Lansdale, Tompkins, Clay, Huston, Riley, Joines, R. Wickliffe, Trapuall, Heran and Leavell, were appointed said committee.

And then the House adjourned.

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MONDAY, FEBRUARY 22, 1836.

Mr. Flournoy presented the petition of sundry citizens of the county of McCracken and town of Paducah, praying the passage of a law appropriating the sum of $4000, part of the funds arising from the sale of public lands, to the improvement of the land and streets of said town.

Which petition was received, the reading thereof dispensed with, and referred to the committee on propositions and grievances.

Mr. Norvell, from the joint committee on enrolments, reported that the committee had examined sundry enrolled bills, and had found the same truly enrolled, viz:

An act making an appropriation to the Russellville Male Academy.

An act for the benefit of the jailers of Marion and Henry counties.

An act for condemning land and materials for the construction of turnpike roads, bridges and other works of internal improvement.

An act to amend the charters of the Bank of Louisville, and the Louisville Savings Institution.

An act to amend the charter of the Louisville Savings Institution.

An act for the benefit of Thomas C. Davis.

An act to regulate the salary of the Governor.

An act to regulate the compensation of the members of the Legislature.

An act for the divorce of Rachel Scott.

An act for the better regulation of the town of Hardinsburg, and for other purposes.
An act to establish a police court in the city of Louisville, and to amend the charter of said city.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Norvell inform the Senate thereof.

A message was received from the Senate, announcing the passage of bills from the Senate, of the following titles, viz:

An act providing for a change of venue in the case of John U. Waring.

An act for the benefit of William Parker and John Hall.

An act for the benefit of Lucy Stears.

And a resolution for printing the titles of the acts of the present session.

And that they had passed bills which originated in this House, of the following titles, viz:

An act to regulate the town of Falmouth, in Pendleton county.

An act to amend an act entitled, an act authorizing the sale of a portion of the real estate of Samuel Blankenbecker, deceased, to pay his debts, approved 14th February, 1835.

An act for the benefit of the clerk of the Calloway county court, and for other purposes.

An act to authorize certain records, &c. of the Wayne and Nicholas county courts to be transcribed.

An act for the benefit of the county court clerk of Scott county, and for other purposes.

An act to repeal the 14th section of an act entitled, an act to provide for the sale of the vacant lands west of the Tennessee river, approved January 3, 1825.

An act for the benefit of Mary P. Clark.

An act for the benefit of Maria D. Ewell, and others.

An act to incorporate a company to construct a turnpike road, from Porter's ferry, through Burlington to the Covington and Lexington turnpike road.

An act to establish the town of Farmington, in Lincoln county, and for other purposes.

An act to allow an additional justice of the peace to Lincoln county, and for other purposes.

With amendments to the two last.

And that the Senate had received official information from the Lieutenant and acting Governor, that he had approved and signed sundry enrolled bills, which originated therein, of the following titles, viz:

An act to incorporate a company to turnpike a road from Shelbyville, Shelby county, to Taylorsville in Spencer county.

An act further to define the powers of the trustees of the town of Somerset, in Pulaski county.
An act for the benefit of the devisees of Thomas Courtney, deceased.

An act authorizing the trustees of the towns in this Commonwealth, to tax shows within one quarter of a mile of the limits of said towns.

An act to amend the charters of the Bank of Kentucky, and the Northern Bank of Kentucky.

An act to incorporate the Elizabethtown Circulating Library Company.

An act to establish the town of Dover, in the county of Mason.

An act to incorporate the Elizabethtown and Mayslick turnpike road company.

An act concerning public roads in Mason county.

An act to incorporate the Union Agricultural Society.

An act divorcing Sarah and James W. Crutcher.

An act to add an additional term to the Allen circuit court.

An act declaring the Middle fork of Kentucky river a navigable stream, up to the mouth of Laurel, on said fork.

An act to establish and construct a state road from Pikeville to the Virginia line, at the Sounding Gap in the Cumberland mountain.

An act to incorporate the Cumberland river turnpike road company.

An act to establish and regulate the town of Hawesville, in the county of Hancock.

An act amending the road law in Greenup county.

An act supplemental to an act entitled, an act to incorporate a company to construct a turnpike road from Taylorsville in Spencer county, to intersect the turnpike road from Bardstown to Louisville.

Approved 20th February, 1836.

Mr. G. Davis moved to dispense with the orders of the day, in order to take up the resolution from the Senate fixing on a day for the final adjournment of the Legislature, and it was decided in the negative, it requiring two thirds to dispense therewith.

The yeas and nays being required thereon, by Messrs. Hughes and G. Davis, were as follows, viz:

On motion—
Ordered, That the committee for courts of justice be discharged from bringing in bills on leave granted, of the following titles, viz:

A bill giving to mechanics a lien upon houses constructed by them, for the price of materials furnished, and labor performed by them, on such houses and buildings.

A bill changing the law taxing attorneys’ fees in criminal cases.

A bill for the benefit of owners and vendors of wood to steam boats.

On motion—
Ordered, That the committee for courts of justice be discharged from the further consideration of the petition of the heirs of N. Cofley, deceased, and the petition of the heirs of John McKinney, deceased.

And that the said committee be discharged from the further consideration of the petition of John Fishburn, Sr. and that the same be referred to Messrs. Tompkins, Mansfield, Wood and Hudspeth.

Mr. C. A. Wickliffe, from the committee for courts of justice, to whom was referred a bill to repeal an act entitled, an act to amend the law prohibiting the importation of slaves into the state, approved February 1833, reported the same without amendment.

Ordered, That said bill be laid on the table.

The amendments proposed by the Senate to bills which originated in this House, of the following titles, viz:

An act to establish the town of Farmington, in Lincoln county, and for other purposes.

An act to allow an additional justice of the peace to Lincoln county, and for other purposes.

Were taken up, twice read, and disagreed to.

Ordered, That the Clerk inform the Senate thereof.

On motion—
Ordered, That the committee be discharged from the further consideration of the petition of H. D. Orr.

The committee for courts of justice, to whom was referred a bill to repeal an act entitled, an act for the benefit of the heirs of John and George Graham, reported the same without amendment.

The said bill was then amended.

Ordered, That the same be laid on the table.
The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Trappal—I. A bill for the benefit of Joseph Clarke, late Sheriff of Franklin county.

By Mr. Flournoy—2. A bill further to regulate Boards of Internal Improvement for the counties west of the Tennessee river.

By Mr. Buford—3. A bill to amend the Wilderness and Goose creek turnpike road law.

By the committee for courts of justice—4. A bill for the benefit of William Tuggle's devisees and heirs.

By Same—5. A bill to incorporate the Georgetown accommodation company.

By Same—6. A bill for the benefit of Stephen Peyton's heirs and others.

By Same—7. A bill allowing Samuel Graves a change of venue.

By Same—8. A bill for the benefit of the administrator and heirs of Joseph L. McGee, deceased.

By Same—9. A bill for the relief of the heirs of Lucy N. Fishback, and to authorize William R. Griffith to sell and convey certain lands.

By Same—10. A bill for the benefit of the administratrix and heirs of John Hawkins, deceased.

By Same—11. A bill respecting the town of Burlington.

By Same—12. A bill for the benefit of Margaret Bogus.

By the committee on religion—13. A bill for the benefit of Amelia Baber.

By Same—14. A bill for the benefit of Elizabeth Hinds.

By Same—15. A bill for the benefit of Eveline Adams.

By Same—16. A bill for the benefit of Nicholas M. Furguson and Harriet Furguson.

By Same—17. A bill for the benefit of Israel Rose.

By Same—18. A bill for the benefit of Abigail Linney.

By the committee on internal improvement—19. A bill to incorporate the Owingsville, Sharpsburg and Paris turnpike 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 said bills having been dispensed with the first, second, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth and nineteenth, were severally ordered to be engrossed and read a third time, and the third was committed to the committee on internal improvement.

And thereupon, the rule of the House, constitutional provision, and third reading of the first, second, fourth, fifth, sixth, seventh,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

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

The committee on Religion, who were appointed to prepare and bring in the same, reported a bill for the benefit of William A. Taylor, which was received, 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 said bill having been dispensed with,

The question was then taken upon ordering the said bill to be engrossed and read a third time, and it was decided in the affirmative.

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


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

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

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

The committee for courts of justice, to whom was referred a bill in the Senate entitled, an act to incorporate the Kentucky Mining Company, reported the same without amendment.

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

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

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

Ordered, That the Clerk inform the Senate thereof.

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The same committee, to whom was referred a bill for the benefit of William Mayo, reported the same without amendment.

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

The committee on religion, to whom was referred a bill from the Senate entitled, an act for the benefit of Eliza Brown, reported the same without amendment.

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

And thereupon, the rule of the House, constitutional provision, and third reading of said bill having been dispensed with, Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the Clerk inform the Senate thereof.

The committee on internal improvement, to whom was referred a bill to incorporate the Louisville and Nashville railroad company, reported the same without amendment.

Ordered, That said bill 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 the Clerk inform the Senate thereof and request their concurrence.

The same committee, to whom was referred a bill to provide for the building of a bridge across Chaplin river, reported the same without amendment, and the same being then amended;

Ordered, That the said bill 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 the Clerk inform the Senate thereof, and request their concurrence.

The same committee, to whom was referred a bill from the Senate entitled, an act to incorporate a company to construct a turnpike road from Versailles, by Christopher's Landing, to intersect the road from Harrodsburg to Frankfort, in a direction to Louisville, reported the same without amendment.

Ordered, That the said bill be recommitted to the committee on internal improvement.
The same committee, to whom was referred a bill to regulate the subscription of stock on the part of the state to turnpike road companies, reported the same without amendment.

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

The same committee, to whom was referred a bill from the Senate entitled, an act to incorporate a company to construct a turnpike road from Springfield to Maxville, and thence to intersect the Crab Orchard road at Harrodsburg, reported the same without amendment.

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

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

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

Ordered, That the Clerk inform the Senate thereof.

Bills from the Senate of the following titles, viz;

An act for the benefit of William Parker and John Hall.
An act for the benefit of Lucy Stears.

Were severally 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,

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

Ordered, That the Clerk inform the Senate thereof.

Mr. Kelly from the joint committee on enrolments, reported that the committee had examined an enrolled bill which originated in the Senate, entitled, an act to establish the Mechanics' Savings Institution of Louisville, and the Savings Institution of Bardstown, and had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Kelly inform the Senate thereof.

Mr. C. A. Wickliffe, from the committee for courts of justice, to whom was referred the petition of sundry citizens of Logan county, praying for the removal of Major I. Price, a justice of the peace for said county, made a report thereon, which was received and read, and made the special order for to-morrow, at 10 o'clock, A. M.

Ordered, That the said Major I. Price be permitted to be heard at the bar of this House, either in person or by counsel.

And then the House adjourned.
TUESDAY, FEBRUARY 23, 1836.

A message was received from the Senate, announcing their disagreement to bills which originated in this House, of the following titles, viz:

An act for an appropriation to the Allen Seminary of learning.
An act for the benefit of the Monroe Seminary of learning.

And the passage of bills which originated in this House, of the following titles, viz:

An act to incorporate a company to make a turnpike road from Perryville, to Greensburg, by way of Lebanon and New Market.
An act to incorporate the Canton, Cadiz and Hopkinsville turnpike road company.
An act to incorporate the Clarke and Madison turnpike road company.
An act to incorporate the Glasgow and Scottsville turnpike road company.
An act appointing commissioners to locate the way for a road from near the farm of David Davis, in Lawrence county, to the state road in Greenup county.
An act to incorporate the Mills Point Warehouse Company.
An act to establish a state road from the mouth of Troublesome creek, to the Sounding Gap of Cumberland mountain.
An act to establish a state road from Flynn's old ferry across the Ohio river, in the county of Livingston, to Princeton, in Caldwell county, and for other purposes.
An act to incorporate the Russellville and Clarksville rail road company.
An act for the benefit of the sheriff of Bullitt county.
An act for the benefit of Elizabeth Pugh.
An act to incorporate the Richmond and London turnpike road company.

An act to amend an act entitled, an act to incorporate the Winchester and Lexington turnpike company.

With amendments to the two latter bills.

And the passage of bills from the Senate of the following titles, viz:

An act to construct a bridge across Chaplin's Fork, at or near Hobbs' old mill, in Washington county.
An act to improve the road leading from Cumberland Ford to Mount Pleasant, in Harlan county.
An act to amend an act regulating the mode of settling the accounts of executors, administrators and guardians.
And had received official information, that the Lieutenant and acting Governor, had signed and approved sundry enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Maysville and Bracken turnpike road company.
An act to amend the several acts of Assembly relating to and incorporating a company to turnpike a road from Louisville to Nashville.
An act to amend an act entitled, an act to establish the road from the mouth of Salt river, to intersect the road from Brandenburg to Bowling-green.
An act to establish the county of Clinton.
An act to authorize circuit courts to license the printers of newspapers to insert certain public orders and notices in their papers.
An act for the benefit of the heirs of Mary Hornbeck.
An act respecting the Bank of the Commonwealth.
An act for the divorce of Rachel Scott.
An act to regulate the compensation of the members of the Legislature.
An act to regulate the salary of the Governor.
An act for the benefit of Thomas C. Davis.
An act for the regulation of the town of Hardinsburg, and for other purposes.
An act to amend the charter of the Louisville Savings Institution.
An act to amend the charters of the Bank of Louisville, and the Louisville Savings Institution.
An act to provide for condemning land and materials for the construction of turnpike roads, bridges and other works of internal improvement.
An act to establish a Police Court in the city of Louisville, and to amend the charter of said city.

Approved 22d February, 1836.

1. Mr. Flournoy, presented the petition of sundry citizens of the town of Paducah, praying that the time of electing trustees in said town, may be changed.

2. Mr. Wallace presented the petition of sundry citizens of Woodford county, remonstrating against the proposed change in the time of meeting of the Woodford circuit court.

Which petitions were severally received, the reading thereof dispensed with, and referred; the first, to the committee on propositions and grievances; and the second, to the committee for courts of justice.

Mr. Kelly, from the joint committee on enrolments, reported that the committee had examined sundry enrolled bills, of the following titles, and had found the same truly enrolled, viz:
An act to incorporate the Eddyville Hotel Company.
An act to amend the charter of the Bardstown and Louisville turnpike company.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Kelly inform the Senate thereof.

A message was received from the Senate, announcing the passage of a bill which originated therein, entitled, an act incorporating the South Frankfort Bridge Company.

Ordered, That an act to amend the penal laws and to authorize certain improvements within the walls of the Penitentiary, be made the special order of the day for to-morrow.

Mr. Kelly moved the following resolution, viz:

Resolved, That when this House adjourns, it will meet at the hour of 9 o'clock, during the remainder of the session.

Which being twice read, was adopted.

The House then, according to the standing order of the day, resolved itself into a committee of the whole House—Mr. Ford in the chair—and after some time spent therein, the Speaker resumed the chair, and Mr. Ford reported that the committee, according to order, had under consideration the report of the committee for courts of justice, with the resolution proposing an address to the Governor, for the removal from office of Major I. Price, a justice of the peace for Logan county, and had gone through the same without amendment.

The question was then taken on the adoption of the report, resolution and address, in the following words, viz:

The committee for courts of justice have, according to order, investigated the charge contained in the memorial of sundry citizens of Logan county, to them referred, against Major I. Price, a justice of the peace for the county of Logan, and report:

That upon, or about the 12th of January, the said Price went to the house of Wm. I. Addison, under the pretext of renting the place on which he resided; he found Mrs. Addison alone and unprotected. In this situation, he made efforts to seduce her, accompanied by some violence of exertion on his part, which were repelled and successfully resisted by Mrs. Addison. His conduct was ungentlemanly, vulgar, and unworthy of an officer of the Commonwealth of Kentucky, whose official duty binds him to keep and preserve the peace, and whose obligations to society, require at his hands a regard for the morals of the country.

The deposition of Mrs. Addison, in support of the charge, herewith returned. It was proved by several witnesses, that Major I. Price has, and still maintains a respectable character, at
heretofore, stood unimpeached with crime or offence, save occasional intemperance. The deposition of Mrs. Addison does not identify, whom she describes as Major I. Price; and the accused, in the presence of the committee, denied, wholly, the charge made by the witness. One witness sworn, at the instance of Price, (Doctor Peebles,) in an answer to a question propounded by the committee, stated that Price had admitted to him, “that he was at the house of Addison on the day charged, but in the same conversation, he denied that he offered Mrs. Addison any insult. He had inquired something of her as to how many children she had, &c. that he had gone to rent the house, and when he saw one of the rooms, observed “it was dirty, too dirty, and he could not rent,” Mrs. Addison became offended and turned off from him.

The foregoing is a correct detail of the facts as delivered to the committee. The character of Mrs. Addison stands unimpeached; her condition in life is humble but respectable. Therefore, the committee recommend the adoption of the following address to the Governor of this state:

To James T. Morehead, Esq.

Lieutenant and acting Governor of the Commonwealth of Kentucky.

The General Assembly of the Commonwealth of Kentucky, (two thirds of both houses concurring in this address,) would respectfully state and charge, that Major I. Price, a justice of the peace in and for Logan county, then in commission, did upon the 12th day of January 1836, in the county of Logan, at the house and residence of William I. Addison, attempt to seduce the wife of said Addison, and when repulsed, he persevered in his efforts by violent entreaty, vulgar appeals, and by the use of violence to such a degree as to alarm the said Amanda Addison, contrary to the peace and dignity of the Commonwealth, and against morality and decency. Wherefore,

Resolved, That the said Price be removed from his office of justice of the peace, by the acting Governor of this Commonwealth.

The yeas and nays being taken, pursuant to the constitution, were as follows, viz:

Ordered, That Messrs. C. A. Wickliffe, Marshall and Lansdale, be a committee to inform the Senate thereof.

The House then resolved itself into a committee of the whole House, on a bill from the Senate entitled, an act defining the powers and duties of the board of internal improvement, and for other purposes—Mr. Meriwether in the chair—and after some time spent therein, the Speaker resumed the chair, when Mr. Meriwether reported, that the committee, had, according to order, had under consideration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

Mr. C. A. Wickliffe, from the committee for courts of justice, to whom was referred a bill from the Senate entitled, an act to amend the charter of the city of Covington, reported the same without amendment.

Ordered, That said bill be read a third time.

And thereupon, the rule of the House, constitutional provision, and third reading of said bill having been dispensed with, Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the Clerk inform the Senate thereof.

And then the House adjourned.

WEDNESDAY, FEBRUARY 24, 1836.

Mr. R. Maxey, from the joint committee on enrolments, reported that the committee had examined sundry enrolled bills, and had found the same truly enrolled, viz:

An act to improve the roads in Monroe, Allen, Cumberland, Wayne and Whitley counties.

An act to allow an additional justice of the peace to the county of Scott, and for other purposes.

An act for the benefit of William Rogerson, jailer of Spencer county, and for other purposes.

An act for the benefit of Malinda R. Devers.

An act to allow an additional constable to the county of Hancock.
An act for the benefit of Nancy Halliard.
An act to amend an act to improve the navigation of Muddy river.
An act to enlarge the constable's district for the town of Monticello.
An act to establish an inspection of tobacco and other articles of commerce, in the town of Paducah.
An act to establish an election precinct at Farmington, in Lincoln county.
An act for the benefit of John Chesney.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. R. Maxey 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, viz:

An act for the benefit of Mary Lightfoot.
An act to authorize the county courts of Jessamine, Woodford, Warren and Mercer counties, to sell their poor houses.
An act to change the name of William McNutt to that of William Basye.
An act for the benefit of Aaron Allison.
An act to incorporate the Hartford and Lancaster turnpike road company.

With amendments to the last.

And the passage of bills which originated in the Senate, of the following titles, viz:

An act to protect the actual settlers west of the Tennessee river.
An act to incorporate the McChord Church Session and Trustees.
An act for the benefit of Jeremiah Dobson and Aaron P. Hodges, of the county of Calloway.
An act to establish an election precinct in Franklin county.
An act to provide for the management of the Louisville Marine Hospital.

An act for the distribution of Morehead and Brown's Digest, and H. Pirtle's Digest.

And a resolution to appoint a joint committee to examine the surveys of the Kentucky river, made by the State Engineer, and for other purposes.

The amendments proposed by the Senate to bills which originated in this House, of the following titles, viz:

An act to amend an act entitled, an act to incorporate the Winchester and Lexington turnpike company.
An act to incorporate the Richmond and London turnpike road company.

Were taken up, twice read and concurred in.

Ordered, That the Clerk inform the Senate thereof.
Leave was given to bring in the following bills, viz:

On the motion of Mr. R. Wickliffe—1. A bill for the benefit of Richard B. Parker.

On the motion of Mr. Funk—2. A bill to remove the seat of Government of this Commonwealth.

On the motion of Mr. Miles—3. A bill to amend an act of 1821, regulating the times of holding courts in this Commonwealth.

On the motion of Mr. Joyes—4. A bill to regulate the salary of the Mayor of Louisville, and for other purposes.

The committee on military affairs were appointed to prepare and bring in the first; Messrs. Funk, Riley and Curd, the second, Messrs. Miles, McElroy and Anderson, the third; Messrs. Joyes, Marshall and Funk, the fourth.

Mr. Holloway presented the petition of Craven Boswell, praying the passage of a law appointing commissioners to assess the damages sustained by him in consequence of the construction of a dam which causes the overflowing of water upon his coal bank.

Which petition was received, the reading thereof dispensed with, and referred to the committee on internal improvement.

Mr. Riley, from the committee on internal improvement, to whom were referred bills from the Senate, of the following titles, viz:

An act to incorporate a company to turnpike the road leading from Elizabethtown to Bardstown, and for other purposes.

An act to incorporate a company to construct a turnpike road from Shelbyville to a point of intersection with the contemplated railroad near Christiansburg, in Shelby county.

An act to incorporate the South Western Louisville turnpike road company.

An act to incorporate a company to construct a turnpike road from Elizabethtown to Greensburg, by the way of Hodgenville and Somerville.

An act to authorize a state road from Bloomfield, in Nelson county, to McCoun’s ferry, in Mercer county.

An act to incorporate a company to construct a road from Cloverport to Hardinsburg.

Reported each of said bills without amendment.

Ordered, That said bills be read a third time.

And thereupon, the rule of the House, constitutional provision, and third reading of said 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.
Mr. Riley, from the same committee, to whom was referred the petition of sundry citizens of Bath county, in relation to the Owingsville and Big Sandy road, moved the following resolution, viz:

Resolved, That the prayer of said petition be rejected.

Which being twice read, was concurred in.

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

By the committee on internal improvement—1. A bill to incorporate the Princeton and Ohio turnpike road company, and for other purposes.

By Same—2. A bill to incorporate the Clarke and Madison bridge company.

By Same—3. A bill making an appropriation to build a bridge across Floyd's fork of Salt river, in Bullitt county.

By Same—4. A bill to authorize Thomas Potter to build a mill dam across Big Barren river.

By the committee on ways and means—5. A bill to alter the tax on wholesale and retail stores and groceries.

Which were severally received, 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 said bills having been dispensed with; the fourth was laid on the table until the first day of June next; the first, second, third and fifth, were severally ordered to be engrossed and read a third time.

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

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

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

Mr. C. A. Wickliffe, from the committee for courts of Justice, to whom was referred a bill from the Senate, entitled, an act to repeal in part an act amendatory of the several acts relating to the town of Newport, in Campbell county, approved 24th February, 1834, and also, amendatory thereof, reported the same without amendment.

Ordered, That said bill be read a third time.

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

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

Ordered, That the Clerk inform the Senate thereof.
A resolution from the Senate, to appoint a joint committee to examine the surveys of the Kentucky river, made by the State Engineer, and for other purposes, was taken up, twice read, and concurred in.

Ordered, That the Clerk inform the Senate thereof.

Whereupon, Messrs. Harvie, Marshall, G. Davis, Blewitt, J. Jackson, Ward, C. A. Wickliffe, Griffith, Allen and Thompson, were appointed the committee on the part of this House.

On the motion of Mr. Meriwether—

Leave was given to bring in a bill to authorize the county courts of Jefferson and Bullitt counties, to appoint commissioners to run and mark the dividing line between said counties.

Ordered, That Messrs. Meriwether, Marshall, Funk, Joyes, Riley and Huston, prepare and bring in the same.

Mr. Riley, from the committee on internal improvement, to whom was referred a bill for improving the stage road from Glasgow, by way of Tompkinsville, to the state line, in a direction to Sparta, in Tennessee, and for other purposes, reported the same with amendments.

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

Mr. Riley, from the same committee, to whom was referred bills of the following titles, viz:

A bill to incorporate the Dover and Minerva turnpike road company.

A bill to incorporate a turnpike road company from the Poplar Plains, in Fleming county, to Louisa, in Lawrence county.

A bill for building a bridge across Russell's creek, in Adair county.

Reported said bills with amendments to each, which being twice read, were concurred in.

Ordered, That the said bills be engrossed and read a third time.

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

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

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

Mr. Riley, from the same committee to whom was referred a bill to incorporate the Taylorsville and Harrodsburg turnpike company, and for other purposes, reported the same without amendment.

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

The House then resolved itself into a committee of the whole house, on a bill from the Senate entitled, an act defining the powers and duties of the board of internal improvement, and for other purposes—Mr. Meriwether in the chair—and after some time spent therein, the Speaker resumed the chair, when Mr. Meriwether reported, that the committee had, according to order, had under consideration the bill aforesaid, and had made sundry amendments thereto, which he handed in at the clerk's table.

The said amendments were then twice read and concurred in.

Mr. R. Wickliffe then moved the previous question, which having been sustained by the House, the question was then put, shall the bill be read a third time? and decided in the affirmative.

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

Mr. Harvie moved to amend said bill by adding thereto an engrossed clause by way of rider.

Which being twice read, was adopted.

Mr. R. Wickliffe then moved the previous question, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. G. Davis and R. Wickliffe, were as follows, viz:


The main question was then put, shall the bill pass? and it was decided in the affirmative.

The yeas and nays being required on the passage thereof, by Messrs. Rice and Hudspeth, were as follows, viz:


Resolved, That the title thereof be as aforesaid.

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

And then the House adjourned.

THURSDAY, FEBRUARY 25, 1836.

Mr. R. Maxey, from the joint committee on enrolments, reported that the committee had examined sundry enrolled bills, and had found the same truly enrolled, viz:

An act for the benefit of Lucy Stears.
An act for the divorce of Eliza Brown.
An act for the benefit of William Parker and John Hall.
An act for the benefit of James McDowell, Jr., of Rockbridge county, Virginia.
An act to incorporate the Fleming White Sulphur Springs Hotel Company.
An act to establish the college of physicians of the city of Lexington.
An act for the benefit of William Green, of Harlan county.
An act to enlarge the constable's district of the town of Greensburg.
An act to legalize the proceedings of the Franklin county court, at their February term, 1836.

An act to incorporate the Newport, Falmouth, Cynthiana, Paris and Winchester turnpike road company.

An act to enlarge the boundary of the town of Glasgow.

An act for the benefit of J. B. Husbands, county surveyor of McCracken county.

An act for the benefit of Nathaniel Reynolds.

An act for the benefit of the surveyor of Jefferson county.

An act concerning the laying and collecting of the county levy of Fayette county.

An act to amend an act entitled, an act further to regulate the Wilderness turnpike road, approved 11th January, 1830.

An act to incorporate the Maysville Hotel company.

An act appointing commissioners to locate the way for a road from near the farm of David Davis, in Lawrence county, to the state road in Greenup county.

An act to establish a state road from Flynn's old ferry across the Ohio river, in the county of Livingston, to Princeton, in Caldwell county, and for other purposes.

An act to incorporate the Glasgow and Scottsville turnpike road company.

An act for the divorce of Elizabeth Pugh.

An act for the benefit of the sheriff of Bullitt county.

An act to incorporate the Mills Point Warehouse Company.

An act to establish a state road from the mouth of Troublesome creek, to the Sounding Gap of Cumberland mountain.

An act to incorporate the Clarke and Madison turnpike road company.

An act to incorporate the Canton, Cadiz and Hopkinsville turnpike road company.

An act to incorporate a company to make a turnpike road from Ferryville, to Greensburg, by way of Lebanon and New Market.

An act to incorporate the Russellville and Clarksville railroad company.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. R. Maxey 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, viz:—

An act to incorporate the Georgetown accommodation company.

An act respecting the town of Burlington.

An act for the benefit of Joseph Clarke, sheriff of Franklin county.

An act for the benefit of William Tuggle's heirs and devisees.
An act to incorporate the Versailles, Midway and Georgetown turnpike company.

An act for the benefit of James Ramey.

With amendments to the two last.

And their disagreement to the passage of a bill from this House, entitled, an act to establish the county of Trimble, and other purposes.

And the passage of bills which originated in the Senate, of the following titles, viz:

An act changing the time of electing trustees for the town of Paducah.

An act to authorize the clerk of Woodford county to record all deeds, which were not recorded in said office at the time of the death of the late clerk.

An act to incorporate the Lexington Fire, Life and Marine Insurance company.

Mr. Schoolfield read and laid on the table, the following joint resolution, viz:

Whereas the people of this Commonwealth, in common with other members of the confederacy, feel a deep and anxious solicitude for the preservation and security of our republican institutions; and whereas, by adopting facilities of communication between the several parts, and producing thereby a community of interests, would greatly tend to promote such objects; and whereas, to branch the national road from Columbus, the capital of Ohio, through Frankfort, the capital of Kentucky, to Nashville, in Tennessee, should be regarded, not only as a work of internal improvement of national character and importance, conducing to such ends, but as highly beneficial to the manufacturing, agricultural and commercial classes of western and southern population. Therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators in Congress be instructed, and our Representatives requested, to exert themselves to procure the passage of a law branching said road as aforesaid.

Resolved, That the acting Governor of this Commonwealth be requested to transmit copies of the foregoing preamble and resolutions, to each of our Senators and Representatives in Congress, and copies to the Governor of Ohio and Tennessee.

Mr. Johnson, from the committee of ways and means, to whom was referred a bill to amend the revenue law of this Commonwealth, reported the same without amendment.

And the question being taken upon engrossing and reading said bill a third time, it was decided in the negative, and so the said bill was rejected.
The same committee, to whom was referred a bill from the Senate entitled, an act providing a sinking fund for the payment of the interest on loans for internal improvement and for the final redemption of the principal of said loans, reported the same without amendment. The said bill was read a third time.

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

Ordered, That the Clerk inform the Senate thereof.

Mr. Joyes, from the committee on education, to whom was referred bills from the Senate, of the following titles, viz:

An act to incorporate a College in Shelbyville, Shelby county.
An act for the benefit of Jefferson county.

Reported the first bill without amendment, and the last with amendments, which being twice read, were concurred in.

Ordered, That said bills be read a third time.

And thereupon, the rule of the House, constitutional provision, and third reading of said 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 to the last bill.

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

By Mr. Miles—1. A bill regulating the time of holding the county court of Livingston county.

By the committee on education—2. A bill for the benefit of the Robertson Seminary.

By Same—3. A bill for the benefit of the legal department of Transylvania University.

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 said bills having been dispensed with,

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

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

The yeas and nays being required on the passage of the third, by Messrs. Hudspeth and Trapnell, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Austin, Bailey, Beaseman, Blackwell, Blair, Blewitt, Bowling, Brown, Buford, C. Campbell, Clay, Copeland, Cunningham, Curd, G. Davis, Dever, Flournoy, Ford,
Mr. C. A. Wickliffe, from the committee for courts of justice, to whom was referred bills from the Senate, of the following titles, viz:

An act appointing commissioners to make conveyances in certain cases.

An act for the benefit of the heirs of John Fouch. 

Reported said bills without amendment.

Ordered, That said bills be read a third time.

And thereupon, the rule of the House, constitutional provision, and third reading of said 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.

The same committee, to whom was referred a bill from the Senate entitled, an act to abolish the February chancery term of the Mason circuit court, reported the same without amendment.

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

A message was received from the Senate, announcing their concurrence in the amendments proposed by this House, to bills from the Senate, of the following titles, viz:

An act to appoint commissioners to make certain improvements in the navigation of Green river.

An act defining the powers and duties of the board of internal improvement, and for other purposes, with amendments to the amendments.

And that they insist upon their amendments proposed to bills from this House, of the following titles, viz:

An act to establish the town of Farmington, in Lincoln county, and for other purposes.

An act to allow an additional justice of the peace to Lincoln county, and for other purposes.
Mr. McClure from the joint committee on enrolments, reported that the committee had examined sundry enrolled bills, and had found the same truly enrolled, viz:

An act for the benefit of the clerk of the Calloway county court, and for other purposes.

An act for the benefit of Maria D. Ewell, and others.

An act to amend an act entitled, an act authorizing the sale of a portion of the real estate of Samuel Blankenbecker, deceased, to pay his debts, approved 14th February, 1835.

An act for the benefit of the county court clerk of Scott county, and for other purposes.

An act to authorize certain records, &c. of the Wayne and Nicholas county courts to be transcribed.

An act for the benefit of Mary P. Clark.

An act to repeal the 14th section of an act entitled, an act to provide for the sale of the vacant lands west of the Tennessee river, approved January 3, 1825.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. McClure inform the Senate thereof.

Mr. C. A. Wickliffe, from the committee for courts of justice, to whom was referred a bill from the Senate, entitled, an act to amend the law of bail in civil actions, reported the same without amendment.

Mr. Lansdale moved to lay 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. Lansdale and Norvell, were as follows, viz:


Mr. Norvell then moved the previous question, which being sustained by the House, the main question was then put, shall the said bill be read a third time? and it was decided in the affirmative.
And thereupon, the rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

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

Ordered, That the Clerk inform the Senate thereof.

On the motion of Mr. G. Davis—

Ordered, That the committee of the whole house be discharged from the consideration of the act entitled, an act to fix the ratio and apportion the representation for the ensuing four years.

Mr. Clay, from the majority of the committee on education, made a report upon the petitions referred to said committee in relation to the modification of the charter of the Baptist Education Society, and Mr. Tompkins, from the minority of said committee, made a counter report.

Mr. Ritchie moved to lay said reports upon the table for the present, and after some discussion thereon, the hour of 12 o'clock having arrived, the House according to the rule, proceeded to the consideration of the orders of the day.

The House then took up for consideration the bill from the Senate entitled, an act to fix the ratio and apportion the representation for the ensuing four years.

Mr. Ward moved to strike out of said bill, in the 1st section, after the word “Pendleton,” the words, “and Grant,” and also, the words, “Grant one.”

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

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

YEAS—Mr. Speaker, Messrs. Allen, Blair, Bradley, Copeland, Dever, Flournoy, Harris, Hollingsworth, Hunter, R. G. Lewis, Meriwether, Miles, Noel, Riley, Thomas, Ward—14.

Mr. Ward moved further to amend said bill, in same section, by striking out after the word “Clarke,” the word “two,” and insert the word “one,” and after the word “Morgan,” insert the word “one,” and after the word “Lawrence” strike out the word “and.”

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

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


Mr. R. N. Lewis moved to amend said bill in the same section, by striking out after the word “Warren,” the word “two.”

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

The yeas and nays being required thereon, by Messrs. R. N. Lewis and Lucas, were as follows, viz:


Mr. Ritchie then moved the previous question, and it was decided in the affirmative.
The yeas and nays being required thereon, by Messrs. R. N. Lewis and Flournoy, were as follows, viz:


The main question was then put, shall the bill be read a third time? and it was decided in the affirmative.

And thereupon, the rule of the House, constitutional provision and third reading of said bill having been dispensed with, Resolved, That the said bills do pass, and that the title thereon be as aforesaid.

Ordered, That the Clerk inform the Senate thereof.

The yeas and nays being required on the passage of said bill by Messrs. R. N. Lewis and Harris, were as follows, viz:


The committee for courts of justice, who were appointed to prepare and bring in the same, reported a bill to incorporate the
owners of the Mansion House Hotel, in the town of Frankfort,
and the Phoenix Hotel, in Lexington.
Which was received, 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 the Clerk inform the Senate thereof, and request
their concurrence.
The House then took up for consideration, the amendments of
the Senate, to the amendments proposed by this House to a bill
from the Senate, entitled, an act defining the powers and duties of
the board of internal improvement, and for other purposes.
The first amendment being twice read, was concurred in.
One of the amendments of this House, proposes to make the
31st section read as follows, viz:
§ 31. That a sum not exceeding forty thousand dollars be ap­
propriated to the improvement of Rockcastle river, from its mouth
upwards, under the direction of the board of internal improve­
ment; or said sum shall be subscribed as stock on the part of the
state, in the Crab Orchard and Cumberland Gap turnpike com­
pa­ny, or Richmond and London turnpike company, whichever said
board may, in their discretion, judge best for the interest of the
state: provided that the board of internal improvement shall be­
come either of said improvements expedient and of sufficient pub­
lic importance.
The second amendment of the Senate, proposes to amend the
said amendment by striking out the words "or Richmond and Lon­
don turnpike company."
Mr. Clay moved that this House disagree to the said second
amendment.
And the question being taken thereon, it was decided in the af­
timative.
The yeas and nays being required thereon by Messrs. Clay and
were as follows, viz:
YEAS—Messrs. Bailey, Blewitt, Brown, Curd, Flournoy, Harvie, J.
Jackson, Lansdale, Mason, Ritchie, Stewart, Thompson, J. M. Wright,
J. E. Wright, Woodson—15.
NAYS—Mr. Speaker, Messrs. Austin, Blair, Bowling, Bradley,
Bishop, C. Campbell, Clay, Copeland, Cunningham, G. Davis,
H. G. Davis, Dever, Donaldson, Dougherty, Ford, Funk, Goodson,
Mr. R. Maxey from the joint committee on enrolments, reported that the committee had examined sundry enrolled bills and had found the same truly enrolled, viz.

An act to incorporate a company to construct a turnpike road from Springfield to Maxville, and thence to intersect the Crab Orchard road at Harrodsburg.

An act to incorporate the Newport Lyceum.

An act to incorporate the Kentucky Mining Company.

An act prohibiting the making and circulating drafts, checks and orders, as money, in this Commonwealth.

An act to amend the charter of the Green river turnpike road company.

An act concerning the town of Bowlinggreen.

An act to incorporate the Crab Orchard and Cumberland Gap turnpike company.

An act to amend an act entitled, an act to incorporate the Glasgow and Munfordsville turnpike company.

An act for the benefit of the widow and heirs of John Smith, M.D.

An act to amend the several acts of the General Assembly, in relation to the Deaf and Dumb Asylum at Danville.

An act to amend an act entitled, an act to incorporate the Covington and Cincinnati Manufacturing Company.

An act for the benefit of Thomas S. Ellison.

An act to amend the charter of the Louisville turnpike road company.

An act to change the place of voting in the Harman or Licking precinct, in Bath county.

An act to regulate the haymarket in Shelbyville, and for other purposes.

An act to change the name of Williamsburg, in Mason county.
An act appointing a commissioner on the Georgetown and Cincinnati road.
Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. R. Maxey inform the Senate thereof.

A message was received from the Senate, announcing their disagreement to the passage of bills which originated in this House, of the following titles, viz:
An act for the benefit of Eveline Adams.
An act for the benefit of William A. Taylor.

And the passage of bills which originated in this House, of the following titles, viz:
An act to reduce the number of justices of the peace in Bullitt county.
An act incorporating the Bardstown Female Academy.
An act for the benefit of Margaret Bogus.
An act for the benefit of Abigail Linney.
An act for the benefit of Lewis and Greenup counties.
An act to provide for the appointment of patrols in this Commonwealth.

With amendments to the last.

And the passage of bills which originated in the Senate, of the following titles, viz:
An act concerning the Estill Seminary.
An act legalizing the appointment of an agent to wind up the concerns of the late Farmers' Bank of Harrodsburg.
And a resolution in relation to the navigation of the Cumberland river below Clarksville.
An act concerning the treasurer's and auditor's offices.
An act for the benefit of Richard Hazle.
An act for the benefit of Nancy Duncan.
An act to provide for the instruction of the convicts in the Penitentiary.

A message was received from the Lieutenant and acting Governor, by Mr. Owsley, Secretary of State, announcing that he did, on this day, approve and sign sundry enrolled bills which originated in this House, of the following titles, viz:
An act for the benefit of Marion and Henry counties.
An act for the benefit of the Russellville Male Academy.
An act to amend an act to establish an inspection of tobacco and other articles of commerce in the town of Paducah.
An act for the benefit of John Chesney.
An act for the benefit of Nancy Halliard.
An act to allow an additional constable to Hancock county.
An act to enlarge the constable's district for the town of Monticello.

An act to amend an act to improve the navigation of Muddy river.

An act to establish an election precinct at Farmington, Lincoln county.

An act for the benefit of Malinda R. Devers.

An act to improve the roads in Monroe, Allen, Cumberland, Wayne and Whitley counties.

An act to incorporate a company to make a turnpike road from Perryville to Greensburg, by way of Lebanon and New Market.

An act to incorporate the Russellville and Clarksville railroad company.

An act to incorporate the Canton, Cadiz and Hopkinsville turnpike road company.

An act to incorporate the Clarke and Madison turnpike road company.

An act to establish a state road from the mouth of Troublesome creek, to the Sounding Gap of Cumberland mountain.

An act to incorporate the Mills Point Warehouse Company.

An act for the benefit of the sheriff of Bullitt county.

An act for the divorce of Elizabeth Pugh.

An act to incorporate the Glasgow and Scottsville turnpike road company.

An act to establish a state road from Flynn's old ferry across the Ohio river, in the county of Livingston, to Princeton, in Caldwell county, and for other purposes.

An act to allow an additional justice of the peace to the county of Scott, and for other purposes.

An act for the benefit of William Rogerson, jailer of Spencer county, and for other purposes.

An act appointing commissioners to locate the way for a road from near the farm of David Davis, in Lawrence county, to the state road in Greenup county.

An act for the benefit of the county court clerk of Scott county, and for other purposes.

An act to authorize certain records of the Wayne and Nicholas county courts to be transcribed.

An act for the benefit of the clerk of the Calloway county court, and for other purposes.

An act to amend an act entitled, an act authorizing the sale of a portion of the real estate of Samuel Blankenbecke, deceased to pay his debts, approved 14th February, 1835.

An act for the benefit of Maria D. Ewell, and others.

An act to repeal the 14th section of an act entitled, an act to provide for the sale of the vacant lands west of the Tennessee river, approved January 3, 1823.
An act for the benefit of Mary P. Clark.

Approved 25th February, 1836.

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

By Mr. Meriwether—1. A bill authorizing the running and marking the dividing lines between the counties of Jefferson and Bullit.

By Mr. Allen—2. A bill to establish the town of Barnettsville, in Hart county.

By the committee for courts of justice—3. A bill allowing Lewis Adams a change of venue.

By Mr. Spalding—4. A bill concerning New Market, in Marion county.

By Mr. H. G. Davis—5. A bill to change the place of voting in the Cedar precinct in Owen county.

Which were severally received, 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 said bills do pass, and that the titles thereof be as aforesaid.

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

The House then resumed the consideration of the reports of the majority and minority of the committee on Education, on the petitions in relation to the Baptist Education Society.

The report of the majority is as follows, viz:

The Committee of Education, to whom was referred the petitions of "members of the Baptist churches belonging to the General Union of Baptists in Kentucky," and also the instructions enjoined on the committee by the House of Representatives, beg leave to make the following report:

By an act approved January 15th, 1829, the Legislature of Kentucky incorporated a company, styled "The Trustees of the Kentucky Baptist Education Society," reserving to itself full power to repeal or modify the privileges therein granted; and providing that said company have perpetual succession, a majority of two thirds of the trustees being empowered to fill all vacancies. To which let we would refer your honorable body, especially to the second section, as follows:

Be it further enacted, That it shall and may be lawful for the said trustees and their successors in office, and they are hereby invested with full power and authority, in their corporate capacity, to
purchase and receive by *donation*, *demise* or *bequest*, any lands, tenements, hereditaments, moneys, rents, goods and chattels, and to hold the same by the name aforesaid, to them and their successors forever, for the use and benefit of said institution, and according to the intention of the *donor* or *donors* of any such lands, &c.

Under the provisions of, and in accordance with said act, so far as the knowledge of your committee extends, there has been but two separate funds conferred upon said institution, the one by the "*bequest*" of Issachar Pawling, dec'd, and the other by the "*donation*" of the citizens of Scott county.

The condition upon which the said Pawling made his bequest and "the intention of the donor," may be learned from the following extract from his last will and testament.

"I do hereby devise and bequeath to the trustees of the Kentucky Baptist Education Society, the whole of my estate, both real and personal, to them and their successors forever, the legacies above named only excepted. It is however expressly understood, that the whole fund of money and property herebefore and herein given to said trustees, is to be a perpetual fund; no part of the principal is to be expended, and the interest is to be applied exclusively to the education of such Baptist or candidates for the Baptist ministry as adhere to the articles of the General Union of Baptists in Kentucky. No part of it to be applied to the benefit of teachers or scholars of any other description. I wish my books appropriated to the benefit of the society, and appoint the trustees of the said Kentucky Baptist Education Society, executors of this my will."

The condition upon which the donation was made by the citizens of Scott county was—that the institution about to be established should be purely literary, under the patronage of the Baptist denomination, by means of the twenty-four trustees appointed by the before cited charter.

That such was the "intention of the donors" of Scott county is, we are led to state, from the testimony of the President and other members of the board, given verbally before your committee, and also from the verbal testimony of one of the committee on the part of Scott county, appointed to confer with said board of trustees.

Upon the reception of which two separate donations, the trustees aforesaid proceeded to locate the institution at Georgetown, Scott county, Kentucky, where it is now in successful operation—having five professors teaching all the branches of literature and science that are taught in our best colleges. There are also present more than seventy-six students in college proper, from most of the states of the Union. Such is a succinct account of the origin, constitution, and present condition of said Kentucky Baptist Education Society.
The petition of the members of the Baptist churches belonging to the General Union of Baptists in Kentucky, conceiving themselves interested in the bequest of Issachar Pawling, dec'd, and alleging that the "character of the board and of the institution," has, (as they are informed,) "to some considerable extent, become changed"—prays that your honorable body may pass a law changing the present mode of electing said trustees, by authorizing a delegation from the several associations of Baptists in Kentucky, to elect the same annually, reducing the number from twenty-four to twelve.

There being no complaint on the part of the contributors of the Scott fund, so far as your committee are informed, who, by the way, have made the most liberal "donation," being about $20,000, the committee conceive the whole matter narrowed down to two questions of enquiry and consideration. 1st. How far are your petitioners interested? 2d. If interested above any other citizens in Kentucky, how far is the ground of their complaint well founded and their desires reasonable?

In answer to the first proposition we refer you to the charter and all above cited, and leave the conclusion to your own judgments. To enable you to determine upon the last proposition, we would suggest the following facts given before your committee. 1st. How far is "the character of the board changed?" Originally, the board contained nineteen Union Baptists, three Particular Baptists, and one non-professor, making twenty-four; at present, the board consists of sixteen Union Baptists, five Particular Baptists, one Reformer, and two non-professors. 2d. How far is "the character of the Institution" changed? During the life of Pawling, who lived three or four years after the college went into operation, the professors of the institution were of different sects and one non-professor; at present they are of different sects and one non-professor. Theology, as a science, has never been and is not now taught in the institution.

In reply to the instructions of the House of Representatives, your committee state—1st. There has come to the hands of the trustees, from Issacchar Pawling, $12,526 53 cents, of principal; unexpended interest on the same, $2,155 17 cents. Besides an unascertained amount of principal in the hands of Pawling's executor and agents employed to collect the same.

2d. The whole amount in the hands of the trustees is loaned out on personal security, all of which is believed by your committee, to be available at any time, except one hundred dollars of lost money. Some four or five thousand dollars of said fund was applied by said trustees to the purchase of books, maps, charts, &c. for
said institution, but the same was replaced by notes of individuals without security, believed, as above stated, to be good and collectable.

3d. But two beneficiaries under Pawling’s will have been educated in said institution, and none have been there for four or five years past.

4th. It is proven to the satisfaction of this committee, that the board of trustees have at all times been willing, and are still willing to receive any and all beneficiaries under the will of Issaciar Pawling; and the reason why more have not been educated is, because none have applied, they having been invited by said board.

Your committee would state, there are attached to the printed circulars of your petitioners six hundred and sixty-nine names, some of which are signed by marks. The committee, on the part of the trustees of said college have alleged as a set off to said petitioners, that they in their ministerial labors attend fourteen churches containing upwards of nine hundred members; ten of which churches, with upwards of fifteen hundred members, belong to the General Union of Baptists in Kentucky. The remaining churches and members belong to the Particular Baptist association, and adhere to “the Philadelphia Baptist confession of faith.” Not over twenty of all which number, they believe themselves justified in saying, would approve of the proposed manner of electing trustees for said institution.

In conclusion, your committee would state that the trustees of said institution are enjoined in the Scott circuit court from the use of said Pawling fund, and would respectfully submit for your consideration, the propriety of attempting at present, or hereafter, by legislation, to remedy evils which, if they exist at all, are fully within the power of your courts of chancery.

C. M. CLAY
JACOB HUGHES
JOHN CURD
C. CAMPBELL

The undersigned, members of the committee upon education, to whom was referred, with certain instructions, the petitions of sundry members of the Baptist churches belonging to the General Union of Baptists in Kentucky, praying for the passage of a law so to modify the charter of the Kentucky Baptist Education Society as to make the trustees of said society elective by the several Associations of said denomination, instead of being appointed by the board itself, when vacancies occur, have had the subject under consideration, and beg leave to present the following Report:

A very great variety of testimony or of statements has been submitted to the committee by the different parties for and against the pre-
proceed modification; and it is very much to be regretted that the evidence is so defective and informal. The committee have been compelled to receive the written statements of individuals interested in feeling at least or otherwise upon the one side or the other, as the best means within their reach of arriving at the facts. And the remark is not intended to apply to either party exclusively. The undersigned have not thought it proper to enter into any argument upon, or to draw any inferences from, the facts stated below. They have only considered themselves authorized to present such facts as shall, in their judgment, be responsive to the written and definite instructions from the House, under which they act. By the instructions referred to, and which were adopted by a vote of the House, the committee are directed to report:

1st. "What is the present amount of the Pawling fund?"
2d. "In what manner is it vested, and upon what security?"
3d. "How has it been applied, if applied to any purpose?"
4th. "If no part of it has been applied under and according to the will of Pawling, to state the reasons of its inaction."

The undersigned will proceed to respond to these instructions in the order they present themselves. And first; as to the present amount of the Pawling fund.

It will be remembered that at an early period of the session, the House adopted the following resolutions:

"Resolved, That all the petitions that have been presented to this House, from members of the General Union Baptist churches of this State, be referred to the committee on education.

"Be it further Resolved, That the said committee be instructed to call on the President, Trustees, and Professors of the Georgetown College to furnish them with the evidence of the numbers, names, and residence of the students educated at said institution for the ministry of the Union Baptist church since 1833; and the number of students in other branches of education both now as well as heretofore; together with the amount of dividend received or receivable on the Pawling fund since the above date."

It will be perceived that the concluding paragraph of the last resolution calls for "the amount of the dividend received or receivable on the Pawling fund since the above date." (1833.) The chairman of the committee of education, as the best mode of procuring the information sought for, enclosed a copy of the above resolutions to the President and the two Professors of the Georgetown College. In reply, the communication accompanying this report, and signed by T. F. Johnson, and marked B, was received. How far it is responsive to the entire call of both resolutions, the House will judge.
The following is an extract from that communication: "As to the amount of dividend received and receivable on the Pawling fund since that time, I can give not the slightest information. I know that no professor has received one cent from that fund since 1833.

"As to the dividend received since that time, the treasurer of the board can inform you;" and after stating that the Board would meet the committee on the "12th inst." (Jan. 1836,) he proceeds:

"As to the amount receivable, that is a secret, of which I believe a gentleman in Frankfort is the only living depository."

The last extract, if intended for information, has failed to effect that object; for the undersigned have not been able to solve its meaning.

At a subsequent day Mr. Elijah Hawkins, as treasurer of the board, submitted to the committee a report, herewith returned to the House, marked E, from which the following extract is made:

"Statement of the Pawling fund so far as it has come to my (Hawkins') hands as treasurer of the board of trustees:

"Principal, 15,000
"Interest to this time, as near as I can state, 2,153 17

\[17,153.17\]

"There is also a balance due for the residue of a tract of land, which I am unable to state, as the money has not been collected and accounted for by the acting Ex'r. of J. Pawling. In addition to which it is believed there is a further sum due the board upon the Pawling fund, the notes for which have not been handed over by Rev. S. M. Noel, the former agent of that fund.

"I am also informed that U. B. Chambers obtained from Mr. Davis of Harrodsburgh, upon the order of Dr. Noel, some money which as yet he has rendered no account of to me."

Your committee have not been furnished with the items which compose the sum set down as "principal," except as the same is set out in a printed publication by the trustees, marked exhibit F. From this publication it appears that at the first meeting of the Board at Lexington on the 11th Feb. 1829, the amount donated by Pawling was \$4,750 25.

Interest at 6 per cent per annum from that time to 11th Feb. 1836.

\[4,750.25\]

\[5,745.25\]

\[10,495.50\]

Shortly after, say 11th April '29, was received a further donation of

Interest as above to this date,

\[1,120.00\]

\[488.95\]

Total amount donated in money, 10,495.50
About the same time, (April 1829,) the same publication states, that
he gave them unconditionally a conveyance for 305 acres of land in
Mercer county, and an assignment of part of a judgment on certain in­
dividuals in said county. What disposition has been made of the land,
or whether the judgment has been collected, or what it amounted to, the
committee are uninformed.

The "Scott fund," or the amount subscribed by the citizens of Scott
county to procure the location of the College at Georgetown, does not
come within the scope of the instructions. But the undersigned take
this occasion to say that great remissness in the collection, and inatten­
tion to the management of that fund, appears hitherto to have prevailed.

2d. "In what manner is it vested, and upon what security?"
The undersigned will proceed to show, so far as they themselves have
been able to gather the facts relating to this branch of the enquiry.

This instruction involves the consideration of the present situation and
condition of the Pawling fund. The undersigned have to regret that
the evidence having relation to this point is so defective; for they feel
satisfied that it must have been entirely practicable for a statement,
from the books of the treasurer, showing the condition of the fund, to
have been presented.

But two beneficiaries of that fund have ever been instructed at the
college, and they only for a short time. It appears from exhibit C, pre­

dented on the part of the board, that in the lifetime of Pawling, the in­

terest was applied to the general purposes of classical education, when
not appropriated to the education of beneficiaries. And the same paper
states that "since the death of I. Pawling, they have held the whole
of the fund in their hands, donated and devised by him, subject to be ap­
propriated according to the directions of his will." What is an appropria­
tion, "according to the directions of his will," the house will judge.

By this same exhibit, it appears that no settlement whatever has ever
been made with Mr. Downton, the acting executor of I. Pawling, and
that a part of the fund is in the hands of "two other gentlemen;" but
who these gentlemen are, and what is the amount of that "part of the
fund" in their hands, or upon what terms or security they hold it, this
committee has not been informed.

In another paper submitted to the committee, marked O, and endor­
sed "Robinson's remarks," it is stated that the fund is out at interest on
personal security, and that all is collectable, except $100.

By exhibit I, it appears that cash of the Pawling fund was used for
other purposes than those pointed out by the will of the donor, to the
amount of $ , and that notes on individuals without security, to the
amount of $4,300 principal, were substituted for the money so used.
It is further stated that $1,733.02 of the above sum was used in the purchase of a library and apparatus, and the remaining $3,323.98, applied to the payment of literary teachers, &c. and not to the education of Pawling beneficiaries. A list of the notes so substituted is set forth in that paper, and is referred to for greater certainty. Five of the obligors in these notes are trustees. The names of Elijah Hawkins, R. M. Johnson, Jos. L. Lemon, James F. Robinson, and Wm. Rogers, appear both on this list and on the list of trustees contained in exhibit C.

In exhibit L, endorsed "facts in relation to Georgetown College," the following statement, corroborating the above, is found: "The trustees at one period took and used of the Pawling fund, several thousand dollars, for purposes other than those provided for by the will, and substituted in its stead, notes to the same amount executed by citizens of Georgetown and Scott county, without security, payable five years after date, with interest from the date, payable half-yearly, and some of those notes were executed by the trustees themselves—and thus the transaction stands yet."

In that paper it is further alleged "that much of the Pawling fund is now in the hands of the trustees and their friends on loan, and has been long lying dormant, and not otherwise used than for the accommodation of the borrowers." The money, for which the notes were substituted, was borrowed from the Pawling fund, in pursuance of the orders of the Board, as appears by a copy of the record of the suit now depending in the Scott circuit court. At page 90 of the records of said Board, the following order appears: "Resolved, That the committee on finance be requested to ascertain, as far as practicable, the amount now due from the College, and that they borrow from the Pawling fund the sum necessary to discharge those debts, and that the said committee be authorized and requested to transfer from the Scott fund, the sum necessary to reimburse the whole amount borrowed from the Pawling fund."

And on the 19th March, 1833, (p. 93,) the following order was made: "Resolved, That said committee be directed to ascertain the amount of money borrowed from the Pawling fund to effect the objects of the College, and that they call on the Treasurer for the notes due upon the Scott fund, and that they select and transfer a sufficient amount thereof to restore the Pawling fund thus borrowed." And these are said to be the notes of citizens of Georgetown and Scott county, executed without security, originally for the purpose of procuring the location of the College at Georgetown.

It is also stated, that at one time $1,000 was paid out of the Pawling fund to the President for his services as chairman of the board, for
years. It is charged that the books of the treasurer are badly kept, that appropriations are made without distinguishing between the Scott and Pawling fund, and that the treasurer's report comes far short of the true amount of the Pawling fund that has, at any time, come to the hands of the trustees.

Upon this branch of the enquiry, the undersigned would further state that the trustees, to show their right to apply the fund to purposes of classical education, have referred the committee to a letter of I. Pawling, dated 19th Jan. 1830, in which, after stating that he wished it "expressly understood" that the fund was to be "a perpetual fund, no part of the principal is to be expended, and the interest to be applied exclusively to the education of such Baptist preachers or candidates for the Baptist ministry as adhere to the articles of the General Union of Baptists in Ky." he proceeds: "and as I am anxious that the whole interest should be actively useful, if any part thereof shall not be employed as above directed, the board is at liberty and requested to use it as seems best by them to promote the prosperity of the College."

This letter, as appears from the face of it, was written upon the solicitation of the board through a committee who waited on said Pawling for that purpose.

The above comprises all the information which was laid before the committee in relation to the condition of the fund and its investment. The undersigned will now proceed to the consideration of the third instruction.

3d. "How has it been applied, if applied to any purpose?"

The undersigned have in a great measure anticipated this enquiry by the facts before submitted, and they have but a short statement to make in addition. The object of this enquiry no doubt was to ascertain whether the fund has been applied to the education of beneficiaries, or in other words, "under and according to the will of Pawling." In the paper endorsed "Robinson's remarks," it is stated that so far as an application of the fund in the lifetime of Pawling was made, it "was used in the education of beneficiaries:" "the remainder of the interest not thus used was applied, under the special instructions of I. Pawling himself, in payment of the salaries of professors, and for the general purposes of the College. Since the death of I. Pawling, his fund has not been used." In exhibit L, it is stated that "there have been but two beneficiaries of the Pawling fund at any time in the institution, and they for a short time only at first." Your committee have not been informed as to what amount of the Pawling fund was expended in the instruction of these beneficiaries, nor indeed of any of the expenditures of the board from that fund.
4th. "If no part of it has been applied under and according to the will of I. Pawling, to state the reason of its inaction."

This instruction seems to be altogether conditional. "If no part of it has been applied, &c." the committee are directed to state why such application has not been made. But it is taken for granted that, although a small part may have been applied for the benefit of the two beneficiaries, the House still wishes to know why the greater part of the fund has been and still is idle. The undersigned are at no loss to assign a reason for the inaction of the fund. No one will doubt that there are young Baptist ministers or candidates for the Baptist ministry enough in the country, who would gladly avail themselves of the bounty of the donor, were they not deterred from entering the institution by some dissatisfaction with the College itself, or a want of confidence in the administration of its affairs. The undersigned are led from an examination of the facts, to believe that the denomination, for whose benefit the donation was made, have lost confidence in the board of trustees, and are impressed with the belief that the intention of Pawling is in substance defeated, and the interest of the Baptist community consequently neglected. That dissatisfaction prevails among the Baptists, and that to a very great extent, no one, who has seen the numerous petitions, numerously signed, which have been laid before the House, can doubt. It is not sufficient, however, to shew that dissatisfaction and want of confidence exist, but the facts giving rise to such dissatisfaction and want of confidence must also be stated, that it may be seen whether there be any justice in the complaint or not. With all men, disappointed expectations is one cause of dissatisfaction. Few will deny that religious communities are more than ordinarily tenacious of their rights, vigilant to guard them from invasion, and jealous of encroachment, more particularly when it proceeds from a rival or other denomination.

This disposition, as it is known to be common to all sects, must not be too harshly censured when it is manifested in a particular one. One ground of complaint is, that theological instruction is not permitted in the institution, but is forbidden by an order of the board itself. The question then presents itself: Had the Baptist community a right to expect that the beneficiaries of the fund would be instructed as ministers or candidates for the ministry? An answer to this question can be better made, when facts, going to show what the intention of Pawling was, shall be submitted to the House.

By exhibit F, it is stated that the board at their first meeting determined that the object of the "Kentucky Baptist Education Society"
was the promotion of general literature; and that, before the location was made at Georgetown, in pursuance of an agreement with the citizens of Scott county, the citizens of that county required an avowal that the institution was neither to be theological in its character, nor to have a Theological Department attached to it; which avowal was accordingly made.

It is also stated that Gov. Slaughter, the near neighbor and personal friend of the donor, was present at this meeting of the board; and the trustees infer from this circumstance that Pawling must have known of the determination of the board. In support of this right to exclude theological instruction, they also rely on the extract given above, from a letter of the donor, dated 19th Jan. 1830.

That clause of the will by which the fund is created, is as follows:

"I do hereby devise and bequeath to the trustees of the said Kentucky Baptist Education Society, the whole of my estate, both real and personal, to them and to their successors forever, the legacies above named only excepted. It is, however, expressly understood that the whole fund of money and property heretofore and herein given to said trustees, is to be a perpetual fund, no part of the principal is to be expended, and the interest is to be applied exclusively to the education of such Baptist teachers or candidates for the Baptist ministry as adhere to the articles of the General Union of Baptists in Kentucky; no part of it to be applied to the benefit of teachers or scholars of any other description."

From the papers marked S, and directed to one of the committee, it will be seen that a correspondence took place between Mr. Pawling and others, in the progress of which Mr. Pawling referred to the College as "Theological Institution," in so many words.

The letter was submitted to the committee, but has since been lost or mislaid.

Another ground of dissatisfaction is, that the religious complexion of the Board is gradually changing; and that persons unfriendly to the views of the donor and to the interests of the Baptist community have found their way into the Board: at first, as is stated in exhibit L, all the trustees were Baptists except one, whose wife was a Baptist, and he known to be favorable to the views of Pawling. By exhibit C, it appears that of the present trustees, sixteen are adhering Baptists, five in Particular Baptists, one Reformer, and two non-professors.

In the paper marked "G, Robinson's remarks," submitted on the part of the trustees, it is alleged that the reason why there are no beneficiaries, is, that none, "such as are entitled," have applied for admission—but they have been encouraged to come—that agents have been sent...
abroad to the churches to explain "the nature and terms of receiving, and to ask aid in getting beneficiaries."

The committee have not been informed what description of beneficiaries came within the words "such as are entitled," or what was the character of the "nature and terms of receiving," which the agents were sent "to explain" to the churches. This information may be considered by some as important, insomuch as it may tend to show whether the trustees have exerted their authority to prescribe terms calculated to exclude beneficiaries.

It will be seen that it is charged in exhibit N, that at a time when the teachers in the institution were thrown for support upon their tuition fees, some of the trustees withdrew their children, became trustees for a private school, and thereby compelled the Baptist teachers then in the institution to leave the school for want of subsistence. In the same paper, which is signed by three individuals, it is said: "We believe if the bill now pending were to become a law, it would effectually restore the confidence which the owners of the institution have lost in its administration."

The undersigned will close this report by referring the House to exhibit, marked I, endorsed, "causes assigned by Buck and Chambers why there are no Pawling beneficiaries in Georgetown College." The causes assigned are extracted from said paper as follows:

"1st. Because there have been no teachers there since Mr. George W. Eaton left, who under the will of Pawling, could instruct them.

"2nd. Because there has been no effort made by the board to provide the institution with either teachers or scholars, of the character provided for in the will of Pawling, for years past.

"3rd. Because the churches had lost confidence in the board, on account of the change of the religious views of many of them; and on the tendency of their administration to impress upon the institution the peculiarities, and to throw around it the influence of the denomination to which it belonged."

And in the same paper, it is further stated, over the signature of U. B. Chambers, that "the teachers are mostly at war with the Baptist denomination as to the peculiarities of their creed, and so are several of the trustees who are located at or near the seat of operation, and who pertinaciously adhere to their seats in the board."

The undersigned have now presented the facts which they deem material to a just consideration of this subject; and they beg leave respectfully to submit this Report to the House as the result of their deliberations.

C. TOMPKINS, Jr.
THO. JOYES,
WM. M. LANSDALE.

Feb. 2, 1836.
Ordered, That said reports be laid on the table.

Mr. J. Jackson, from the committee on military affairs, to whom was referred a bill concerning the public arms, reported the same without amendment.

Ordered, That the said bill be re-committed to the committee on military affairs.

The Speaker laid before the House a message from the Lieutenant and acting Governor, enclosing the report of the chief Engineer of the state.

Ordered, That the said report be referred to the committee on internal improvement.

A message was received from the Senate, announcing the passage of bills from this House, of the following titles, viz:

An act to alter the tax on wholesale and retail stores and groceries.

An act to incorporate the Clarke and Madison Bridge Company.

An act to change the Maysville election precinct, and for other purposes.

An act to incorporate a turnpike road company from the Poplar Plains, in Fleming county, to Louisa, in Lawrence county.

An act to incorporate the Paris rail road company.

With amendments to each.

Mr. Norvell, from the joint committee on enrolments, reported that the committee had examined sundry enrolled bills, and had found the same truly enrolled, viz:

An act for the benefit of the heirs of John Fouch.

An act appointing commissioners to make conveyances in certain cases.

An act to fix the ratio and apportion the representation for the ensuing four years.

An act to amend the law of bail in civil actions.

An act to incorporate a college in Shelbyville, Shelby county.

An act to incorporate a company to construct a turnpike road from Shelbyville to a point of intersection with the contemplated rail road near Christiansburg, in Shelby county.

And a resolution to appoint a joint committee to examine the surveys of the Kentucky river, made by the State Engineer, and for other purposes.

An act to incorporate a company to construct a turnpike road, from Porter's ferry, through Burlington to the Covington and Lexington turnpike road.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Norvell 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, viz:

An act to authorize the improvement of the hill at Mill’s Point, on the Mississippi river.

An act regulating the time of holding the county court of Livingston county.

An act concerning roads west of the Tennessee river.

An act further to regulate the boards of internal improvement, for the counties west of the Tennessee river.

An act to change the present mode of summoning jurors in this Commonwealth, and to provide for their compensation.

With amendments to the three latter bills.

A bill from the Senate entitled, an act providing for a change of venue in the case of John U. Waring, 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 said bill having been dispensed with, it was committed to the committee for courts of justice.

The amendments proposed by the Senate to bills which originated in this House, of the following titles, viz:

An act to incorporate the Standford and Lancaster Turnpike road Company.

An act for the benefit of James Ramey.

An act to incorporate the Versailles, Midway and Georgetown turnpike company.

An act to provide for the appointment of patrols in this Commonwealth.

An act to alter the tax on wholesale and retail stores and groceries.

An act to change the Maysville election precinct, and for other purposes.

An act to incorporate a turnpike road company from the Poplar Plains, in Fleming county, to Louisa, in Lawrence county.

An act to incorporate the Clarke and Madison Bridge Company.

An act to incorporate the Paris Railroad Company.

Were twice read and concurred in, with amendments to the amendments to the two latter bills.

The House took up the amendments proposed by the Senate, to a bill which originated in this House entitled, an act to establish the town of Farmington, in Lincoln county, and for other purposes.

Resolved, That this House insist on their disagreement to said amendment.
And thereupon, Messrs. C. A. Wickliffe, J. E. Wright and Lansdale, were appointed a committee on the part of this House, to confer with the committee to be appointed on the part of the Senate, on the disagreement of the Houses on said amendment.

Ordered, That Mr. Wickliffe inform the Senate thereof and request a committee on their part; and after a short time, a message was received from the Senate announcing the appointment of a committee on their part.

The committee then retired, and in a short time returned and reported that they had come to an agreement.

A message was received from the Senate, by Mr. Daviess, announcing that the Senate had concurred in said agreement:

Resolved, That this House concur in said agreement.

The House then took up the amendments proposed by the Senate and amendments proposed by this House to a bill from the Senate entitled, an act defining the powers and duties of the Board of Internal Improvement, and for other purposes.

Mr. D. White moved to reconsider the vote disagreeing to the said amendment proposed by the Senate.

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

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


The third amendment was then twice read and concurred in.

Ordered, That the Clerk inform the Senate thereof.

A message was received from the Senate announcing that the said House insist upon their second amendment, and have appointed a
committee of conference on their part, and request a committee on the part of this House.

Whereupon, Messrs. Marshall, Clay, D. White, Blewitt and R. Wickliffe, were appointed a committee on the part of this House.

The committee then retired, and after a short time returned and reported that the committee had come to the following agreement, viz: Strike out the amendment of the House and Senate and insert at the end of the 31st section, "but if said Board shall deem it inexpedient, they shall cause the same to be expended in the construction of that part of the turnpike roads and bridges between the Crab Orchard and Cumberland Gap, and the turnpike road from Richmond to Cumberland Gap, through London, in Laurel county, which is common to both roads."

A message was received from the Senate, announcing that they had concurred in said agreement.

Resolved, That this House concur in said agreement.

The amendments of the Senate, to the amendments of this House, to a bill from the Senate, entitled, an act to appoint commissioners to make certain improvements in the navigation of Green river, were taken up and twice read; the first was disagreed to, the second and third concurred in, and the fourth and fifth concurred in with amendments.

The amendments proposed by the Senate to a bill from this House, entitled, an act to change the present mode of summoning jurors in this Commonwealth, and to provide for their compensation, were taken up and twice read.

Mr. G. Davis moved to lay 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. G. Davis and Hudspeth, were as follows, viz:


Mr. C. A. Wickliffe then moved the previous question, and it was decided in the affirmative.

The main question was then put on concurring in said amendments, and decided in the affirmative.

The yeas and nays being required upon concurring in said amendments, by Messrs. Johnson and Hudspeth, were as follows:


Ordered, That the Clerk inform the Senate thereof.

Mr. C. A. Wickliffe, from the committee for courts of justice, to whom was referred a bill from the Senate entitled, an act providing for a change of venue in the case of John U. Waring, reported the same with an amendment, which being twice read, was concurred in.

Ordered, That said bill be read a third time.

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

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

Ordered, That the Clerk inform the Senate thereof and request their concurrence in said amendment.

And then the House adjourned.
SATURDAY, FEBRUARY 27, 1836.

Mr. Norvell from the joint committee on enrolments, reported that the committee had examined sundry enrolled bills, and had found the same truly enrolled, viz:

An act to provide a sinking fund for the payment of the interest on loans for internal improvement, and for the final redemption of the principal of said loans.

An act to incorporate the South Western Louisville turnpike road company.

An act to authorize a state road to be opened from Bloomfield, in Nelson county, to McCown's ferry, in Mercer county.

An act to repeal in part, an act amendatory of the several acts relating to the town of Newport, in Campbell county, approved 24th February, 1834, and also amendatory thereof.

An act to incorporate a company to construct a turnpike road from Elizabethtown to Greensburg, by the way of Hodgensville and Somerville.

An act to amend the charter of the city of Covington.

An act to incorporate a company to construct a road from Cloverport to Hardinsburg.

An act to incorporate a company to turnpike the road leading from Elizabethtown to Bardstown, and for other purposes.

An act for the benefit of the county of Jefferson.

An act for the benefit of James Ramey.

An act for the benefit of the administratrix and heirs of John Hawkins, dec'd.

An act to incorporate the Versailles, Midway and Georgetown turnpike road company.

An act to incorporate the Louisville, Cincinnati and Charleston rail road company.

An act to amend an act, approved 22d December, 1831, entitled, an act to incorporate the Green river rail road company.

An act subjecting to county levy, in the counties of Caldwell and Livingston, all slaves that may, each year hereafter, be hired or otherwise introduced into said counties.

An act to incorporate the Newcastle Female Academy, and for other purposes.

An act to incorporate the Springfield, Perryville and Danville turnpike road company.

An act for the benefit of Mary E. Stansbury.

An act to incorporate the Paris, North Middletown and Mountsterling turnpike road company.
An act to authorize certain county courts to appoint constables and magistrates.
An act to amend the charter of the Shepherdsville and Elizabethtown turnpike road company.
An act extending for a certain period, and with certain limitations, the charter of the old Bank of Kentucky.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Norvell inform the Senate thereof.
A message was received from the Senate, announcing the passage of bills from this House, of the following titles, viz:
An act for the benefit of the Robertson Seminary.
An act for the benefit of the legal department of Transylvania University.
An act for the benefit of the administratrix and heirs of John Hawkins, dec'd.
An act for the benefit of Israel Rose.
An act for the benefit of Stephen Peyton's heirs, and others.
An act for the benefit of the administrator and heirs of Joseph L. McGee, dec'd.
An act for the benefit of Amelia Baber.
An act for the benefit of Elizabeth Hinds.
An act to incorporate the owners of the Mansion House Hotel, in the town of Frankfort, and the Phoenix Hotel, in Lexington.
An act allowing Samuel Adams a change of venue.
An act to incorporate the Owingsville, Sharpsburg and Paris turnpike road company.
An act for the benefit of the heirs of Lucy N. Fishback, and to authorize William R. Griffith to sell and convey certain lands.
An act to incorporate the Dover and Minerva turnpike road company.
An act to allow Samuel Graves a change of venue.
An act to incorporate the Louisville, Nashville and Knoxville rail road company.
An act to extend the powers of the trustees of the town of Winchester, and for other purposes.
An act to authorize the construction of a bridge over Buck creek, in Pulaski county.
An act to authorize the citizens of Lexington to vote upon the question of a repeal of their charter.
With amendments to the three last.
And that the Senate had received official information, from the Lieutenant and acting Governor, that he had approved and signed several enrolled bills, which originated therein, of the following titles, viz:
An act to establish the Mechanics' Savings Institution of Louisville, and the Savings Institution of Bardstown.
An act to amend the charter of the Bardstown and Louisville turnpike company.
An act to incorporate the Eddyville Hotel Company.
An act to incorporate the Fleming White Sulphur Springs Hotel Company.
An act for the benefit of James McDowell, Jr., of Rockbridge county, Virginia.
An act for the benefit of William Parker and John Hall.
An act for the divorce of Eliza Brown.
An act for the benefit of Lucy Stears.
An act for the benefit of William Green, of Harlan county.
An act to establish the college of physicians of the city of Lexington.
An act to enlarge the constable’s district of the town of Greensburg.
An act to legalize the proceedings of the Franklin county court, at their February term, 1836.
An act to amend an act entitled, an act further to regulate the Wilderness turnpike road, approved 11th January, 1839.
An act to amend an act to incorporate the Newport, Palmyra, Cynthiana, Paris and Winchester turnpike road company.
An act to enlarge the boundary of the town of Glasgow.
An act for the benefit of J. B. Husbands, county surveyor of McCracken county.
An act for the benefit of Nathaniel Reynolds.
An act for the benefit of the surveyor of Jefferson county.
An act concerning the laying and collecting of the county levy of Fayette county.
An act to incorporate the Maysville Hotel company.  
Approved 25th February, 1836.

A joint resolution from the Senate, fixing upon a day for the final adjournment of the Legislature, was taken up, amended, twice read and concurred in.
Ordered, That the Clerk inform the Senate thereof and request their concurrence in said amendment.

Mr. Beaseman, from the committee of privileges and elections made the following report:

The committee on privileges and elections have, according to order, had under consideration the returns of all the members returned, and now serving in this House at the present session, and report that the following gentlemen are now serving as members having been duly elected from the several counties in this Commonwealth, in the House of Representatives of the General Assembly viz:

From the county of Adair, William D. Parrish; from the county of Allen, George W. Mansfield; from the county of Anderson,
Robert Blackwell; from the county of Barren, Christopher Tompkins and William Wood; from the county of Bath, Marcus Thomas; from the county of Barbour, Garrett Davis and James W. Rice; from the county of Bracken, Joseph Schoolfield; from the county of Bullitt, Thomas W. Riley; from the counties of Breckenridge and Hancock, Nathaniel Maxey; from the county of Boone, Jeremiah Kirtley; from the counties of Butler and Edmonson, John M. Austin; from the county of Campbell, John A. Goodson and Thomas G. Tapman; from the county of Caldwell, James Clark; from the county of Cumberland, Francis H. Winfrey; from the county of Christian, Roger F. Kelly and Livingston L. Leavell; from the county of Clarke, Francis F. Jackson and Joseph Ritchie; from the counties of Clay and Harlan, Thomas J. Buford; from the counties of Calloway and McCracken, Gustavus A. Flournoy; from the county of Casey, George Drye; from the county of Daviess, William R. Griffith; from the counties of Estill and Perry, John Haddix; from the county of Fleming, William W. Blair and Robert G. Lewis; from the county of Franklin, John Harvie; from the county of Fayette, Robert Wickliffe, Jr., Jacob Hughes and John Curd; from the county of Garrard, George B. Mason; from the county of Green, James Allen and Alfred Anderson; from the county of Greenup, John Holloway; from the counties of Graves and Hickman, Robert N. Lewis; from the counties of Grant and Pendleton, Lewis Myers; from the county of Grayson, John Cunningham; from the county of Harrison, John O. Beaseman and Larkin Garrett; from the county of Hardin, John L. Helm and William Conway, (the latter member elect from said county failing to attend); from the county of Hart, Benjamin Copeland; from the county of Hopkins, William Bradley; from the county of Henderson, John Holloway; from the county of Henry, James Pryor and Charles Stewart; from the county of Jefferson, David Mcllweth and Joseph Funk; from the city of Louisville, Thomas F. Marshall and Thomas Joyce; from the county of Jessamine, Tacker Woodson, from the counties of Knox and Whitley, Dempsey White; from the counties of Lawrence and Morgan, Joseph R. Ward; from the county of Lincoln, Winford R. Bailey and John E. Wright; from the county of Lewis, Israel B. Donaldson; from the county of Livingston, Richard Miles; from the county of Logan, James W. Irwin and E. O. Hawkins; from the counties of Laurel and Rockcastle, Jarvis Jackson; from the county of Mason, Peter Lashbrook, Charles Mitchell and Alexander Hunter; from the county of Montgomery, David Heran and James McKee; from the county of Monroe, Radford Maxey; from the county of Mercer, John E. Thompson and Dred Bowling; from the county of Madison, Caldwell Campbell and Cassius M. Clay; from the county of Meade, Henry
G. Davis; from the county of Muhlenburg, William C. McNary; from the county of Nelson, Charles A. Wickliffe and James M. Wright; from the county of Nicholas, William Norvell; from the county of Oldham, William Campbell; from the county of Ohio, Samuel O. Peyton; from the county of Owen, James S. Brown; from the county of Pulaski, Thomas Jasper; from the county of Russell, Nathan McClure; from the county of Shelby, James Ford and Samuel W. White; from the county of Scott, Job Stevenson and William Johnson; from the county of Simpson, Joel Hudspeth; from the county of Spencer, Mark E. Huston; from the county of Trigg, Simeon A. G. Noel; from the county of Todd, William M. Lansdale; from the county of Warren, Robert W. Lucas and Garland J. Blewitt; from the county of Union, Hiram McElroy; from the county of Woodford, Samuel M. Wallace; from the county of Washington, Frederick W. Trapnall, James Dever and Benedict Spalding; from the county of Wayne, Nimrod Ingram.

A message was received from the Senate announcing their concurrence in the amendments proposed by this House to a joint resolution from the Senate, fixing upon a day for the final adjournment of the Legislature.

Mr. C. A. Wickliffe, from the committee for courts of justice, to whom was referred bills from the Senate of the following titles, viz:

1. An act for the benefit of George P. Jouitt and others.
2. An act extending the powers of the city authorities and trustees of towns, in this Commonwealth.
3. An act for the relief of Catharine Anderson.
4. An act for the benefit of the heirs of John R. Nelson, dec'd.
5. An act to repeal an act entitled, an act to amend the law prohibiting the importation of slaves into this state, approved February 2, 1833.
6. An act to change the time of holding the Owen circuit court, and for regulating the terms of the Fayette circuit court.
7. An act for the benefit of Elizabeth Logan's heirs.
8. An act to incorporate the Cumberland Rail Road and Navigation Company.
9. An act to change the time of holding the Shelby and Woodford circuit courts, after the 10th of May next, and for other purposes.
10. An act to incorporate the Portland Dry Dock and Insurance Company.
11. An act to amend the charter of the city of Maysville.
12. An act to amend the law as to proceedings against non-resident and absent defendants and unknown heirs.
13. An act to authorize the citizens of the town of Columbus, in the county of Hickman, to elect trustees.
   Reported each of said bills without amendment.

   Ordered, That the fifth, eighth, ninth, eleventh, twelfth and
   thirteenth, be laid on the table; the first, second, third, fourth,
   sixth, seventh, tenth and fourteenth, were ordered to be read a
   third time.

   And thereupon, the rule of the House, constitutional provision,
   and third reading of said 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.

Mr. C. A. Wickliffe, from the committee for courts of justice,
   to whom was referred bills from the Senate, of the following ti-
   tles, viz:
1. An act to amend an act to establish the Louisville chancery
   court.
2. An act for the benefit of the settlers west of the Tennessee
   river, whose improvements have been entered by Seminary claims.
3. An act for the benefit of John P. Porter, and the heirs and
   securities of Reuben Adams, deceased.
4. An act to incorporate the towns of Harrodsburg and Danville.
5. An act the better to protect the proprietors of ferries across
   the Ohio and Mississippi rivers.
6. An act to incorporate the Franklin Fire and Marine Insur-
   ance Company of Louisville.
7. An act for the benefit of the widow and heirs of Thomas
   Wood, dec'd.

   Reported the same with amendments to each, which being
   twice read, were concurred in.

   Ordered, That said bills, as amended, be read a third time.

   And thereupon, the rule of the House, constitutional provision,
   and third reading of said bills having been dispensed with,
   Resolved, That the said bills do pass, and that the titles of the
   first, second, fourth, sixth and seventh bills, be as aforesaid;
   and that the title of the third be amended to read, "and R. B. Par-
   ker and securities;" and the fifth, to read, "Ohio river."

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

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 improve the road leading from Cumberland Ford to
   Mount Pleasant, in Harlan county.
2. An act for the benefit of Lucy Stears.
3. An act to protect the actual settlers west of the Tennessee
   river.
4. An act to construct a bridge across Chaplin’s fork, at or near Hobb’s mill, in Washington county.

5. An act to incorporate the McChord Church Session and Trustees.

6. An act for the benefit of Jeremiah Dobson and Aaron P. Hodges, of the county of Calloway.

7. An act to provide for the management of the Louisville Marine Hospital.

8. An act to incorporate the Lexington Fire, Life and Marine Insurance company.

9. An act to authorize the clerk of Woodford county to record all deeds, which were not recorded in said office at the time of the death of the late clerk.

10. An act changing the time of electing trustees for the town of Paducah.

11. An act to establish an election precinct in Franklin county.

12. An act legalizing the appointment of an agent to wind up the concerns of the late Farmers’ Bank of Harrodsburg.


14. An act concerning the Auditor’s and Treasurer’s offices.

15. An act for the benefit of Richard Hazle.

16. An act for the benefit of Nancy Duncan.

17. An act to provide for the instruction of the convicts in the Penitentiary.

Ordered, That the eleventh bill be laid on the table until the first day of June next.

And thereupon, the rule of the House, constitutional provision, and second and third readings of the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, twelfth, thirteenth, fourteenth, fifteenth, sixteenth and seventeenth 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.

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

By Mr. Kelly—1. A bill to change the places of voting in certain election precincts in the counties of Christian and Logan.

By Mr. Harris, from the committee on claims—2. A bill for the appropriation of money.

By the committee for courts of justice—3. A bill to incorporate the Covington Hotel Company.

By Same—4. A bill for the benefit of George W. Nolen.

By Mr. J. M. Wright—5. A bill to incorporate the Bardstown and Bloomfield turnpike road company.
By Mr. G. Davis—6. A bill for the benefit of Amelia Allen.
By Mr. D. White—7. A bill for the benefit of Isaac King, of Whitley county.

Which 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 said bills having been dispensed with, the second was committed to a committee of the whole House; the first, third, fourth, fifth, sixth and seventh, were severally ordered to be engrossed and read a third time.

And thereupon, the rule of the house, constitutional provision, and third reading of said bills having been dispensed with, and the same being engrossed,

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

On motion—
Leave was given to withdraw the petition of sundry citizens of Christian county, in relation to an election precinct in said county, the petition and papers of Daniel Lipscomb, and the papers of Thomas S. Ellison.

Mr. Irwin, read and laid on the table the following joint resolution.

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Board of Internal Improvement be, and they are hereby instructed to cause the principal Engineer, or one of his assistants, to survey the route for a railroad from Russellville to the state line, in the direction to Clarksville, during the months of May and June.

The committee on claims, to whom was referred a bill from the Senate entitled, an act for the benefit of Anter Conder, reported the same without amendment.

Ordered, That said bill be read a third time.

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

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

Ordered, That the Clerk inform the Senate thereof.

A bill from the Senate entitled, an act incorporating the South Frankfort Bridge Company, was read the first time, and ordered to be read a second time.

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

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

Ordered, That the Clerk inform the Senate thereof.
The committee on propositions and grievances, to whom was referred a bill from the Senate, entitled, an act to appoint commissioners to run and mark the line between Union and Washington counties, and for other purposes, reported the same with an amendment.

And the question being taken on the adoption of said amendment, it was decided in the negative.

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


Mr. Trapnall then moved to lay 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. Trapnall and ——, were as follows, viz:


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

The same was then committed to a select committee of Messrs. Dever, Spalding, Allen and Ward.
On motion—
Ordered, That the committee on claims be discharged from the
further consideration of the petition of John H. Slaughter.

Mr. Johnson read and laid on the table the following joint reso-


lution, viz:

Resolved by the General Assembly of the Commonwealth of Ken-
tucky, That the Auditor of Public Accounts be required to trans-
mit to each county court Clerk, within this Commonwealth, three
copies of "an act to alter the tax on wholesale and retail stores and
groceries," and to write to each Clerk to hand over the same to
the several commissioners appointed to take in list of taxable prop-
erty within the several counties of this Commonwealth; and that
the public printer be required, forthwith, to print three hundred cop-
ies of the above recited act and hand the same over to the auditor
of public accounts.

And thereupon, the rule of the House requiring joint resolutions
to lie on the table one day, having been dispensed with, the said
resolution was then twice read and adopted.

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

On motion—
Ordered, That leave of absence for the remainder of the present
session, be granted Mr. H. G. Davis.

The House took up the resolution in relation to the National
road.

Mr. R. Wickliffe moved to lay said resolution on the table for
the present.

And the question being taken thereon, it was decided in the ne-
gative.

The yeas and nays being required thereon, by Messrs. School-
field and Ritchie, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Allen, Blackwell, Blair, Bow-
ing, Bradley, Clark, Copeland, Cunningham, Curd, Dougherty,
Fournoy, Funk, Harris, Hawkins, Hudspeth, Hunter, Jasper,
Kirtley, Lashbrook, R. N. Lewis, McElroy, Marshall, N. Maxey,
R. Maxey, Meriwether, Miles, Mitchell, Norvell, Spalding, Tum-
man, R. Wickliffe—32.

NAYS—Messrs. Bailey, Beaseman, Buford, Clay, G. Davis,
Dever, Donaldson, Drye, Ford, Goodson, Harvie, Heran, Huston,
Ingram, Irwin, J. Jackson, Johnson, Joyes, Kelly, Lansdale,
R. G. Lewis, McClure, McKee, McNary, Mason, Myers, Noel,
Parrish, Pryor, Rice, Riley, Ritchie, Schoolfield, Stevenson, Stew-
art, Thompson, Tompkins, Trappnell, Wallace, Ward, D. White,
S. W. White, C. A. Wickliffe, J. M. Wright, J. E. Wright,
Woodson—45.
The said resolutions were then twice read and adopted.

Ordered, That the Clerk inform the Senate thereof, and request their concurrence.

A message was received from the Senate, announcing that they insist upon their first amendment to the amendment proposed by this House to a bill from the Senate, entitled an act to appoint commissioners to make certain improvements in the navigation of Green river.

And their disagreement to the amendments proposed by this House, to the amendments of the Senate, to the amendments originally proposed by this House to said bill.

Resolved, That this House insist upon their amendments, and request a committee of conference.

And thereupon, Messrs. Marshall, G. Davis, Flournoy, Meriwether and Clay, were appointed a committee of conference on the part of this House.

Ordered, That Mr. Marshall inform the Senate thereof, and request the appointment of a committee on their part.

A message was received from the Senate announcing their disagreement to the amendments proposed by this House to a bill from the Senate, entitled, an act to provide for a change of venue in the case of John U. Waring.

And their concurrence in the amendments proposed by this House to the amendments of the Senate to a bill from this House, entitled, an act to incorporate the Paris railroad company.

Also their concurrence in the amendment proposed by this House to the amendment of the Senate to a bill from this House, entitled, an act to incorporate the Clarke and Madison Bridge Company, with an amendment to the amendment proposed by this House.

And the passage of bills from the Senate, of the following titles, viz:

An act directing the manner in which the stock of the Commonwealth in incorporated companies for works of internal improvement shall be vested.

An act to continue in force an act entitled, an act to improve the navigation of Big Sandy river, approved 22d Feb. 1834.

The following bills were taken up, read and laid on the table, viz:

A bill to digest the militia laws of this state.

A bill to change the time of the meeting of the General Assembly.

A bill to compensate Grand Jurors for their services.
A bill to fix the ratio and apportion the representation for the next ensuing four years.
A bill to incorporate a company to construct a bridge across the Kentucky river at the termination of Ann Street, in the town of Frankfort.
A bill to repeal the proviso in the 6th section of an act entitled, an act for classing tobacco, and for other purposes, approved Dec. 13, 1830.
A bill to amend an act, regulating the settling the accounts of executors, administrators and guardians.

Mr. Ford, from the committee on religion, to whom was referred bills from the Senate of the following titles, viz:
An act for the benefit of George Ann Vincent.
An act for the benefit of George Davis.
Reported the same without amendment.

Ordered, That the said bills be read a third time.

And thereupon, the rule of the House, constitutional provision, and third reading of said 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.

On motion—

Ordered, That the committee for courts of Justice be discharged from the further consideration of the petition of the citizens of Crab Orchard, in relation to the Crab Orchard and Franklin turnpike road.

On motion—

Ordered, That the committees for courts of justice, religion and ways and means, be discharged from the consideration of all bills and petitions now in their possession.

The committee on internal improvement, to whom was referred a bill from the Senate, entitled, an act to incorporate a company to construct a turnpike road from Frankfort to Ghent, by way of Owenton and New Liberty, and to incorporate a company to construct a turnpike road from Georgetown to Warsaw, by way of Stampingground and Owenton, reported the same without amendment.

Ordered, That said bill be read a third time.

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

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

Ordered, That the Clerk inform the Senate thereof.

Bills of the following titles, viz:
An act to amend the penal laws and to authorize certain improvements within the walls of the Penitentiary.

An act to authorize the citizens of Lexington to vote upon the question of a repeal of their charter.

Were read a third time.

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

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

A bill entitled an act to incorporate the Lexington Fuel company, was read a third time.

Mr. G. Davis moved to amend said bill by an engrossed clause, by way of rider, which being twice read, was adopted.

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

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

Bills of the following titles, viz:

A bill to authorize the taking of the depositions of certain officers of this Commonwealth, and the officers of Banks, to be read in chief in common law suits.

A bill for the benefit of Henry Hall.

A bill to appropriate a sum of money to improve the road from Columbia to Grider's ferry on Cumberland river.

A bill to protect mill dams and bridges.

Were severally read the 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 bills having been dispensed with, and the same being engrossed,

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

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

A message was received from the Senate announcing their disagreement to the amendments proposed by this House, to a bill from the Senate, entitled, an act to establish the Louisville chancery court.

A joint resolution from the Senate, for printing the titles of the acts of the present session, was twice read and concurred in.

Ordered, That the Clerk inform the Senate thereof.

A joint resolution from the Senate in relation to the navigation of Cumberland river below Clarkesville, was twice read and concurred in.

Ordered, That the Clerk inform the Senate thereof.
A bill from the Senate entitled, an act for the distribution of Morehead and Brown's Digest and H. Pirtle's Digest, 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,

The question was taken upon the passage thereof, and decided in the negative, and so said bill was disagreed to.

The yea and nays being required thereon by Messrs. Donaldson and McKee, were as follows, viz:


Mr. Hawkins then moved a reconsideration of said vote rejecting said bill.

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

The question was then taken on the passage of said bill and decided in the affirmative.

The yea and nays being required on the passage thereof, by Messrs. C. A. Wickliffe and Brown, were as follows, viz:


Resolved, That this House recede from their amendments proposed to a bill from the Senate entitled, an act providing for a change of venue in the case of John U. Waring.

Ordered, That the Clerk inform the Senate thereof.

The amendments proposed by the Senate to bills from this House of the following titles, viz:

An act concerning roads west of the Tennessee river.
An act further to regulate the boards of internal improvement, for the counties west of the Tennessee river.

Were twice read and disagreed to.

Ordered, That the Clerk inform the Senate thereof.

The amendments proposed by the Senate to a bill from this House entitled, an act to extend the powers of the trustees of the town of Winchester, and for other purposes, were twice read and concurred in.

Ordered, That the Clerk inform the Senate thereof.

The amendments proposed by the Senate to the amendments proposed by this House to the amendments proposed by the Senate to a bill from this House, entitled, an act to incorporate the Clarke and Madison Bridge Company, were twice read and concurred in.

Ordered, That the Clerk inform the Senate thereof.

The committee of ways and means, to whom was referred a bill from the Senate, entitled, an act providing further compensation for killing wolves in this Commonwealth, reported the same without amendment.

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

And thereupon, the rule of the House, constitutional provision, and third reading of said bill having been dispensed with.

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

Ordered, That the Clerk inform the Senate thereof.

The same committee, to whom was referred a bill entitled, an act for the benefit of Christopher Rinerson, Jr., of Casey county, reported the same without amendment.

And the question being taken upon reading the said bill a third time, it was decided in the negative, and so the said bill was disagreed to.

Ordered, That the Clerk inform the Senate thereof.

The amendments proposed by the Senate to a bill from this House entitled an act to authorize the citizens of Lexington to vote upon the question of a repeal of their charter, were twice read and concurred in.

Ordered, That the Clerk inform the Senate thereof.
The committee for courts of justice, to whom was referred a bill providing for the sale of the unsurveyed land west of the Tennessee river, reported the same with 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,

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

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

And then the House adjourned.

MONDAY, FEBRUARY 29, 1836.

A message was received from the Senate, announcing the passage of bills from this House, of the following titles, viz:

An act to incorporate the Princeton and Ohio turnpike road company, and for other purposes.

An act authorizing the running and marking the dividing line between the counties of Jefferson and Bullitt.

An act concerning the town of New Market, in Marion county.

An act for the benefit of Nicholas M. Ferguson and Harriet Ferguson.

An act to incorporate the Taylorsville and Harrodsburg turnpike company, and for other purposes.

An act to establish the town of Barnettsville, in Hart county.

An act to change the place of voting in the Cedar precinct in Owen county.

An act to change the places of voting in certain election precincts in the counties of Christian and Logan.

An act to amend the penal laws and to authorize certain improvements within the walls of the Penitentiary.

An act for building a bridge across Russell's creek, in Adair county.

With amendments to the last.

And the passage of bills from the Senate, of the following titles, viz:

An act to remove the obstructions of Pond river, and other streams.
An act to appoint trustees of the public library.
An act for the benefit of the town of Lafayette, in the county of Christian.
An act to incorporate the Campbell county Silk Culture and Manufacturing Company.
An act to change the time of holding the court of assessment for the 35th Regiment Kentucky Militia.
An act authorizing the extension of the time for which the bonds of the state may be sold for the payment of stock in the Northern Bank of Kentucky.

Mr. Norvell from the joint committee on enrolments, reported that the committee had examined sundry enrolled bills, and had found the same truly enrolled, viz:
An act to allow Samuel Graves a change of venue.
An act to incorporate the Dover and Minerva turnpike road company.
An act for the benefit of the heirs of Lucy N. Fishback, and to authorize William R. Griffith to sell and convey certain lands.
An act for the benefit of the Roberson seminary.
An act for the benefit of the legal department of Transylvania University.
An act for the benefit of Margaret Bogus.
An act to reduce the number of justices of the peace in Bullitt county.
An act for the benefit of Abigail Linney.
An act for the benefit of Lewis and Greenup counties.
An act to authorize the county courts of Jessamine, Woodford, Warren and Mercer counties, to sell their poor houses.
An act for the benefit of Mary Lightfoot.
An act to amend an act entitled, an act to incorporate the Winchester and Lexington turnpike company.
An act for the benefit of Aaron Allison.
An act to change the name of William McNutt to that of William Basye.
An act for the benefit of Joseph Clarke, late sheriff of Franklin county.
An act for the benefit of William Tuggle's devisees and heirs.
An act to incorporate the Richmond and London turnpike road company.
An act incorporating the Bardstown Female Academy.
An act respecting the town of Burlington.
An act to incorporate the Georgetown accommodation company.
An act for the benefit of Israel Rose.
An act to incorporate the Owingsville, Sharpsburg and Paris turnpike road company.
An act to incorporate the Louisville, Nashville and Knoxville railroad company.
An act to regulate the town of Falmouth, in Pendleton county.
An act to change the present mode of summoning jurors in this Commonwealth, and to provide for their compensation.
An act to incorporate the Stanford and Lancaster Turnpike road Company.
An act to incorporate a turnpike road company from the Poplar Plains, in Fleming county, to Louisa, in Lawrence county.
An act to establish the town of Hustonsville, in Lincoln county, and for other purposes.
An act to alter the tax on wholesale and retail stores and groceries.
An act to change the Maysville election precinct, and for other purposes.
An act for the benefit of Amelia Baber.
An act for the benefit of Elizabeth Hinds.
An act to provide for the appointment of patrols in this Commonwealth.
An act regulating the time of holding the county court of Livingston county.
An act to change the place of voting in the Cedar precinct, in Owen county.
An act to change the places of voting in certain election precincts in Christian and Logan counties.
An act for the benefit of Nicholas M. Ferguson and Harriet Ferguson.
An act concerning the town of Newmarket, in Marion county.
An act authorizing the running and marking the dividing line between the counties of Jefferson and Bullitt.
An act to incorporate the Taylorsville and Harrodsburg turnpike road company, and for other purposes.
An act to amend the penal laws and to authorize certain improvements within the walls of the Penitentiary.
An act to establish the town of Barnettsville, in Hart county.
An act to incorporate the Clarke and Madison Bridge Company.
An act to incorporate the owners of the Mansion House Hotel, in the town of Frankfort, and the Phoenix Hotel, in Lexington.
An act to allow an additional justice of the peace to the county of Lincoln, and for other purposes.
A report and resolution directing the removal of Major I. Price from the office of justice of the peace for Logan county.
An act to incorporate the South Frankfort Bridge Company.
An act for the benefit of Anter Conder.
An act defining the powers and duties of the board of internal improvement, and for other purposes.
An act changing the time of selecting trustees for the town of Paducah.
An act to provide for the management of the Louisville Marine Hospital.
An act for the benefit of George Davis.
An act for the benefit of Elizabeth Logan’s heirs.
An act for the relief of Catharine Anderson.
An act for the benefit of the heirs of John R. Nelson, dec’d.
An act concerning the Grand Lodge of Kentucky.
An act to change the time of holding the Owen circuit court, and for regulating the terms of the Fayette circuit court.
An act for the benefit of George Ann Vincent.
An act to incorporate the Franklin Fire and Marine Insurance Company of Louisville.
An act to incorporate the Portland Dry Dock and Insurance Company.
An act to amend an act entitled an act for the internal improvement of the state of Kentucky, approved 28th February, 1835.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Norvell 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 continue in force an act entitled, an act to improve the navigation of Big Sandy river, approved 22d February, 1834.
2. An act to remove the obstructions out of Pond river, and other streams.
3. An act directing the manner in which the stock of the Commonwealth in incorporated companies for works of internal improvement, shall be voted.
4. An act to incorporate the Campbell county Silk Culture and Manufacturing Company.
5. An act for the benefit of the town of Lafayette, in the county of Christian.
6. An act to change the time of holding the court of assessment for the 35th Reg’t. of Ky. Militia.
7. An act to appoint trustees to the public library.
8. An act authorizing an extension of the time for which the bonds of the state may be sold for the payment of stock in the Northern Bank of Kentucky.

And thereupon, the rule of the House, constitutional provision, second and third readings of said bills having been dispensed with, (the first and sixth being amended).

Resolved, That 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 said amendments to the first and sixth bills.

The House then resolved itself into a committee of the whole House, upon a bill for the appropriation of money—Mr. Ford in
the chair—and after some time spent therein, the Speaker resumed
the chair, when Mr. Ford reported, that the committee had,
according to order, had under consideration the bill aforesaid; and
had made sundry amendments thereto, which the committee had
directed him to report to the House, which he handed in at the
clerk’s table.

The said amendments were twice read and concurred in.

Ordered, That the said bill 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,

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

Ordered, That the Clerk carry said bill to the Senate and re-
quest their concurrence.

Mr. R. Wickliffe, from the select committee to whom was referred
that part of the message of the Lieutenant and acting Governor in
relation to abolition societies, together with the reports and resolu-
tions communicated to him by the Executives of the states of North
and South Carolina, upon the same subject, made a report with
sundry resolutions accompanying the same;

And thereupon, the rule of the House, which requires joint reso-
lutions to lie one day on the table, having been dispensed with, the
said report and resolutions were twice read and adopted.

Ordered, That the Clerk inform the Senate thereof, and request
their concurrence.

The committee on military affairs, to whom was referred a bill
concerning the public arms, reported the same with an amendment,
which being twice read, was concurred in.

Ordered, That 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,

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

Ordered, That the Clerk carry said bill to the Senate and re-
quest their concurrence.

Mr. Marshall from the select committee to whom was referred
the petition of sundry citizens of the city of Louisville, in relation
to the establishment of a Branch of the Bank of the United States,
lately incorporated by the Legislature of Pennsylvania, in this
state, made the following report, viz:

The select committee, to whom was referred a petition from a
large number of the citizens of Louisville and Jefferson county,
praying the Legislature to invite a branch of the bank said to have been recently chartered by the state of Pennsylvania, to be located within this state, have given to the subject such consideration as was possible under the circumstances, and beg leave to report:

The committee remark, in the first place, that they have had no opportunity of examining the charter, and that the very fact of its passage has been denied in the public prints, since the aforesaid petition has been referred. They thought it necessary to their recommendation of any decided action, upon the part of the Legislature of Kentucky, that they should have a full opportunity of examining the provisions of the law, and estimating the effects of this new monied corporation. It appeared at once that a bank of Pennsylvania must needs be somewhat different in its character and operation from the Bank of the United States. The fall of the latter institution has revolutionized the monetary system of every state in the Union. What effect this change is to produce upon the interests of the country, time will determine. Kentucky has adopted her system, she has incorporated a very large amount of banking capital, she has a large stake in her domestic institutions, and her system of internal improvement is intimately connected with the success and prosperity of her banking institutions. Your committee do not mean to go into the question presented by the petition before them. They are aware of the evils which a pernicious system of state banking once brought upon the trade and industry of this country, evils which were then corrected slowly and with great difficulty, by the operations of the Bank of the United States. Whether the establishment of a branch of the bank of Pennsylvania, will prevent a recurrence of the same evils, and be a means of securing a sound administration of our own state banks, the committee feel at this time unable to decide. They feel confident however, that any legislative action upon the subject, at the present session, would be precipitate and inexpedient, and recommend that the whole subject be left open and free for future consideration, when our information shall be more complete, and the power, character and tendencies of the new bank shall have been somewhat developed.

Which was received, read and adopted.

The committee on internal improvement, to whom was referred a bill from the Senate entitled, an act to incorporate a company to construct a turnpike road from Versailles, by Christopher's landing, to intersect the road from Harrodsburg to Frankfort, in a direction to Louisville, reported the same with an amendment, which being twice read, was concurred in.

Ordered, That the said bill be read a third time.
And thereupon, the rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

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

Ordered, That the Clerk inform the Senate thereof and request their concurrence in said amendment.

On motion—

Ordered, That a message be sent to the Senate, asking leave to withdraw the report announcing the passage of a bill from the Senate by this House, entitled, an act for the distribution of Morehead and Brown’s Digest, and H. Printle’s Digest; and after some time the messenger returned and reported that the Senate refused to grant the leave.

The resolution requiring the state Engineer to view the route of a railroad from Russellville to Clarkesville, was taken up, twice read and adopted.

Ordered, That the Clerk inform the Senate thereof and request their concurrence.

Ordered, That the public printer forthwith print three thousand copies of the report of the principal Engineer of the state, in relation to the Kentucky river, and three thousand copies of the act of the present session, entitled, an act defining the powers and duties of the board of internal improvement, and for other purposes, for the use of the members of this House.

Mr. G. Davis, from the select committee, who were appointed to prepare and bring in the same, reported a bill authorizing an additional justice of the peace for Bourbon county, which was received, 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 the Clerk carry said bill to the Senate, and request their concurrence.

The committee on military affairs, to whom was referred a bill from the Senate entitled, an act to improve the state arsenal, reported the same without amendment.

And the question being taken upon ordering said bill to be read a third time, it was decided in the negative, and so the said bill was rejected.

Mr. Dever, from the committee to whom was referred a bill from the Senate, entitled, an act to appoint commissioners to run and
mark the line between Marion and Washington counties, and for other purposes, reported the same with an amendment.

Mr. Trapnall then moved to lay 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. Dever and ——, were as follows, viz:


NAYS—Mr. Speaker, Messrs. Allen, Bailey, Blackwell, Bowling, Bradley, Buford, Clark, Clay, Copeland, Dever, Dougherty, Drye, Ford, Funk, Goodson, Harris, Heran, Hudspeth, F. F. Jackson, J. Jackson, Jasper, McClure, McElroy, Mansfield, Meriwether, Miles, Norvell, Parrish, Rice, Ritchie, Spalding, Stevenson, Thompson, J. E. Wright—35.

The said amendment was then twice read and concurred in.

Ordered, That the said bill, as amended, be read a third time. Mr. Mitchell then moved to lay said bill on the table for the present.

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

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


Mr. Tompkins moved the following resolution:

Resolved by the House of Representatives, That the door keeper be hereby directed to call at the auditor's office for one hundred printed lists of forfeited lands, and distribute them amongst the members of this House.

Which being twice read, was adopted.
On motion—
Ordered, That Mr. Irwin be added to the committee on enrolments.

Resolved, That this House insist upon their amendment proposed to a bill from the Senate, entitled, an act to amend an act to establish the Louisville chancery court, and request a committee of conference.

Whereupon Messrs. Marshall, C. A. Wickliffe and Joyes, were appointed a committee on the part of this House.

Ordered, That Mr. Marshall inform the Senate thereof, and request the appointment of a committee on their part.

After a short time, a message was received from the Senate announcing the appointment of a committee on the part of the Senate.

A message was received from the Senate, announcing the passage of a bill from this House, entitled, an act to authorize the building of a bridge across Big Mayfield's creek, at or near Daviess' old mill, with an amendment.

The amendments proposed by the Senate to bills which originated in this House, of the following titles, viz:

An act to authorize the construction of a bridge over Buck creek, in Pulaski county.
An act for building a bridge across Russell's creek, in Adair county.
An act to authorize the building of a bridge across Big Mayfield's creek, at or near Daviess' old mill.

Were twice read, and concurred in.

Ordered, That the Clerk inform the Senate thereof.

A message was received from the Senate, announcing that they recede from their first amendment proposed to a bill from this House, entitled, an act to allow an additional justice of the peace to Lincoln county, and for other purposes; and propose another amendment in lieu of their first amendment; which amendment was twice read, and concurred in.

A message was received from the Senate, announcing their concurrence in the adoption of the report and resolution from this House, recommending the removal of Major I. Price, a justice of the peace for Logan county, from office, by address, and the appointment of a committee on the part of the Senate, to inform the Governor thereof, and request his action thereon; and requesting the appointment of a committee on the part of this House, to act in conjunction with the committee on the part of the Senate.

Whereupon, Messrs. C. A. Wickliffe, Tompkins and Pryor, were appointed such committee.
A message was received from the Senate, announcing that they recede from the amendments proposed to a bill from this House, entitled, an act further to regulate the boards of Internal Improvement for the counties west of the Tennessee river.

And their disagreement to the passage of a bill from this House, entitled, an act to authorize an additional justice of the peace for Bourbon county.

And the passage of bills which originated in this House, of the following titles, viz:

- An act concerning the public arms.
- An act for the benefit of Isaac King, of Whitley county.
- An act to incorporate the Bardstown and Bloomfield turnpike road company.
- An act for the benefit of Amelia Allen.
- An act to incorporate the Covington Hotel Company.
- An act to authorize the taking of the depositions of certain officers of this Commonwealth, and the officers of Banks, to be read in chief in common law suits.
- An act for the benefit of Henry Hall.
- An act to incorporate the Lexington Fuel Company.
- An act for the appropriation of money.
- An act making an appropriation to build a bridge across Floyd's fork of Salt river, in Bullitt county.

With amendments to the two last.

And their concurrence in the amendments proposed by this House to bills from the Senate, of the following titles, viz:

- An act to appoint trustees to the public library.
- An act to incorporate a company to construct a turnpike road from Versailles, by Christopher's Landing, to intersect the road from Harrodsburg to Frankfort, in a direction to Louisville.

And their disagreement to the amendment proposed by this House to a bill from the Senate, entitled, an act to continue in force an act entitled, an act to improve the navigation of Big Sandy river, approved 22d Feb'y. 1834.

The amendments proposed by the Senate, to a bill from this House, entitled, an act for the appropriation of money, were twice read and concurred in.

Ordered, That the Clerk inform the Senate thereof.

Resolved, That this House recede from their amendment to a bill from the Senate, entitled, an act to continue in force, an act entitled, an act to improve the navigation of Big Sandy river, approved 22d February, 1834.

Ordered, That the Clerk inform the Senate thereof.
A message was received from the Senate announcing that they had received official information from the Lieutenant and acting Governor, that he had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act to incorporate a company to construct a turnpike road from Shelbyville to a point of intersection with the contemplated railroad near Christiansburg, in Shelby county.

An act for the benefit of the heirs of John Fouch.

An act appointing a commissioner to make conveyances in certain cases.

An act to fix the ratio and apportion the representation for the ensuing four years.

A resolution to appoint a joint committee to examine the surveys of the Kentucky river, made by the State Engineer, and for other purposes.

An act to amend the law of bail in civil actions.

An act to incorporate a college in Shelbyville, Shelby county.

An act to incorporate a company to construct a turnpike road from Springfield to Maxville, and thence to intersect the Crab Orchard road at Harrodsburg.

An act to incorporate the Newport Lyceum.

An act to amend the charter of the Bardstown and Green river turnpike road company.

An act prohibiting the making and circulating drafts, checks and orders, as money, in this Commonwealth.

An act concerning the town of Bowling green.

An act to incorporate the South Western Louisville turnpike road company.

An act to authorize a state road to be opened from Bloomfield, in Nelson county, to McCoun's ferry, in Mercer county.

An act to incorporate the Crab Orchard and Cumberland Gap turnpike company.

An act to repeal in part, an act amendatory of the several acts relating to the town of Newport, in Campbell county, approved 21th February, 1834, and also amendatory thereof.

An act to incorporate a company to construct a road from Cloverport to Hardinsburg.

An act to incorporate a company to turnpike the road leading from Elizabethtown to Bardstown, and for other purposes.

An act to incorporate a company to construct a turnpike road from Elizabethtown to Greensburg, by the way of Hodgenville and Somerville.

An act to amend the charter of the city of Covington.

An act to provide a sinking fund for the payment of the interest on loans for internal improvement, and for the final redemption of the principal of said loans.
An act to incorporate the Kentucky Mining Company.
An act for the benefit of the county of Jefferson.

Approved 29th February, 1836.

A message was received from the Lieutenant and acting Governor, by Mr. Owsley, Secretary of State, announcing that he had approved and signed enrolled bills which originated in this House, of the following titles, viz:

An act to incorporate a company to construct a turnpike road, from Porter's ferry, through Burlington to the Covington and Lexington turnpike road.
An act for the benefit of Thomas S. Ellison.
An act to amend the charter of the Louisville turnpike road company.
An act to amend the several acts of the General Assembly, in relation to the Deaf and Dumb Asylum at Danville.
An act to amend an act entitled, an act to incorporate the Covington and Cincinnati Manufacturing Company.
An act to legalize the proceedings of the court of assessment of fines in the 34th Regiment of Kentucky Militia, and for other purposes.
An act to amend an act, entitled, an act to incorporate the Glasgow and Munfordsville turnpike company.
An act appointing a commissioner on the Georgetown and Cincinnati road.
An act to change the name of Williamsburg, in Mason county.
An act to regulate the haymarket in Shelbyville, and for other purposes.
An act to change the places of voting in the Harrison and Licking precinct in Bath county.
An act to incorporate the Versailles, Midway and Georgetown turnpike company.
An act to incorporate the Louisville, Cincinnati and Charleston rail road company.
An act for the benefit of James Ramey.
An act for the benefit of the administratrix and heirs of John Hawkins, dec'd.
An act subjecting to county levy, in the counties of Caldwell and Livingston, all slaves that may hereafter be hired or otherwise introduced into said counties.
An act to amend an act, approved 22d December, 1831, entitled, an act to incorporate the Green river rail road company.
An act extending for a certain period, and with certain limitations, the charter of the old Bank of Kentucky.
An act to amend the charter of the Shepherdsville and Elizabethtown turnpike road company.
An act to authorize certain county courts to appoint constables and magistrates.

An act to incorporate the Paris, North Middletown and Mount-sterling turnpike road company.

An act for the benefit of Mary E. Stansbury.

An act to incorporate the Springfield, Perryville and Danville turnpike road company.

An act to incorporate the Newcastle Female Academy, and for other purposes.

Approved 29th February, 1836.

Mr. Irwin moved the following resolution, viz:

Resolved, That when this House adjourns, it shall meet to-morrow at 7 o'clock A.M., which being twice read was adopted.

And then the House adjourned.

TUESDAY, MARCH 1, 1836.

Mr. Harris asked leave to bring in a bill to change the law compensating grand jurors.

And the question being taken upon granting leave, it was decided in the negative.

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

YEAS—Mr. Speaker, Messrs. Bowling, Euford, Clarke, Dever, Flournoy, Ford, Funk, Goodson, Harris, Hollingsworth, Ingram, Irwin, J. Jackson, Leavell, McElroy, McKee, Mansfield, R. Maxey, Miles, Myers, Noel, Riley, Thomas, Tompkins, Tupman, D. White—27.


After the yeas and nays were taken, Messrs. Allen, Bradley, Parish, Copeland, Griffith, Spalding and Hudspeth, came in and asked leave to vote on the said question, in the affirmative, and it was refused by the House; and Mr. N. Maxey asked leave to record his vote in the negative, which was also refused.
The committee for courts of justice, to whom was referred a bill from the Senate entitled, an act for the benefit of the children of Barnard Vanderen, reported the same without amendment.

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

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

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

Ordered, That the Clerk inform the Senate thereof.

Mr. G. Davis, from the joint committee appointed to examine the Register's office, made the following report, viz:

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, surveys in bundles numbered from 1 to 273, neatly labelled with an alphabet. Also, thirteen bundles containing the caveated and defective surveys upon which grants have issued; four bundles of caveated surveys; two bundles of defective surveys, and one bundle of surveys mislaid from their proper places, all neatly labelled and recorded in eleven volumes well bound with a complete alphabet; two bundles of warrants located and mislaid; one bundle copies of wills; sixteen 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 in good order; a list of Virginia treasury warrants in two volumes; the record of preemption warrants in one volume; and one volume containing the record of warrants issued under the proclamation of 1763, with alphabets in good order; Commissioners' certificates granted in 1779 and '80, in three volumes with alphabets in good order; the sale books of non-residents' lands for the year 1801, '2 and '4, have a new alphabet, (though the books are somewhat worn;) the books in which the sales of 1805, 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 bundles numbered from 1 to 145, neatly labelled with an alphabet; the record of three surveys, together with the record of some grants in eleven volumes, with an alphabet in good order; the grants issued on the aforesaid surveys are in nineteen volumes with an alphabet in good order; the surveys on headright claims are neatly registered in three volumes with two alphabets, one of which is much worn; the headright plats and certificates of survey are neatly labelled and recorded in seventeen volumes with two alphabets in good order, and are filed in

[Further text continues with detailed descriptions of the organization and condition of the records in the Land Office, including alphabetical labelling, registration dates, and types of documents such as warrants, certificates, and records of surveys.]
bundles numbered from 1 to 316; the grants issued thereon are recorded in twenty-eight volumes well bound, with two alphabets in good order; land warrants issued under the act of 1800, the surveys and grants on the same, and also the Tellico surveys and grants are in three volumes,—they are registered in one volume;—the original surveys are tied up in thirteen bundles neatly labelled all in good order; nine bundles of certificates on which warrants have issued; six bundles of certificates of sale of non-residents' lands on which deeds have been made; one hundred Attorney General's opinions to the Register; three bundles county court certificates; seven bundles of caveats since 1792; four bundles caveated surveys since 1792; two bundles of surveys not registered for want of fees since 1792; one bundle of defective surveys since 1792; forty-four bundles of vouchers on which the late Kentucky land warrants have issued, all neatly 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 of relinquishments in tolerable order; a list of Kentucky Land Warrants issued under the act of 1814, and subsequent acts, in three volumes, and the record of said warrants in ten volumes; the original surveys made on said warrants are tied up in 414 bundles, neatly labelled and recorded in sixteen volumes well bound; the grants issuing thereon are recorded in thirty-two volumes, with three alphabets in good order; the said surveys are neatly registered in five volumes, with three alphabets in good order; three volumes in which caveats are recorded, with alphabets; eleven books of original entries from the county of Fayette, neatly transcribed in four volumes, well bound, with an alphabet in good order; 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, all of which books of entries are in order fit to be used; the surveyors of Jefferson county have 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 recorded, and one volume in which they are registered; the surveys are tied up in six bundles, each volume having a separate alphabet; three volumes in which certificates of sales of lands west of the Tennessee river are recorded; seven volumes of grants issued thereon, with alphabets in good order; one volume of
Henderson's field notes; one volume in which the surveys of land south of Walker's line are recorded; three volumes of grants; one volume in which the same are registered, with alphabets in good order; the surveys are tied up in sixteen bundles neatly labelled; one volume of the list of warrants south of Walker's line; one volume in which these warrants are recorded; one volume in which the surveys on forfeited lands are registered; one volume of the record of grants on the same, with alphabets in good order; and thirteen bundles of certificates of sale of lands west of the Tennessee river, on which grants have issued.

SAMUEL LUSK, Committee of the Senate,
AQUILLA YOUNG,
GARRET DAVIS, Committee of the House,
R. F. KELLY,
WM. JOHNSON.

A message was received from the Senate, announcing their concurrence in the resolutions respecting abolition societies.

The committee on enrolments reported that they had examined sundry enrolled bills, which originated in this House, of the following titles, viz:

An act for building a bridge across Russell's creek in Adair county.
An act further to regulate the boards of internal improvement for the counties west of the Tennessee river.
An act to authorize the building of a bridge across Big Mayfield's creek, at or near Davies' old mill.
An act to authorize the construction of a bridge over Buck Creek in Pulaski county.
An act for the benefit of Henry Hall.
An act for the benefit of Isaac King, of Whitley county.
An act concerning the public arms.
An act to incorporate the Bardstown and Bloomfield turnpike road company.
An act for the benefit of Amelia Allen.
An act to authorize the taking of the depositions of certain officers of this Commonwealth, and the officers of Banks, to be read in chief in common law suits.
An act for the appropriation of money.
Resolutions respecting abolition societies.
An act making an appropriation to build a bridge across Floyd's fork of Salt river, in Bullitt county.
An act to authorize the improvement of the hill at Mill's Point on the Mississippi river.
An act for the benefit of the administrator and heirs of Joseph L. McGee, dec'd.
An act to extend the powers of the trustees of the town of Winchester, and for other purposes.

An act allowing Lewis Adams a change of venue.

An act to incorporate the Paris Rail Road Company.

An act to authorize the citizens of Lexington to vote upon the question of a repeal of their charter.

An act to incorporate the Princeton and Ohio turnpike road company, and for other purposes.

An act to incorporate the Covington Hotel Company.

An act to incorporate the Lexington Fuel Company.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Anderson inform the Senate thereof.

In a short time, a message was received from the Lieutenant and acting Governor, by Mr. Cox, Secretary of State, announcing that he had signed and approved said bills.

The committee on enrolments reported that the committee had examined sundry enrolled bills, which originated in the Senate, and had found the same truly enrolled, viz:

An act to change the time of holding the court of assessment for the 35th Regt. of Ky. Militia.

An act for the distribution of Morehead and Brown's Digest, and Pirtle's Digest.

An act to remove the obstructions of Pond river, and other streams.

An act directing the manner in which the stock of the Commonwealth in incorporated companies for works of internal improvement, shall be voted.

An act authorizing an extension of the time for which the bonds of the state may be sold for the payment of stock in the Northern Bank of Kentucky.

An act to incorporate the Campbell county Silk Culture and Manufacturing Company.

An act to incorporate the Lexington Fire, Life and Marine Insurance company.

An act concerning the Estill Seminary.

An act concerning the Auditor's and Treasurer's offices.

An act for the benefit of Richard Hazle.

An act for the benefit of Nancy Duncan.

An act providing for a change of venue in the case of John U. Waring.

A resolution for printing the acts of the present session.

An act for the benefit of Jeremiah Dobson and Aaron P. Hodges, of the county of Calloway.

An act providing further compensation for killing wolves in this Commonwealth.
An act to authorize the clerk of Woodford county to record all deeds, which were not recorded in said office at the time of the death of the late clerk.

An act to incorporate the McChord Church Session and Trustees.

An act to protect the actual settlers west of the Tennessee river.

An act to amend an act entitled an act regulating the mode of settling accounts of executors, administrators and guardians.

An act to continue in force an act entitled, an act to improve the navigation of Big Sandy river, approved 22d Feb. 1831.

An act to provide for the instruction of the convicts in the Penitentiary.

An act to incorporate a company to construct a turnpike road from Frankfort to Ghent, by way of Owenton and New Liberty, and to incorporate a company to construct a turnpike road from Georgetown to Warsaw, by way of Stampingground and Owenton.

An act to incorporate the towns of Harrodsburg and Danville.

An act for the benefit of the settlers west of the Tennessee river, whose improvements have been entered by Seminary claims.

An act extending the powers of the city authorities and trustees of towns, in this Commonwealth.

An act for the benefit of George P. Jouett and others.

An act for the benefit of John P. Porter, and the heirs and securities of Reuben Adams, deceased.

An act for the benefit of the children of Bernard Vanderen.

An act to improve the road leading from Cumberland Ford to Mount Pleasant, in Harlan county.

An act for the benefit of the town of Lafayette, in the county of Christian.

An act legalizing the appointment of an agent to wind up the concerns of the late Farmers' Bank of Harrodsburg.

An act to appoint trustees to the public library.

An act to incorporate a company to construct a turnpike road from Versailles, by Christopher's landing, to intersect the road by Harrodsburg to Frankfort, in a direction to Louisville.

An act to construct a bridge across Chaplin's Fork, at or near Hobbs' old mill, in Washington county.

A resolution in relation to the navigation of Cumberland river below Clarkesville.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Anderson inform the Senate thereof.

After a short time a message was received from the Senate, announcing that they had received official information that the Lieutenant and acting Governor had signed and approved said bills.
A message was received from the Senate announcing that they had received official information from the Lieutenant and acting Governor, that he had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act for the benefit of Anter Conder.
An act to incorporate the South Frankfort Bridge Company.
An act to incorporate the Portland Dry Dock and Insurance Company.
An act for the benefit of George Ann Vincent.
An act to change the time of holding the Owen circuit court, and for regulating the terms of the Fayette circuit-court.
An act concerning the Grand Lodge of Kentucky.
An act for the benefit of the widow and heirs of Thomas Wood.
An act for the benefit of the heirs of John R. Nelson, dec'd.
An act for the relief of Catharine Anderson.
An act for the benefit of Elizabeth Logan's heirs.
An act for the benefit of George Davis.
An act to provide for the management of the Louisville Marine Hospital.
An act changing the time of electing trustees for the town of Paducah.
An act to incorporate the Franklin Fire and Marine Insurance Company of Louisville.
An act the better to protect the proprietors of ferries across the Ohio river.

Approved 29th February, 1836.

A message was received from the Lieutenant and acting Governor, by Mr. Cox, Secretary of State, announcing that he had signed and approved sundry bills which originated in this House, of the following titles, viz:

An act to change the Maysville election precinct, and for other purposes.
An act to alter the tax on wholesale and retail stores and groceries.
An act for the benefit of Abner Pepper.
An act for the benefit of Hannah Hunter.
An act for the benefit of Benjamin Craig.
An act to reduce the number of justices of the peace and constables in Adair county.
An act to establish the town of Hustonville, in Lincoln county, and for other purposes.
An act to incorporate the Standford and Lancaster Turnpike road Company.
An act to incorporate a turnpike road company from the Poplar Plains, in Fleming county, to Louisa, in Lawrence county.
An act to change the present mode of summoning jurors in this Commonwealth, and to provide for their compensation.

An act for the benefit of Elizabeth Hinds.

An act for the benefit of Amelia Baber.

An act regulating the time of holding the county court of Livingston county.

An act to provide for the appointment of patrols in this Commonwealth.

An act to incorporate the Louisville, Nashville and Knoxville railroad company.

An act to regulate the town of Falmouth, in Pendleton county.

An act to incorporate the Georgetown accommodation company.

An act respecting the town of Burlington.

An act incorporating the Bardstown Female Academy.

An act to incorporate the Richmond and London turnpike road company.

An act for the benefit of Joseph Clarke, late sheriff of Franklin county.

An act for the benefit of William Tuggle’s devisees and heirs.

An act to change the name of William McNutt to that of William Basye.

An act for the benefit of Aaron Allison.

An act to amend an act entitled, an act to incorporate the Winchester and Lexington turnpike company.

An act to authorize the county courts of Jessamine, Woodford, Warren and Mercer counties, to sell their poor houses.

An act for the benefit of Mary Lightfoot.

An act for the benefit of Abigail Linney.

An act for the benefit of Lewis and Greenup counties.

An act for the benefit of Margaret Bogus.

An act to reduce the number of justices of the peace in Bullitt county.

An act for the benefit of the Robertson seminary.

An act for the benefit of the legal department of Transylvania University.

An act for the benefit of the heirs of Lucy N. Fishback, and to authorize William R. Griffith to sell and convey certain lands.

An act to incorporate the Dover and Minerva turnpike road company.

An act to allow Samuel Graves a change of venue.

An act for the benefit of Israel Rose.

An act to incorporate the Owingsville, Sharpsburg and Paris turnpike road company.

An act for the benefit of Stephen Peyton’s heirs, and others.

An act concerning the town of New Market, in Marion county.

An act authorizing the running and marking the dividing line between the counties of Jefferson and Bullitt.

MARCH 1.] HOUSE OF REPRESENTATIVES. 431

An act to change the places of voting in certain election precincts in Christian and Logan counties.

An act for the benefit of Nicholas M. Ferguson and Harriet Ferguson.

An act to change the place of voting in the Cedar precinct, in Owen county.

An act to incorporate the Taylorsville and Harrodsburg turnpike road company, and for other purposes.

An act to amend the penal laws, and to authorize certain improvements within the walls of the Penitentiary.

An act to establish the town of Barnettsville, in Hart county.

An act to incorporate the owners of the Mansion House Hotel, in the town of Frankfort, and the Phoenix Hotel, in Lexington.

An act to incorporate the Clarke and Madison Bridge Company.

An act to allow an additional justice of the peace to the county of Lincoln, and for other purposes.

Report and resolutions requiring the removal of Major I. Price from the office of justice of the peace.

Approved 29th February, 1836.

The Speaker having retired from the chamber, Mr. Allen was desired to take the chair.

Whereupon Mr. Riley moved the following resolution, which was twice read, and unanimously adopted, viz:

Resolved, That the thanks of this House be tendered to the Hon. John L. Helm, for the able, impartial and independent manner in which he has discharged the duties of Speaker of the House, during the present session.

A message was received from the Senate, by Mr. Guthrie, announcing that they had finished their legislative business, and were now ready to close the present session of the General Assembly, by an adjournment on their part, without day; and had appointed a committee on their part, to act in conjunction with the committee on the part of the House, to wait on the Lieutenant and acting Governor, and inform him of the proposed adjournment of the General Assembly, and to know if he had any further communication to make.

Whereupon, Messrs. Allen, Bailey and Meriwether were appointed the committee on the part of this House.

The committee on the part of this House then retired, and after a short time returned, when Mr. Allen, from said committee, reported that the joint committee had discharged the duty assigned them, and were informed by the Lieutenant and acting Governor, that having, from time to time, during the present session, communicated his views to the General Assembly, he had now no further communications to make.

Whereupon the Speaker, having delivered a congratulatory and valedictory address, adjourned the House, sine die.
APPENDIX TO THE H. R. JOURNAL.

REPORT

OF THE

Board of Internal Improvement.

The Board of Internal Improvement would respectfully report to the General Assembly of Kentucky:

That shortly after the adjournment of the last legislature, they organized themselves, and proceeded to the discharge of the duties assigned them. Regarding the appointment of a suitable engineer as the first business of importance, their attention was first directed to that object; and after making satisfactory enquiries, they tendered the appointment of principal engineer to Mr. Stealey, a gentleman of high character in Pennsylvania, and that of assistant to N. B. Buford, Esq., then in the service of the United States, as one of the professors in the military academy at West Point. The former gentleman declined the appointment; and the board then appointed Maj. R. P. Baker, who came in the month of August entered into the service of the state. Considering the large sums contingently appropriated by the law of the last session, for the improvement of the navigation of the principal rivers, therein mentioned, the board regarded it their duty to direct satisfactory examinations and surveys to be made of them; and accordingly, the engineers were thus engaged, during the fall months—that being the only season when the stage of water justified their being made.

In the month of September the principal engineer was directed to proceed from some eligible point on the Rockcastle river, to examine the condition of that river, and its susceptibilities for improvement. From the confluence of that river, with the Cumberland, he visited the latter at Barboursville, with the view of forming an opinion of the probability of connecting it with the head waters of the Kentucky, and of ascertaining the productions and resources of the adjacent country.

The assistant engineer, in the mean time, was engaged in examining the impediments to the navigation of the upper Kentucky river, and
contracting for their removal, as provided for by the act of the last session, appropriating the sum of five thousand dollars for that purpose. The judicious expenditure of that sum will be advantageously felt in the additional facilities which it has contributed to the navigation of that river, to a distance of three hundred and fifty miles from its mouth. His report, and a sheet of drawings, are herewith transmitted.

About the 20th day of September the engineers repaired to the mouth of the Kentucky river, and commenced the survey of it, for the purpose of ascertaining its adaptation for slack water improvement. The examination was carefully made, and was completed to Frankfort, when the rise of the water prevented its continuance. The result of the survey—the opinion of the engineer as to the practicability of the proposed improvement of its navigation—the plans and the estimates of the cost, will be found embodied in his report, which, with his maps and profiles, are herewith communicated; and to which, the attention of your honorable body, is earnestly requested. The importance which is properly attached to the project of rendering the navigation of the Kentucky river perpetual during the whole year, requires, in this place, no laborious illustration. But the board will avail itself of this first opportunity of addressing the legislature, to offer their views upon the subject—views which are the result of their mature reflection—with the hope that they may not be without some influence in leading to conclusions connected with the permanent welfare and interests of the state.

1. The first question which presents itself, is, as to the practicability of converting the Kentucky river into an artificial canal, suitable for navigation of steam boats, keel and flat boats, and rafts, every day of the year.

2. The second enquiry is, as to the expediency of such an improvement, or in other words, whether the advantage to be derived from it would justify the expenditure.

1. Is it practicable?

The opinions of the engineers, now in the employment of the state, who have examined the river, with that object expressly before them, are wholly favorable. Experienced engineers of other states, to whom the subject has been submitted, concur in the opinion. The practice and experience of those states who have resorted, with entire success to that mode of improvement, would seem to be conclusive on the subject; and the board would very respectfully suggest, as the result of all their reflection and information, that it can no longer be regarded as an experiment.

2. Then, what are the advantages to arise from the application of that plan, to the great rivers of Kentucky, which would seem not only to justify, but to call for the expenditure of the money necessary to accomplish the purpose?

The board will assume it that the policy of improving the internal condition of the state, is now the settled policy of the legislature. It is also supposed, that such modes of improvement will be preferred and adopted, as are most suitable to the wants and condition of the several portions of the commonwealth; and the law of the last session, for internal improvement, would seem sufficiently to indicate the legislative
intention and preference as to the manner in which the improvements are to be directed.

From its sources, to its junction with the Ohio, the Kentucky river passes through a fine country for more than four hundred miles in extent. The counties immediately bordering on it are Perry, Clay, Estill, Madison, Clarke, Fayette, Jessamine, Garrard, Mercer, Woodford, Anderson, Franklin, Henry, Owen and Gallatin, furnishing a population, according to the census of 1830, of one hundred and sixty-seven thousand, two hundred and sixty-nine. The productions of those counties, and of others contiguous and tributary to it, are chiefly agricultural; but several of them contain inexhaustible resources of coal, iron, salt and lumber. Turning our attention for a moment to profitable markets for those latter articles, we find them along the whole line of the river, and more especially in the great commercial emporium of Kentucky, the flourishing city of Louisville. The board would very respectfully submit the following statement, derived from a source of much respectability and intelligence, of the value of those articles, consumed annually in that city, and imported, almost exclusively, from other states:

Estimates of the quantity and value of the lumber, coal, iron and salt which is annually purchased for consumption or re-production in the City of Louisville.

### LUMBER.

<table>
<thead>
<tr>
<th>Description</th>
<th>Quantity</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pine boards, from New York</td>
<td>10,000,000</td>
<td>$85,000</td>
</tr>
<tr>
<td>Board measure, c. $8 50</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shingles, from New York</td>
<td>10,000,000</td>
<td>$18,000</td>
</tr>
<tr>
<td>$1 75 to 2,00, per thousand</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pine and oak timber</td>
<td>240,000</td>
<td>$16,000</td>
</tr>
<tr>
<td>Joists, scantling, cherry, &amp;c.</td>
<td>6,000</td>
<td></td>
</tr>
<tr>
<td>Joists, scantling, &amp;c. made at the Louisville mills</td>
<td>45,000</td>
<td></td>
</tr>
<tr>
<td>Logs brought down the Ohio river</td>
<td></td>
<td>2,500</td>
</tr>
<tr>
<td>Cedar logs from the Kentucky river</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

First cost value, $172,500

### AMERICAN SALT.

<table>
<thead>
<tr>
<th>Description</th>
<th>Quantity</th>
<th>Cost</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>600,000 bushels imported</td>
<td>35 cents</td>
<td>$110,000</td>
<td></td>
</tr>
<tr>
<td>120,000 bushels, landed to re-ship</td>
<td>35 cents</td>
<td>$42,000</td>
<td></td>
</tr>
<tr>
<td>480,000 bushels, sold or consumed</td>
<td></td>
<td>$68,000</td>
<td>$68,000</td>
</tr>
</tbody>
</table>

### FOREIGN SALT.

<table>
<thead>
<tr>
<th>Description</th>
<th>Quantity</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>62,500 bushels, sold or consumed in Louisville</td>
<td></td>
<td>$46,875</td>
</tr>
</tbody>
</table>

Total, $114,875
From Kentucky, 250 tons, \( \text{c. } \$60 \) | \$15,000
From Ohio, 500 tons, \( \text{c. } 60 \) | 30,000
From Pennsylvania, 220 tons, \( \text{c. } 100 \) | 22,000

---

970 67,000
170 re-shipped, 10,200

---

800 consumed or sold, \( \text{c. } \$60 \) | 48,000

**PIG METAL.**

From Kentucky, &c. 1000 tons, \( \text{c. } \$30 \) | 30,000

---

**WROUGHT IRON.**

From Kentucky, 100 tons, \( \text{c. } \$100 \) | 10,000
From Ohio, 150 tons, \( \text{c. } 100 \) | 15,000
From Pennsylvania, 800 tons, \( \text{c. } 100 \) | 80,000

---

1050 105,000
250 re-shipped, 25,000

---

800 consumed or sold, \( \text{c. } \$60 \) | 48,000

**COAL.**

From Pittsburg, 300,000 bushels, \( \text{c. } 11 \) cents | \$33,000
From Wheeling and Ohio, 50,000 bushels, \( \text{c. } 9 \) cents | 4,500

---

Total consumed, \( 300,000 \) | \$37,500

**Note.** — It is the opinion of an experienced and intelligent dealer in the article, that the domestic alum salt now made at most of our domestic establishments, can be sold so low as to throw the foreign salt out of the market in a year or two.

**Note.** — The \( \$30,000 \) worth of pig metal, which is imported into the city of Louisville, is there worked into machinery at an improved value of about \( \$120,000 \) — making it worth \( \$150,000 \).

Although the foregoing estimates may not be deemed entirely accurate in every particular, still they are represented to contain a reasonable degree of correctness, and it may be ascertained, without any hazard, that the consumption of each article will increase at the rate of 25 per cent. per annum. It may be safely anticipated, therefore, that the market of the city of Louisville, alone, can be supplied with salt, iron, coal, and lumber, equal in value, to a million of dollars annually. Those articles can be produced within our own borders, and will necessarily be transported down the Kentucky river. They are now brought there chiefly from Ohio, Pennsylvania and Virginia: and few, if any of the supplies are furnished by the labor and capital of our own citizens. Although it may be regarded as a small consideration, compared with the great purpose of raising the dormant wealth of the state, yet it is no less true, that the importation of those articles from adjoining states,
operates as a drain of our specie circulation, and is equal to a loss to
Kentucky, of a half percent annually, in the whole amount sold in the
business of exchange. If our own citizens were permitted to supply
the markets with the same articles of domestic production, the currency
of our state banks would be readily received in payment, and the banks
would be enabled to increase the circulation of their paper with great
safety and advantage.

It was the design of the board, if the unusual freshets of the season
had not prevented it, to have had an examination made of the Licking
river, from its mouth, to the highest practicable point of improvable
navigation. The counties that border on that river, are Campbell, Pen-
dleton, Harrison, Nicholas, Fleming, Bath and Morgan, containing a
population of sixty thousand nine hundred and twenty.

The board have been favored with satisfactory information connected
with the resources and productions of the Licking valley, showing the
importance of improving the navigation of the river, which is herewith
communicated.

Estimates of the quantity of lumber, coal, iron, &c. which could be
obtained from the valley of Licking river, by an improvement of its
navigation.

"The valley of the Licking could supply an inexhaustible quantity of
the most valuable timber, to wit: yellow pitch pine, poplar, white oak,
ash, walnut, cherry, locust, and cedar.

Large and extensive beds of bituminous coal have been found near
the sources of the river, near the Blue Lick, and strong indications of
its presence have been discovered within a few miles of its mouth.

Iron ore is found at many places in the vicinity of the river. The
State and Beaver creek iron works are in successful operation, and
the ore is also, found within twenty miles of the mouth of the river.

Of the above articles, there are consumed annually in the city of
Covington,

300,000 bushels of coal, worth 10 cents per bushel, $30,000 00
2,000 tons of pig metal, worth $30 per ton, 60,000 00
2,000 tons of iron blooms, worth $60 per ton, 120,000 00

Total worth, 210,000 00

There is also in the same city a steam saw mill.
The exports of the Licking valley, consist of flour, bacon, lard, to-
bacco, corn meal, corn, wheat, saw logs, locust and cedar posts, staves,
hoop poles, and tan bark.

The manufacturing establishments in Covington and Newport are
already very numerous and extensive, producing annually near one
million of dollars worth of useful articles, and are now undergoing con-
siderable enlargements.

The Licking valley, by an improved navigation of the river, could
supply a great portion of the raw materials and provisions that are con-
sumed in the various manufacturing establishments that are in the vi-
cinity of its mouth, and could thus become one of the most populous
and wealthy parts of the state."
It may here be remarked, that the same view which has been offered of the benefits to be derived from the improvement of the Kentucky, compared with the cost, apply with equal force to the Licking, the Sandy, the Cumberland, and Green river, and need not here be reiterated.

The counties interested in the navigation of the Sandy, are, Greenup, Lawrence, Floyd, and Pike, with a population of sixteen thousand six hundred and ninety-three; and as is shown by the report of the assistant engineer, herewith laid before you, abound in resources of immense value and extent. To that report reference is made. Although it is not expected that the Sandy river will require a lock and dam navigation, its claims to the legislative patronage will not be weakened, it is believed, from the consideration, that the comparative cost of the improvement will be inconsiderable.

That portion of the Cumberland river which lies within the limits of this state has been heretofore deservedly regarded as an object of deep interest to the citizens in its vicinity, and has awakened the attention and received the aid of your predecessors, as well as of the Congress of the United States. The counties adjacent to it, and to be benefited by the improvement of its navigation, are, Knox, Whitley, Laurel, Pulaski, Wayne, Russell, Cumberland and Monroe, containing a population of forty-six thousand two hundred and seven. The following statement, derived from a source entitled to full reliance, will exhibit some evidence of the resources of that river.

Extract from the report of H. Stansbury, U. S. Engineer, on the survey of the Cumberland River.

"The importance of opening any course of navigation must be estimated chiefly from a consideration of the natural products which will thereby find an outlet to market, the comparative difficulty of other modes of access to it, and the present or prospective amount of population interested in its use. In either of these points of view, the importance and necessity of the contemplated improvement of the navigation of the Cumberland river must be manifest. The extensive valley which is watered by this noble, but wild and fluctuating stream, abounds in products the most valuable to man. Iron, coal, salt, alum, nitre, copperas, gypsum, lead and glutarum salts, are among its items of mineral wealth; while, from its fertile soil, large crops of corn, tobacco, and cotton, and from its forests an ample supply of timber, tar, and cedar posts, await but an avenue to market, to remunerate, by the most liberal returns, the efforts of industry and enterprise. For want of this, however, all these sources of emolument and social prosperity are comparatively locked up, and their proprietors in a great degree precluded from advantages which they well understand, and would eagerly embrace.

"The article of salt is of indispensable necessity to human comfort, and even subsistence; yet, for the entire supply of this necessary, the Cumberland valley is dependent upon the country below, because from thence only is there any transportation for it. The salt comes up from Nashville in keel boats, charged, of course, with a heavy addition to its price, on that account. The natural consequence of the difficulties of
the navigation even below Nashville, is, that in low stages of the water, boats dislike to burden themselves with so weighty a commodity, whilst others, much lighter, afford an equal profit, and hence salt at such times is comparatively scarce and dear. Were the river fully opened, the article would come down in abundance from above, and would be relieved from the heavy charges for transportation with which it is now unavoidably burdened. Upon Fishing creek, a tributary of the Cumberland, about five miles from Somerset, the county seat of Pulaski county, salt has been obtained by boring. Several very productive wells have been opened, and the manufacture, though yet in its infancy, is prosecuted with energy and the best prospects of remuneration. One of the proprietors of the Goose creek salt works, the most extensive establishment of the kind west of the mountains, in, and situated only thirty miles from the mouth of Laurel river, informed me that, in case a certain navigation was provided, they were ready to furnish at once 500,000 bushels of salt per annum, and could so enlarge their establishment as to meet the demand as it might increase from year to year.

"The raising of tobacco is now comparatively neglected, from the difficulty and uncertainty of getting the crop to market. The counties of Wayne, Pulaski, and Whitley, in Kentucky, formerly raised large quantities of this product, but, owing to the above cause, have abandoned its culture almost entirely. I was told, as low down as Burksville, that three-fourths of all the tobacco brought to that place for shipment the previous year still remained in the warehouses, the owners having been unable to get it aboard before the waters fell so as to render it impossible to transport it to market.

"Such facts as these are sufficient to show of how much importance it is to all the country on the upper Cumberland that its channel should be freed from the obstructions that now encumber it; whilst the country below would be scarcely less benefited by opening an easy and certain channel for the supply of goods to the upper country, received by importation from abroad."

"The multiplication of steamboats and craft of all descriptions, which must naturally follow, the extent of all branches of business connected with their construction and employment, the creation of numerous villages and towns at favorable points for shipment and trade, the search for new products and new forms of enterprise, which will ever be prompted by an open avenue to the depot of mercantile capital, with a thousand other sources of social activity, which could not fail to follow, are among the benefits which would flow from this improvement."

The time of the principal engineer has been so much engrossed by the necessary preparation of the plans and estimates annexed to his report, that the report of his examination of the Rockcastle river, is necessarily postponed a few days longer. It will be submitted with all practicable despatch. The board avail themselves of the present occasion to say, that the abundant mineral productions of that river render the improvement of its navigation an object of earnest and just solicitude to the citizens interested in it. The counties adjacent to it, are Rockcastle, Laurel, Pulaski and Whitley, containing a population of 18,386.
The foregoing statement of the population and resources of the counties specified, it is supposed, will not be without its influence, in leading to proper conclusions, as to the expediency of legislative action on the subject referred to. It results from the view presented, that there are thirty-five counties embraced by the several projects of improved river navigation; and if, to these, we add the counties of Henderson, Daviess, Hopkins, Muhlenburg, Ohio, Butler, Logan, Warren, Edmondson, Hart, Barren, Green and Adair, with a population of one hundred thousand five hundred and eighty one, we are furnished with an aggregate of fifty counties, consisting of a population of four hundred and nine thousand five hundred and fifty-five, who are directly concerned in the commerce of the principal rivers of the Commonwealth.

No allusion has, thus far, been made, it will be perceived, to the various other streams included within the provisions of the law of the last session. Although they are tributaries only, of the more prominent rivers, they come within the range of a general system, and will receive their due share of your regard. Nor has it been deemed necessary to enter into any specific details in respect to the importance of the public works in progress on Green river; those works are not under the direct superintendence and control of this board.

Comparing the costs of the contemplated ameliorations of the several rivers before specified, with the costs of other works of acknowledged public importance, and estimating the value of those ameliorations, to the several sections of the state concerned in them, the board deem that they hazard nothing in saying, that they offer the strongest claims to the protection and care of the legislature. Giving rise to a commerce, equal, it is believed, to three millions of dollars annually; the whole plan of the proposed improvements can be effected for a sum not exceeding a million and a half of dollars. How compatible with the public interests such improvements would be, if completed, has been attempted to be shown; and how much cheaper in their construction, than the great works of our sister states, will be apparent, when it is considered that the Erie Canal cost the state of New York ten million of dollars, and that the whole of the great rivers of Kentucky, can be rendered perpetually navigable, in the modes proposed, for less than a fifth of that sum.

The board in the conclusion of this branch of their report, beg leave to say, that they are unanimous in the opinion, that those invaluable improvements should be commenced as soon as the necessary means can be provided for their steady and successful prosecution.

There has been deposited during the past year to the credit of the treasurer of the state, subject to the disposition of the board, the sum of $203,707 50; being the proceeds of the sale of the bonds for internal improvement. Of that amount, the sum of $75,700 00 were unconditionally appropriated by the last legislature, as follows: to the works on Green river, $50,000; to the construction of the bridge across Licking, $10,200; to the removal of fish dams, and other obstructions to the navigation of the upper Kentucky river, $5,000; and to the completion of the road across Muldrow’s hill, $1,500. The remainder, amounting to $127,000 50, was apportioned by the board between the
three several sections, and invested, as it was applied for, in stock for the state in turnpike roads. The whole of the sums set apart for the use of the two divisions north of Green river, have been invested; that portion allotted for the Green river division of the state, has not yet been called for.

Owing to the limitations imposed in the twenty-seventh section of the law for internal improvement, on the power of the board to make subscriptions to roads, it became important that the fund under their control should be carefully, and as equally as possible, distributed among the several companies that applied for the state subscription.

The subscriptions of the board to the turnpike companies have amounted, during the year, to the sum of $80,400, as follows: to the board of internal improvement for Franklin county, engaged in the construction of the road from Frankfort to Paris, $5,000; and to the board of internal improvement for Scott county, for the construction of the same road, $10,000; to the Frankfort, Versailles, and Lexington turnpike company, $8,000; to the Lexington and Richmond company, $10,000; to the Covington and Georgetown company, $5,000; to the Lexington and Winchester company, $1,400; to the Lexington, Nicholasville, Danville and Lancaster company, $15,000; to the Louisville and Bardstown company, $16,000; and to the board of internal improvement for Mercer county, $10,000.

The total amount of payments for these subscriptions has been $65,830; leaving the sum of thirty-four thousand five hundred and seventy dollars, due and unexpended on the subscriptions of the board, in the northern and middle divisions of the state.

The report of the assistant engineer of a survey made by him of the Sandy river, from the mouth of the main river to Pikeville on the west fork, a distance of 110 miles, is herewith communicated. After concluding the survey of those streams, he made a hasty reconnaissance of a road contemplated from Pikeville to the Virginia line; his report of which is also annexed.

We lay before you, also, a statement of the expenditures of the board, incurred for the necessary instruments for the engineer corps, and for the prosecution of the several surveys and examinations of the Kentucky, Rockcastle, and Sandy rivers.

All which is respectfully submitted.

J. T. MOREHEAD, Pres. of Board.
JOHN L. HICKMAN,
ORLANDO BROWN.

FRANKFORT, January 22, 1835.
A list of the Counties and their population, interested in the navigation of the Green, Kentucky, Licking, Sandy, Cumberland, and Rockcastle rivers.

**First—Green River.**

<table>
<thead>
<tr>
<th>Counties</th>
<th>Population in 1830</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Henderson,</td>
<td>6,649</td>
</tr>
<tr>
<td>2 Daviess,</td>
<td>5,218</td>
</tr>
<tr>
<td>3 Hopkins,</td>
<td>6,763</td>
</tr>
<tr>
<td>4 Muhlenburg,</td>
<td>5,341</td>
</tr>
<tr>
<td>5 Ohio,</td>
<td>4,913</td>
</tr>
<tr>
<td>6 Butler,</td>
<td>3,055</td>
</tr>
<tr>
<td>7 Logan,</td>
<td>13,002</td>
</tr>
<tr>
<td>8 Warren,</td>
<td>10,947</td>
</tr>
<tr>
<td>9 Edmonson,</td>
<td>2,642</td>
</tr>
<tr>
<td>10 Hart,</td>
<td>5,292</td>
</tr>
<tr>
<td>11 Barren,</td>
<td>14,821</td>
</tr>
<tr>
<td>12 Green,</td>
<td>13,778</td>
</tr>
<tr>
<td>13 Adair,</td>
<td>8,220</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>100,581</strong></td>
</tr>
</tbody>
</table>

**Second—Kentucky River.**

<table>
<thead>
<tr>
<th>Counties</th>
<th>Population in 1830</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Perry,</td>
<td>3,331</td>
</tr>
<tr>
<td>2 Clay,</td>
<td>3,549</td>
</tr>
<tr>
<td>3 Estill,</td>
<td>4,618</td>
</tr>
<tr>
<td>4 Madison,</td>
<td>18,035</td>
</tr>
<tr>
<td>5 Clarke,</td>
<td>13,052</td>
</tr>
<tr>
<td>6 Fayette,</td>
<td>25,174</td>
</tr>
<tr>
<td>7 Jessamine,</td>
<td>9,961</td>
</tr>
<tr>
<td>8 Garrard,</td>
<td>11,870</td>
</tr>
<tr>
<td>9 Mercer,</td>
<td>17,706</td>
</tr>
<tr>
<td>10 Woodford,</td>
<td>2,294</td>
</tr>
<tr>
<td>11 Anderson,</td>
<td>4,542</td>
</tr>
<tr>
<td>12 Franklin,</td>
<td>9,251</td>
</tr>
<tr>
<td>13 Scott,</td>
<td>14,007</td>
</tr>
<tr>
<td>14 Henry,</td>
<td>11,395</td>
</tr>
<tr>
<td>15 Owen,</td>
<td>5,792</td>
</tr>
<tr>
<td>16 Gallatin,</td>
<td>6,680</td>
</tr>
<tr>
<td>17 City of Louisville,</td>
<td>10,352</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>182,279</strong></td>
</tr>
</tbody>
</table>

**Third—Licking River.**

<table>
<thead>
<tr>
<th>Counties</th>
<th>Population in 1830</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Campbell,</td>
<td>9,698</td>
</tr>
<tr>
<td>2 Pendleton,</td>
<td>3,866</td>
</tr>
<tr>
<td>3 Harrison,</td>
<td>13,180</td>
</tr>
<tr>
<td>4 Nicholas,</td>
<td>8,832</td>
</tr>
<tr>
<td>5 Fleming,</td>
<td>13,493</td>
</tr>
<tr>
<td>6 Bath,</td>
<td>8,799</td>
</tr>
<tr>
<td>7 Morgan,</td>
<td>2,857</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>60,920</strong></td>
</tr>
</tbody>
</table>
### Fourth—Sandy River.

<table>
<thead>
<tr>
<th>Counties</th>
<th>Population in 1830</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greenup</td>
<td>5,853</td>
</tr>
<tr>
<td>Lawrence</td>
<td>3,897</td>
</tr>
<tr>
<td>Floyd</td>
<td>4,286</td>
</tr>
<tr>
<td>Pike</td>
<td>2,677</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>16,693</strong></td>
</tr>
</tbody>
</table>

### Fifth—Cumberland River.

<table>
<thead>
<tr>
<th>Counties</th>
<th>Population in 1830</th>
</tr>
</thead>
<tbody>
<tr>
<td>Knox</td>
<td>4,321</td>
</tr>
<tr>
<td>Whitley</td>
<td>3,807</td>
</tr>
<tr>
<td>Laurel</td>
<td>2,152</td>
</tr>
<tr>
<td>Pulaski</td>
<td>9,522</td>
</tr>
<tr>
<td>Wayne</td>
<td>8,731</td>
</tr>
<tr>
<td>Russell</td>
<td>3,883</td>
</tr>
<tr>
<td>Cumberland</td>
<td>8,636</td>
</tr>
<tr>
<td>Monroe</td>
<td>5,125</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>46,207</strong></td>
</tr>
</tbody>
</table>

### Sixth—Rockcastle River.

<table>
<thead>
<tr>
<th>Counties</th>
<th>Population in 1830</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pulaski</td>
<td>9,522</td>
</tr>
<tr>
<td>Laurel</td>
<td>2,152</td>
</tr>
<tr>
<td>Rockcastle</td>
<td>2,875</td>
</tr>
<tr>
<td>Whitley</td>
<td>3,807</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>18,386</strong></td>
</tr>
</tbody>
</table>

1 Green River, 13 Counties, 100,581
2 Kentucky River, 16 " and one city, 182,279
3 Licking River, 7 "                        60,920
4 Sandy River, 4 "                          16,693
5 Cumberland River, 8 "                    46,207
6 Rockcastle River, 4 "                    18,386

52 425,066
Deduct 3 repeated, 3 15,511

Counties 49 and one city. Total 410,555
Whole population of state, 688,844
Difference, 278,289
Expenses of the Board of Internal Improvement of the State of Kentucky, up to this date.

This sum paid for engineering instruments, and their transportation here, $590 40
This sum paid R. P. Smith for boat for engineers, with all the necessary appendages, 270 46
This sum paid expenses in examining North Fork of Kentucky river, 82 75
This sum paid expenses in examining Big Sandy river, 81 75
This sum paid Curran Pope, for services rendered in surveying Big Sandy river, &c. 105 00
This sum advanced R. P. Baker, Esq. engineer, to defray expenses of the corps of engineers, and their hands, 850 00

Total, $1,980 36
REPORT

OF THE

PRINCIPAL ENGINEER.

TO THE

BOARD OF INTERNAL IMPROVEMENTS.

Engineer’s Office,
Frankfort, January 19, 1836.

GENTLEMEN:—

Accompanying this, you are respectfully presented with my estimates of the probable cost of improving the navigation of the Kentucky river, from its junction with the Ohio, to the limits of the survey conducted by me during the past season.

It was not, in the first instance, my intention to have presented these estimates, unaccompanied by a minute and detailed report, embracing the various considerations, which have influenced the determination of the plan proposed for the improvement of the river.

But the labor which it appeared to me necessary to bestow upon the maturity and adjustment of a plan, deemed calculated to secure the best objects of the improvement, has kept my time so closely occupied, as to prevent me from preparing that paper previously to this time.

In hopes of being able to get in readiness, in time to anticipate the annual report of the board, such maps, drawings and plans in detail of some of the works, as appeared to me necessary, to elucidate some of the leading considerations which have governed me in the projection of the plan of the improvement, I was induced to delay attention to the subject of the report and estimates until a recent hour. But finding it impracticable to complete the drawings in proper time to present the subject for legislative action, I, some days ago, laid aside such of them as remain unfinished, and commenced the preparation of the estimates herewith submitted. Such of those drawings as are complete, will accompany this; and others, in an unfinished state, will also be submitted to the perusal of the board, until they can be withdrawn and completed at a more leisure opportunity hereafter. At as early a time as the report before alluded to, can be prepared, which will be in a few days, it will be laid before you.
In the meantime, perhaps the estimate, accompanied by such general explanations, which a few hours now allow me to communicate, may afford sufficient information to answer the present purposes of the board, in the formation of their annual report; and serve as the basis of any incipient legislation, which it may be necessary should transpire before the appearance of a more analytical report upon the subject.

It will be perceived by reference to the estimates and drawings, that the board are presented with two differently modified plans for effecting a slack water navigation of the Kentucky river, by the construction of locks and dams.

The only difference in these two plans, excepting the subordinate modifications in the character of materials proposed, is in the scale of their magnitude.

By the first, it is proposed to effect a navigation of six feet depth of water; the works being of sufficient dimensions to accommodate steam boats of 150 to 180 tons.

The second plan contemplates the use of smaller boats of 100 to 120 tons, and the works are proportioned accordingly.

The adoption of the large plan is most respectfully urged, as the one in my humble judgment, presenting the most judicious adaptation to the feature and circumstances of the river, as also, best calculated to secure benefits deemed capable of being derived from the navigation.

The time to which the preparation of this paper is imperiously limited, allows a hasty glance only, at some of the more prominent considerations which produce this conviction, and which have governed my mind in the preparation and submission of this plan. I hope, therefore, that if such of these views as I am enabled now hastily to notice, should be stated generally, without the reason by which they are believed to be fortified, that opinions respecting their merits will be suspended until they can be more analytically examined.

Before, however, entering upon any other discussion relating to the improvement, I beg leave to make the general statement of my opinion, that the volume of water in the Kentucky river, so far as I have examined it, will, at all seasons of its lowest depression, yield an exuberant supply beyond the wants of the navigation. Several gauges made of the volume of the river during the low stage at the time of the survey, furnish conclusive authority upon this subject.

The record of these gauges with the calculation at full length, is in the office; and it was my intention to have presented them with this communication, but I have been prevented from doing so, on account of my inability to have them copied in time. They will, however, appear in the next report. In the mean time, the book in which they are recorded, can be furnished for the perusal of the board and of the legislature.

The results given by these gauges, show that the probable medium volume, during seasons of low water, is about 20,000 cubic feet per minute. The supply of this volume but a minute fraction over eight hours in twenty-four, would pass one hundred boats, of 150 tons each, through a lock of fifteen feet light; leaving a surplus flow of sixteen hours in twenty-four, or two-thirds the whole volume to be devoted to purposes...
of water power, with very little, if any, deduction for expense by evaporation, &c. This latter expenditure, it being believed, will be provided for by the supply furnished by tributary creeks, springs, &c. which are continually discharging themselves into the river.

Assuming then, the amplitude of the supply of water as a point that will not be controverted, I shall, in what further remarks I may offer at this time, treat the subject accordingly.

The next question which appears to arise, is in reference to its practicability, and the propriety of undertaking the improvement?

In answer to the first branch of this enquiry, I beg leave, also, for the present, to give a general statement of my opinion, that the Kentucky is decidedly within the reach of secure and permanent improvement. Some considerations, necessarily unnoticed now, will however, in order to give the works this character of security, and to render them otherwise effectual, require a resort to works somewhat out of the ordinary course of similar constructions, and will, also require that in general the works be constructed of such ample dimensions, as will, in some degree, increase their expense. So far, however, as relates to the practicability of accomplishing the improvement, and the certainty and simplicity with which it may be effected, there appears to my mind, no difficulty of any invincible character to be encountered.

In respect to the expediency or propriety of undertaking the improvement, it would seem to require but a cursory survey of the geography of Kentucky, and but indifferent enquiry into the existing statistics and prospective capacities of the rich region of country that flanks the shores of this beautiful river, to enable one to give an affirmative answer to this proposition. This matter is, however, so much better understood by the citizens of Kentucky, than in the nature of things, it can be by me, that it is left to their discussion.

Assuming each of the foregoing positions, I next beg leave to submit to the board, a hasty outline of the prevailing considerations taken into view, in the determination of the scale of improvements. In order to render myself the more intelligible upon this subject, I take leave to advert to some circumstances, in relation to which, the recollections of such of the members of the board as were present on the occasion I am about to allude to, may be of assistance to me. It will be, perhaps, recollected, that some time in the early part of last summer, in a conversation in the governor's office, upon the subject of a communication between the Ohio and the southern Atlantic coast of the United States, I took occasion to express my opinion of a practicable route for uniting the Tennessee river between a point in the eastern district of that state with the navigable waters of the Savannah at the head of steam boat navigation in Georgia, by means of a canal or railroad between these rivers—my preference was expressed for canal transportation. At the same time, the idea of continuing such a communication to the Ohio by means of a connexion between the waters of Cumberland and Kentucky rivers, was suggested by some one present.

Upon the subject of a communication between the Tennessee and the Savannah, I had devoted some thought, several years since. A residence in professional employment, for near five years, first upon the
Muscle Shoals canal, in Alabama; and subsequently, in charge of the improvements then being constructed by the state of Tennessee, in the Tennessee and Holston rivers, between Knoxville and the Alabama state line, had given me a tolerably familiar acquaintance with the general topographical features of the country along the Tennessee river, between the Cumberland and Appalachian mountains, embracing, also, some portions of the neighboring states of Georgia and North Carolina. My observations and enquiries in that country, had created on my mind the strong conviction of the practicability of a communication between the two above mentioned rivers, by which a connexion between the Ohio and the Atlantic could be effected, through the country of East Tennessee. With the country in Kentucky, north of the Cumberland mountains, I was, at that time, unacquainted; but supposed that the communication could be continued from the Tennessee valley, through Kentucky, by a rail road made to cross the Cumberland at some eligible point along the confines of the two states. Such suggestions as these had been made publicly by me, about three years before the conversation above alluded to.

During the last season, while engaged in the execution of instructions of the Board, upon a reconnoissance of the Rockcastle river and the South fork of Kentucky, I received, at Barboursville, the order of the Board directing a reconnoissance and examination of the sources of the Kentucky and Cumberland rivers in the vicinity of that town, with a view to ascertain the practicability of effecting a connexion between the navigation of those rivers. Upon an examination of the contiguous sources of the waters of the two rivers in that vicinity, I determined to proceed sixteen miles further up the river, to the rapids of the Cumberland, at the point where it breaks through the Pine mountain, at Cumberland Ford, with a view of observing the probable practicability of procuring a feeder from that point for the supply of a canal between the waters of the two rivers.

When at Cumberland Ford, I was but thirteen miles from Cumberland Gap, and I determined to go to that point, with a view of enquiring into the reasonable practicability of continuing a canal through the Cumberland mountain at this point.

To the casual and inadvertent traveller, who has passed over the roads that lead through the countries under discussion, the proposal of a water communication through a region rugged and mountainous as that, may, and probably will, to many, appear absurd. But, upon a more careful examination of the premises, first impressions might, perhaps, be changed, as difficulties presented by a mere bird's eye view of the houlder features of this mountain region, should successively vanish before a minuter inspection of its intermediate topography.

I have only time to state, as the result of the several examinations last adverted to, that the accomplishment of such a scheme appeared to me to be within the bounds of a reasonable achievement.

The most prominent difficulty naturally to be apprehended in this district of country, would be the want of the necessary quantity of water for supplying a canal. I feel gratified that I am enabled to state my conviction that an abundant supply of water can be commanded at Cumberland
Gap, from a level considerably elevated above the plane of the requisite works, and of the most easy and convenient access. The means of passing Cumberland Gap, are offered by the construction of a tunnel of probably not exceeding seven to eight hundred yards in length. Having perforated the Cumberland mountains, an open plane, five miles down the valley of a creek, would lead the improvement into Powell's river, a bold and copious tributary of the Tennessee, whence it could be continued by locks and dams down that river, and thence by canal to Georgia.

Observing these facts, and entertaining the views above spoken of, I could not avoid regarding the route, as presenting highly eligible facilities for the construction of a channel of the most important character between the Ohio and the Atlantic; and that the Kentucky could thus be made the most conspicuous link in the chain.

If the scheme should hereafter be found practicable, (and I am induced to believe that the advantages presented by it will be found to be so clearly manifest, that it will not be many years before the interests to be affected by inquiry into its practicability, will set the causes in motion that will finally effectuate its development,) no one will, I presume, question the vastness of the results which sober reason would calculate as derivable from its accomplishment.

Firmly persuaded of the truth of these views, I conceived the idea, (perhaps rashly,) of endeavoring to impart my own convictions to the minds of others.

It will be my purpose to treat this subject in a more systematic manner upon the occasion I have before alluded to. At present I will only add a few words.

The route I propose to follow, would lead from the Ohio up the Kentucky river, by locks and dams, to the three forks of the Kentucky; thence up the South fork and Goose creek to the Salt works; thence by a canal into Cumberland river at Cumberland ford; thence four miles in Cumberland river to the mouth of Yellow creek; thence, by canal, in the bed of Yellow creek to Cumberland Gap; through Cumberland Gap, by a tunnel, and by canal from thence into Powell's river 5 miles below; down that river successively into the Clinch and Tennessee, and up the Hiwassee river, by locks and dams; from the Hiwassee, continue the improvement by a canal to the navigable waters of the Savannah at the head of steam boat navigation on that river. The canal would out flank the whole chain of the Appalachian mountains on the south west; and in the course of its extent, it would cross the various noble rivers, Coosa, Chattahoochie, Ocoee, &c. which, taking their rise in the chain of the Appalachians, flow into the Gulf of Mexico and the Atlantic ocean, between the cities of New Orleans and Charleston. Thus throwing upon the commerce of the countries bordering on the Ohio, a choice among the numerous and greedy markets presented by the vast extent of cotton country, along the southwestern coast of the U. States; independently of the facilities it would offer for reaching the northeastern cities, or European ports, through the ports of Savannah and Charleston.

It will, upon reference to the accompanying estimates, be seen, that the average cost per mile of a lock and dam navigation, upon the most
perfect plan, will but little, if any, exceed one half that of a turnpike road.

It will not, I presume, be necessary for me to insist upon the fact, that the cheapest of all modes of transportation, is that of steam navigation. More than three-fifths of the distance on the route proposed, would be in the beds of rivers improved for this kind of navigation. The most perfect kind of canal can be constructed for one-half the cost of the most perfect rail road. The experience of the northeastern states has fully settled the question, that the cost of transportation on rail roads exceed that upon canals by two to three hundred per cent.

The communication which I propose, could, then, be effected cheaper, and transportation could, also, be carried on for less expense, than upon any other communication; independently of the advantages presented by the sweeping extent of country it would lead into, through the various lateral channels it would pass in its course to the Atlantic.

I am aware that the prevailing drift of public sentiment sets in the direction of rail roads. Should such an improvement be determined on, the same route is open to it.

If therefore, an improvement of that class should ever be constructed through the region of country, bordering on the upper waters of Kentucky, and the improvement of the Kentucky river should be discontinued at that point, there appears to my mind a strong probability, that the day would not be distant from the completion of such a work, until the demands of commerce would be equal to all the capacities of the Kentucky river improved upon the largest plan proposed. This remark applies with peculiar force to the projected rail road from Charleston to the Ohio, now undergoing discussion in the Legislature of Kentucky. These and other considerations of a general character have appeared to me worthy of serious consideration in forming the plan of the works.

In relation to views confined to the features and traits of the Kentucky river alone, the following are a few of the more prominent reasons which appear to dictate the adoption of the largest plan, to wit:

The greater security against frequent inundations—less detention to the trade in passing the locks—greater security against deposition of sediment—more effectual improvement of health in the vicinity of the river—more effectual water power will be created. This latter consideration is regarded as an important item in the elements of profit furnished by the improvement.

From a rough calculation, based upon general data, it is believed that the water power created by the dams, constructed upon the scale designated on the drawing, marked "plan No. 1," would yield an income to the state of about $3,000 per annum at each locality, or equal to $12,000 between Frankfort and the mouth. This would amount to nearly seven per cent. At the rates at which loans for public improvements have been negotiated by the state of Pennsylvania, this income would overpay the interest of the investment more than sixty per cent. per annum.

As a measure of economy, the construction of the larger plan secures the greatest amount of improvement, at the least expense, at the same time it is the least susceptible of ultimate abandonment.
same time that it presents, what it is humbly believed may be calculated on, as the prospective exigencies of commerce, facilities equal to their probable demands.

When New York undertook the construction of the comparatively miniature canal of forty feet surface, the whole country was startled at the almost audacity of the enterprise. That work was adapted to the trade as it then existed. She is now enlarging the same canal to four times its former dimensions, in order to accommodate the trade that now exists. This has been brought about in eleven years.

The foregoing disjointed thoughts, hurriedly thrown together, are respectfully submitted to the board. A few words in relation to the estimates, will close this paper.

It was not, as observed at the commencement of this communication, until within a few days past that I commenced the preparation of the estimates. As much time, however, as the nature of the case would permit, has been devoted to them; and upon the whole, it is believed, that the results furnished by them may be relied on as coming very near to what the actual ultimate cost of the work will be found to be, if undertaken.

In regard to some apparent discrepancies in respect to prices allowed for the same kinds of works, at different localities, it will be necessary, to prevent misconception, that I offer a few brief explanations.

For the item of stone masonry, for instance, different prices are allowed at different localities.

I will here observe, that at every one of the localities selected, the locks, and in some cases the dams, will be founded entirely on solid rock; and at each locality the stone necessary for the construction of the work, will be found upon the immediate spot where the works are fixed, excepting in one or two cases where, perhaps, the facing stones of the locks may require transporting a few hundred yards. But, although the materials are in all cases thus convenient, yet regarded as building materials, they are not all of the same quality, and I have endeavored to make the proper allowance for such considerations in the estimate.

The cost of dams, also, it will be perceived, is not estimated in the same ratio per foot, &c. The reason is this: The plan of dams is varied, as they are to be fixed upon a foundation of rock, or of other materials. The construction of a dam calculated for a gravel foundation, requires a great extension of its base beyond that required for a rock foundation; besides the use of piles, and extra cribs, purposely planned for such foundations. For this reason the construction of a low dam upon a gravel foundation, may cost more than a higher one on rock.

Again: It will be seen that the cost of lockage is not in the ratio of its lift; there appearing by the results of the estimates, to be but a comparatively unimportant difference between a lock of a given lift, and another one of considerable higher or lower lift. This, is accounted for, as follows: What is technically called the lift of the lock, is the difference between the plane of the top of the mitre cill of the lock and a plane equal to the depth of the navigation below the vertex of the dam;
or in other words, the difference between the surface of the water in the lower pool, below the lock, and that of the upper pool, raised by the dam at the given lock—now below the plane of the mitre sill, as also, above the plane of the water in the dam, is a fixed quantity of work, which must be executed, whether the lift is a high or a low one. The same remark will apply to the construction of dams, if we exchange the idea of the lift of lockage for the inequalities of the ground upon the bottom of the river, constituting the foundation of the dam.

As previously intimated, the board are presented with such maps, drawings and plans, as time has sufficed to get in readiness, illustrative of the subject of, and some of the views taken in, this communication, which are herewith submitted.

During the season, the various duties of the reconnoissance and partial survey of Rockcastle river; the reconnoissance of the sources of the south fork of the Kentucky, and of the Cumberland; the survey of the Kentucky river; and a tour of inspection of turnpike roads, now being constructed, and general reconnoissance of a portion of the state, have been executed: all which will be reported within a few days to come.

Previously to closing this communication, I submit the following general remarks in relation to the cost of continuing the improvement from Frankfort upward to the Three Forks. It will be perceived that I have made no formal estimate of that portion of the improvement. The board are apprised, that the devotion of my time to other duties has not allowed me an opportunity of personal examination on this portion of the river. I am, therefore, in possession of no data on which to found specific calculations of its cost. Judging, however, from such observations as I have been able to make by crossing the river at some two or three points, one hundred to one hundred and twenty miles above Frankfort, in connexion with such other general information as my opportunities have enabled me to collect, I am inclined to think that the character of the river, as it affects the cost of its improvement, is something more favorable above Frankfort than below that point. By persons living along the river, and by others acquainted with it, the Kentucky from Frankfort to the Three Forks is represented as flowing generally in a deep channel between rock shores, and to have an average width somewhat narrower than it has from Frankfort to the mouth. The volume of water is, also, represented as being nearly or quite equal at the Three Forks, to what it is at the mouth. This is, probably, near the truth, inasmuch as I conceive that the expenditure of water by evaporation from the river during the low water season, is nearly or quite equal to the supply contributed by the creeks, springs, &c. which fall into it.

The representations made to me of the character of the banks and bed of the stream accord with my own observations so far as they have extended. I am, therefore inclined to the opinion, that rock foundations can be pretty generally, perhaps universally, procured. This will reduce the expense, and increase the security of works. The river being narrower, will also, lessen the expense of dams. These circumstances, if they are correctly judged of, would probably reduce the cost of the work, say ten per cent.
By reference to the profile in the office, by Capt. Turnbull, I find the
distance from Gilpin's ripple, at the head of six feet depth of water, in
the pool of dam No. 4, to Boonsborough, to be ninety-three miles, and
the fall of the river to be 83 ft. 3.59 in. Equal to an average fall per
mile of .895 decimal (of a foot,) or about 10½ inches. This survey
terminated at Boonsborough: we have, therefore, no correct data beyond
that point. Assuming, however, the popular estimate of the distance
to be eighty-five miles, and supposing the fall to become accelerated as
we approach the upper waters of the river, to a declivity of one foot per
mile, which, I think, will not be far from the truth, and then assuming,
as the cost per foot lift of lockage, required by the estimated fall, to be
equal to the cost of the same item as per "Plan No. 1." Est. No. 1,
reduced by a deduction of ten per cent for the more favorable circum­
stances of the river, noticed above, will show the cost of lockage per
foot lift thus—$3088 reduced by a deduction of ten per cent, leaves
$2888.54—say $2700 per foot lift. Then, using whole numbers only,
the statement may be made thus:

From H'd Pool, No. 4, to Boonsborough, 83 feet lockage, at
$2,700 00 per foot lift,
$224,100 00

From Boonsborough to Three Forks, 85 feet lockage,
$2,700 00 per foot lift,
$229,500 00

Total cost, H'd pool No. 4, to Three Forks,
$453,600 00
Add cost of improvement Frankfort to the mouth,
185,903 00

Grand total cost of the whole,
$639,503 00

No. of miles improved, two hundred and fifty-five.
Total cost $639,503 00—equal to $2,508 00 per mile.
All which, is respectfully submitted.

R. P. BAKER,
Chief Engineer of State Ky.
ESTIMATES.

Estimate No. 1.—Six Feet Water.

(Plan 1st.—4 Locks and Dams.)

ESTIMATE of the probable expense of improving the navigation of the Kentucky River by Locks and Dams, for a navigation of six feet water, according to the location of works shown on Plan 1st.

FOUR LOCKS AND DAMS BELOW FRANKFORT.

LOCKS—Of Cut Stone Masonry:
170 feet in the chamber.
36 " wide.
6 " depth of water on the mitre cills.

DAMS—Of crib work filled with stone below the surface of water, and of sloped stone masonry, secured by anchor rods and fastenings, and covered by bond plates and spars above the surface of water.

PIER HEADS.—Crib work below, and stone masonry above water.

HORSE-SHOE BEND.

Lock and Dam No. 1.—17 feet lift.

DAM.

FOUNDATION—gravely bottom in deep water—broken stone, with probably solid rock underneath, along near right bank.

Incidental—Coffer dams $1000 00—2830 cubic yards earth excavation at 8 cents, making an aggregate of $1226 40

(Crib work.)

DAM.

Ties—9333 lineal feet—longitudinal and transverse ties hewn on two sides, 12 x 15, at 4 cents,
373 32
Stone filling—2756 cub. yds: stone filling for crib work on dam,
at 40 cents,
1102 40

(Amounts carried forward.)
$1475 72 $1396 40
23

(Amounts brought forward.)

\begin{align*}
\text{Square timber} & : 9415 \text{ cub: ft square timber; bond plates, struts, braces, posts, comb timbers, \&c. at 10 cents,} \\
& \quad ; 941.50 \\
\text{Sheeting planks} & : 36390 \text{ superficial feet; 6 inch oak sheeting plank; for covering top and breast, at 6 cents,} \\
& \quad ; 2173.80 \\
\text{Sloped masonry} & : 14630 \text{ cub: yds; sloped masonry, crest of dam, at 1 dollar 25 cents,} \\
& \quad ; 1828.75 \\
\text{Iron work} & : 6 \text{ tons anchor rods and bolts, for fox wedges, at 125 dollars per ton,} \\
& \quad ; 750.00 \\
\text{Iron work} & : 2 \text{ tons T bolts for bond plates, and \& cramps for cap stones, at 175 dollars per ton,} \\
& \quad ; 350.00 \\
\text{Filing, \&c.} & : 30 \text{ bearing piles at 80 cents each, 830 feet double crib, use cribbing at left bank, say} \\
& \quad ; 100.00 \\
\text{Graveling} & : 1730 \text{ cub: yds; graveling, at 25 cents per yard,} \\
& \quad ; 432.50 \\
\end{align*}

\text{ABUTMENT.}

\begin{align*}
\text{Filing} & : 2906 \text{ bearing piles, at 60 cents each,} \\
& \quad ; 296.80 \\
\text{Crib work} & : 765 \text{ linear feet ties, hewn on two sides, at 4 cents,} \\
& \quad ; 31.40 \\
\text{Masonry} & : 353 \text{ perches hammer dressed masonry, in cement, at 2 dollars per perch,} \\
& \quad ; 73.60 \\
\text{Sheet piling} & : 920 \text{ square feet 3 inch sheet piling, at 2 dollars per ft.} \\
& \quad ; 27.60 \\
\text{Puddling} & : 78 \text{ cub: yds; puddling, at 25 cts. per yd.,} \\
& \quad ; 19.50 \\
\end{align*}

\text{PIER HEAD}—(base 14 feet below comb dam.)

\begin{align*}
\text{Crib work} & : 4600 \text{ linear feet longitudinal and cross ties, at 4 cents,} \\
& \quad ; 184.00 \\
\text{Masonry} & : 434 \text{ perches masonry, hammer dressed, in cement, at 2 dollars per perch,} \\
& \quad ; 868.00 \\
\text{Sheet piling} & : 630 \text{ square feet of 2 inch sheet piling, end dam, at 2 dollars per 100 feet,} \\
& \quad ; 19.50 \\
\end{align*}

\text{LOCK}—(17 feet lift.)

\begin{align*}
\text{Masonry} & : 6572 \text{ perches masonry, levelling rock for foundation included, at 4 dollars 50 cents per perch,} \\
& \quad ; 2974.00 \\
\text{Gates, \&c.} & : \text{Main gates, pivot gates, sediment gates, windlasses and fastenings, collars, cramps, spindle rods, chains, \&c., all iron work inclusive, say} \\
& \quad ; 2750.00 \\
\text{Embarking and puddling behind the wall on the land side, say} \\
& \quad ; 175.00 \\
\text{Grading banks 200 feet below lock and abutment to receive slope wall, say} \\
& \quad ; 100.00 \\
111 \text{ superficial yards, slope wall, to pave banks, 50 feet wide, to 0.200 feet, as above, 50 cents per yd.} \\
& \quad ; 555.50 \\
\text{Total cost of this improvement,} & \quad ; 33154.50 \\
\end{align*}

\text{AT SIX MILE RIPPLE.}

\textbf{Lock and Dam, No. 2.—14 feet lift.}

\textbf{ESTIMATE.}

\textit{Note.}—Foundation of lock, solid rock.

\textit{Foundation of dam, partly rock and partly on a deep deposit of gravel and broken fragments of rock.}

\textit{DAM.}—(Length, 333 feet. \textit{Average Height, 16 feet.})

\begin{align*}
\text{Filing} & : 203 \text{ bearing piles, in iron sockets, at 1 dollar 50 cents,} \\
& \quad ; 304.50 \\
\end{align*}

\textit{(Amount carried forward.)} \quad \$304.50
(Amount brought forward,)

Excavation—1000 cubic yards, gravel excavation for tree top cribs, at 8 cents per yard.

Tree cribs—140 small trees with tops on, 30 feet long, 8 or 9 inches diameter, 30 cents per tree.

Tree cribs—216 unhewn round ties, 12 feet long, 12 inches diameter, 20 cents each.

Stone filling—2680 cubic yards stone filling, at 30 cents.

Crib work—6900 linear ft. ties, hewn two sides, 12 x 15, at 4 cents.

Square timber—1753 cubic feet square timber, bond plates, frame work, breast, comb, &c. at 10 cents.

Sloped Masonry—3564 cubic yards sloped masonry, for body of dam, at 1 dollar.

Sheeting plank—36000 square feet, 6 inch oak plank, sheeting, at 5 cents.

Iron—5 tons anchor rods and fox bolts, at 130 dollars.

Iron—11 tons T bolts, with nuts and screws, cramps for coping, &c. at 175 dollars.

Gravelling—1400 cubic yards gravelling, at 20 cents.

ABUTMENT—
(Constructed same as Horse-shoe Bend.)

As 23 : 20 :: 2098.30 : 198.17

PIER HEAD. (Ht.=8.802d 6.—1480.2.)

Crib work—2765 lineal ft. half hewn ties, at 4 cents.

Crib work—384 cubic yards stone filling, at 30 cents.

357 perches hammer dressed masonry, at 1 dollar 75 cents.

264 square feet sheet piling, 3 inch, 2 cents.

LOCK—(14 ft. lift, 6 ft. guard walls.)

Masonry—5860 perches masonry, at 4 dollars.

Gates, &c.—Main and pivot gates, buoys, sediment gates, tracks and carriers, windlasses, chains, &c.

Earth excavation, embanking the lock, &c. allow 556 superficial yards slope wall to protect the right bank, 50 cents.

Total cost of this improvement, $38,573.39

CEDAR CREEK RIPPLE.

Lock and Dam, No. 3—14 feet lift.

DAM.
(Founded on solid rock.)

Crib work—17260 lineal feet longitudinal and traverse ties, at 4 cents.

Crib work—4338 cubic yards stone filling, at 37.5 cents.

Square timber—4344 cubic feet square timber, bond plates, comb, &c. at 10 cents.

Masonry—1066 cubic yards sloped masonry, body of dam, at 1 dollar 20 cents.

Sheeting plank—21320 square feet, 6 inch oak spars, for sheeting top and breast, at 6 cents.

Iron—5 tons anchor rods and fox bolts, at 195 dollars.

Iron—11 tons T bolts and cramps for cap stones, at 175 dollars.

Gravelling—1600 cubic yards gravelling, at 25 cents.

(Amount carried forward,)
<table>
<thead>
<tr>
<th>Description</th>
<th>Quantity</th>
<th>Unit Cost</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ABUTMENT</strong> (rock foundation)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Crib work</td>
<td>15414</td>
<td>lineal ft</td>
<td>61.76</td>
</tr>
<tr>
<td>Crib work</td>
<td>201</td>
<td>cubic yards</td>
<td>75.37</td>
</tr>
<tr>
<td>Masonry</td>
<td>556</td>
<td>perches</td>
<td>1072.00</td>
</tr>
<tr>
<td>Sheet piling</td>
<td>500</td>
<td>feet 3 inch</td>
<td>15.00</td>
</tr>
<tr>
<td><strong>PIER HEAD</strong> (rock foundation)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Crib work</td>
<td>4905</td>
<td>lineal ft</td>
<td>196.20</td>
</tr>
<tr>
<td>Crib work</td>
<td>1152</td>
<td>cubic yards</td>
<td>432.00</td>
</tr>
<tr>
<td>Masonry</td>
<td>318</td>
<td>perches</td>
<td>636.00</td>
</tr>
<tr>
<td>Sheet piling</td>
<td>588</td>
<td>feet 2 inch</td>
<td>11.76</td>
</tr>
<tr>
<td><strong>LOCK</strong> (14 feet lift, 6 feet guard walls)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Crib work</td>
<td>4510</td>
<td>lineal ft</td>
<td>180.40</td>
</tr>
<tr>
<td>Crib work</td>
<td>893</td>
<td>cubic yards</td>
<td>294.69</td>
</tr>
<tr>
<td>Masonry</td>
<td>420</td>
<td>perches</td>
<td>735.00</td>
</tr>
<tr>
<td>Sheet piling</td>
<td>953</td>
<td>square feet</td>
<td>19.26</td>
</tr>
<tr>
<td><strong>Total cost of improvement at this place</strong></td>
<td></td>
<td></td>
<td>40,931.70</td>
</tr>
</tbody>
</table>

Lee's Ripple.

Lock and Dam, No. 4.—15 ft. lift, 6 ft. gd. walls.

**ESTIMATE.**

<table>
<thead>
<tr>
<th>Description</th>
<th>Quantity</th>
<th>Unit Cost</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>DAM.</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Incidental—Levelling rock foundation, say</td>
<td></td>
<td></td>
<td>100.00</td>
</tr>
<tr>
<td>Crib work</td>
<td>7668</td>
<td>lineal ft</td>
<td>314.72</td>
</tr>
<tr>
<td>Crib work</td>
<td>1106</td>
<td>cubic yards</td>
<td>1354.98</td>
</tr>
<tr>
<td>Sp. tim.</td>
<td>4070</td>
<td>feet square timber</td>
<td>407.00</td>
</tr>
<tr>
<td>Crib work</td>
<td>2234</td>
<td>cubic yards</td>
<td>5080.60</td>
</tr>
<tr>
<td>Sheet piling</td>
<td>21460</td>
<td>square feet</td>
<td>1257.60</td>
</tr>
<tr>
<td>Iron</td>
<td>5 tons</td>
<td>iron, anchor rods and fox bolts</td>
<td>635.00</td>
</tr>
<tr>
<td>Iron</td>
<td>11 tons</td>
<td>T bolts and cramps for cap stone</td>
<td>262.50</td>
</tr>
<tr>
<td>Gravelling</td>
<td>1600</td>
<td>cubic yards</td>
<td>320.00</td>
</tr>
<tr>
<td><strong>ABUTMENT—None.</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Crib work</td>
<td>4510</td>
<td>lineal ft</td>
<td>180.40</td>
</tr>
<tr>
<td>Crib work</td>
<td>833</td>
<td>cubic yards</td>
<td>294.69</td>
</tr>
<tr>
<td>Masonry</td>
<td>420</td>
<td>perches</td>
<td>735.00</td>
</tr>
<tr>
<td>Sheet piling</td>
<td>953</td>
<td>square feet</td>
<td>19.26</td>
</tr>
<tr>
<td><strong>Total cost of improvement at this place</strong></td>
<td></td>
<td></td>
<td>40,931.70</td>
</tr>
</tbody>
</table>

(Amount carried forward.)

[Ar. H. R. Jouk]
### SUMMARY OF ESTIMATE No. 1.

**TABULAR VIEW.**

Shewing the total cost of the improvements at each locality, and also, the aggregate total cost of the whole work.

Shewing, also, the amount of lockage, and its average cost per foot lift; also, the extent of navigation improved for six feet water and its average cost per mile.

**LOCKS**—of cut stone masonry, 170 feet chamber—36 feet wide.

**DAMS**—crib work under water—sloped stone masonry above.

<table>
<thead>
<tr>
<th>No. of improvement</th>
<th>Location</th>
<th>Termination 6 ft. depth of water in the pool of dam</th>
<th>Extent of navigation</th>
<th>Cost.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lock &amp; Dam No. 1.</td>
<td>(Horse-shoe bend, 4 miles above mouth of Kentucky)</td>
<td>17 274</td>
<td>50065 72</td>
<td></td>
</tr>
<tr>
<td>Lock &amp; Dam No. 2.</td>
<td>(Six mile creek, site of lock &amp; dam No. 2)</td>
<td>14 167</td>
<td>3573 39</td>
<td></td>
</tr>
<tr>
<td>Lock &amp; Dam No. 3.</td>
<td>(Cedar cr. ripple, site of lock &amp; dam No. 3)</td>
<td>14 234</td>
<td>4093 70</td>
<td></td>
</tr>
<tr>
<td>Lock &amp; Dam No. 4.</td>
<td>(Lee's ripple, site of lock &amp; dam No. 4)</td>
<td>15 154</td>
<td>3949 60</td>
<td></td>
</tr>
</tbody>
</table>

Total—feet of lockage, miles improved, and net cost,
Add for contingencies, engineering, superintendence, &c. 19 per cent, 16900 20
Grand total cost, 185902 61

**Note.**—The pool raised by Dam No. 4, will give a navigation of 6 feet depth water at the foot of Gilpin's ripple, 14½ miles above Frankfort, 804 miles above mouth of Kentucky, and a few miles from Versailles and Lawrenceburg.

Aggregate cost of improvement, as above, 185902 61

**Amount of lockage** 60 feet—average cost $3098 37 per foot lift.

**Extent of navigation improved for 6 feet water**—76¾ miles.

**Average cost per mile**—$2426 13.
ESTIMATE, No. 2.

LOCKS—170 feet in the chamber,
36 feet wide,
6 feet guard walls,
6 feet water on the mitre cills,
Boats 150 to 180 tons.

Approximate estimate of the comparative cost of the improvements in the Kentucky river, the Dams and Pier Heads of timber crib work throughout their whole height, instead of being built as contemplated in Estimate, No. 1, of stone masonry, above the surface of the water.

This comparison is made by adding together the several items of cost incident to the construction of the work, in the manner proposed, of stone masonry, and deducting that item from the total cost, as per Estimate, No. 1; and then adding to the remainder, the cost of an equal solid of timber and stone crib work; also, estimated at the same rates that are allowed at each appropriate locality in Estimate, No. 1.

HORSE-SHOE BEND—17 feet lift.

Lock and Dam, No. 1—Len. Dam, 260 ft. av. ht. 19 ft.

N.B.—The prices allowed at this locality, in Estimate, No. 1, are: timber for crib ties, 4 cents per foot; stone for cribs, 40 cents per cubic yard—average, 57 cents per cubic yard.

From total estimated cost of the work, per Estimate, No. 1, 50,005 72
Deduct total cost sloped masonry, 4636 cubic yards, at 1 dollar 25 cents, 5975 00
Deduct 434 perches hammer dressed masonry, 420 cubic yards, at 2 dollars per perch, 868 00
Deduct 2950 cubic feet square timber, bond plates, 77 cubic yards, at 10 cents a foot, 208 00
Deduct half the gross amount allowed for iron work of dam, 550 00

Aggregate cubic content of material deducted, 5133 cubic yards, cost, 7,601 00

Which, being deducted, shows the aggregate cost of work incident to either plan, 42,404 72

Now, for the materials deducted, 5133 cubic yards, substitute an equal solid of crib work, 5133 cubic yards, at 57 cents, 2,923 81

And the total cost of the work, dam and pier head—crib work to top, is 45,320 53

But to this sum, should be added for the additional cost of a hammer dressed coping on pier head, 200 00

And the total cost would then be this sum, 45,520 53
SIX MILE RIPPLE—14 feet lift.

Lock and Dam, No. 2.

Rates allowed at this place in Estimate, No. 1, for crib work are: Ties for cribs, 4 cents per foot; stone for filling, 30 cents cubic yard—average 50 cents per cubic yard.

From total estimated cost of work, per Estimate, No. 1, 38,573 39

Deduct as follows:
1st, Estimated quantity of sloped masonry, 3564 cubic yards, at 1 dollar, 3564 00
2nd, 337 perches hammer dressed masonry, 334 cubic yards, at 2 dollars a perch, 714 00
3rd, 2664 cubic feet square timber, bond plates, 99 cubic yards, at 10 cents per foot, 266 40
4th, Half the estimated amount of iron work in the dam, 456 50

Total cubic content of materials deducted, 3997 cubic yards, cost 5,000 90

Which, being deducted, leaves as cost of remaining work incidental to either plan, 33,572 49

Now substitute for materials deducted, an equal solid, 3997 cubic yards crib work, at 50 cents, 1,998 50

Also, add 200 dollars to cover extra expense of coping, 200 00

And the total cost, 35,770 99

CEDAR CREEK RIPPLE—14 feet lift.

Lock and Dam, No. 3.

Prices allowed for timber and stone at this point are: Crib timber, 4 cents; stone for filling, per cubic yard, 31 cents—55 cents per cubic yard for crib work.

From total estimated cost of work, per Estimate, No. 1, 40,931 70

Deduct as follows:
1st, Amount sloped masonry required in dam, 4106 cubic yards, at 1 dollar 20 cents, 4927 20
2nd, 318 perches hammer dressed masonry in pier head, 295 cubic yards, at 2 dollars per perch, 590 00
3rd, 3250 cubic feet square timber, bond plates, 108 cubic yards, at 10 cents per foot, 289 60
4th, Half the estimated amount of iron work of dam, 443 75

Aggregate cubic content of materials deducted, 4509 cubic yards, cost 6,350 55

Which, being deducted, leaves the remaining work incidental to either plan, 34,581 15

Now, in place of the materials deducted, substitute an equal solid, 4509 cubic yards crib work, at 55 cents, 2,479 95

Also, add 200 hundred dollars, additional expense of coping, 200 00

And the total cost of the improvement, crib work, instead of masonry is 37,361 10
LEE'S RIPPLE—15 feet lift.

Lock and Dam, No. 4.

Rates allowed in Estimate, No. 1, for crib materials are: Timber, 4 cents per foot; stone, 33 cents per cubic yard; 52 cents per cubic yard, for crib work.

From the total cost of the work, per Estimate, No. 1, $39,491 60

Deduct as follows:

1st, Total quantity sloped masonry in dam, 4234 cubic yards, at 1 dollar 20 cents, 5080 80

2nd, 420 perches hammer dressed masonry, 390 cubic yards, at 2 dollars, 785 00

3d, 4070 cubic feet square timber, bond plates, 151 cubic yards, at 10 cents a foot, 407 00

4th, Half the estimated cost of iron work in dam, 443 50

Aggregate cubic content of material deducted, 4775 cubic yards, cost 6666 30

Which, being being deducted, leaves as the remaining work incidental to either plan, 33585 30

Now, replace the amount of materials deducted, 4775 cubic yards, by an equal solid of crib work, at 52 cents, 2483 00

And then add for additional expense of coping, 200 00

And the total cost, dams and pier head, crib work instead of masonry, $35,508 30

SUMMARY,

Showing the total cost of the improvements at each locality, and aggregate total cost of the whole works from the mouth of the Kentucky river, to Lock and Dam, No. 4, near the town of Frankfort. Showing also, the aggregate lift of lockage, and the extent of the navigation improved for 6 feet water, from Lock and Dam, No. 1, to the head of said depth of water in the pool of the upper dam, at the foot of Gilpin's ripple, about 15 miles above Frankfort.


Lock and Dam, No. 1. Horse-Shoe Bend, 17 feet, 274 45530 53
Lock and Dam, No. 2. Six Mile Ripple, 14 feet, 101 35767 99
Lock and Dam, No. 3. Cedar Creek Ripple, 14 feet, 231 37361 10
Lock and Dam, No. 4. Lee's Ripple, near Ft. 15 feet, 154 35508 30

Total, net cost, $154170 92

Add for contingencies, engineering, superintendence, &c. 10 per cent.

Aggregate total cost, &c. 15417 09

60 feet, 761 183586 01

Total amount of lockage, 60 feet, $169,583 01 Cost of Improvement. $2,827 46

Extent of navigation improved, for 6 feet water, 761 miles, cost per mile, $2,316 96

N. B.—The pool of Dam, No. 4, will give a depth of 6 feet water to the foot of Gilpin's ripple, 804 miles above the mouth of Kentucky, and about 144 miles above Frankfort; and a depth of 5 feet, about 3 miles further, to Steele's ripple, a few miles from the towns of Lawrenceburg and Versailles.
ESTIMATE, No. 3.

Plan, No. 2.—5 feet water.

Approximate estimate of the probable cost of improving the navigation of Kentucky river, for a depth of 5 feet water, between its mouth and the town of Frankfort, according to the plan of the improvement and location of works shown on the profile of the river marked "Plan, No. 2."

The improvement to be effected by means of 5 Locks and Dams.

LOCKS—To be constructed of cut stone masonry, 140 feet in the chamber, 36 feet wide, 5 feet depth of water on the mitre cills.

DAMS—To be constructed of cribs of timber, filled with stone, below the surface of water; and above the surface to be of sloped stone masonry, secured by iron anchor rods and bolts, and covered by a course of sheeting spars, secured to bond timbers, and so planned that the timber may be removed for repairs without disturbing the masonry.

HORSE SHOE BEND.

Lock and Dam, No. 1.—Lift, 8 feet.

One rocky shore—bottom, gravel half way across.

DAM (Length of weir, 260 feet; Avg. height, 12 feet).

Cofer dams, bearing piles, earth excavation, &c. 1500 00
260 feet length of weir of dam, at 24 dollars, 6240 00
Pier head and abutment, 1800 00 9540 00

LOCK—(8 feet lift, 10 feet guard walls.)

4117 perches masonry, at 4 dollars 50 cents, 16326 50
Gates and appendages, embankment, slope wall—all work inclusive, 3200 00 21726 50

Total cost of improvement, per Plan, No. 2. $31,296.50

MARION.

Lock and Dam, No. 2.—Lift, 10 feet.

Solid rock bottom three fourths the length of Dam, then broken rock—probably solid underneath; banks alluvial earth.

DAM—(Length, 290 feet; average height, 14 feet.)

290 feet length of weir, at 24 dollars, 6960 00
Abutment and pier head, and all other required work included, 2000 00 8960 00
(Carried forward.)
(Amount brought forward,)  

**LOCK**—(10 feet lift; guard walls, 6 feet.)  

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>3311 perches masonry, at 4 dollars 50 cents</td>
<td>17599 50</td>
</tr>
<tr>
<td>Gates and appendages—including all other requisite work</td>
<td>3200 00</td>
</tr>
<tr>
<td><strong>Total cost of this improvement</strong></td>
<td><strong>20799 50</strong></td>
</tr>
</tbody>
</table>

---

**SIX MILE CREEK.**

**Lock and Dam, No. 3.—Lift, 12 feet.**

Solid rock bottom on left shore, foundation of Lock. Gravel foundation for Dam nearly across.

**DAM**—(Average height, 14 feet; length, 335 feet.)

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Excavation of gravel, piles and tree cribbing, say</td>
<td>660 00</td>
</tr>
<tr>
<td>335 feet length of wier of dam, at 26 dollars</td>
<td>8710 00</td>
</tr>
<tr>
<td>Abutment and pier head</td>
<td>1500 00</td>
</tr>
<tr>
<td><strong>Total cost at this place</strong></td>
<td><strong>10810 00</strong></td>
</tr>
</tbody>
</table>

---

**LOCK**—(12 feet lift; 6 feet guard walls.)

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>4622 perches masonry, at 4 dollars</td>
<td>18488 00</td>
</tr>
<tr>
<td>Gates, &amp;c. all other work inclusive</td>
<td>3200 00</td>
</tr>
<tr>
<td><strong>Total cost of this work</strong></td>
<td><strong>21688 00</strong></td>
</tr>
</tbody>
</table>

---

**CEDAR CREEK.**

**Lock and Dam, No. 4.—Lift, 12 feet.**

Solid rock bottom entirely across. Bank on each side, earth.

**DAM**—(Length, 362 feet; average height, 16 feet.)

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>362 feet length of overfall of dam, at 26 dollars</td>
<td>9112 00</td>
</tr>
<tr>
<td>Abutment and pier head</td>
<td>1800 00</td>
</tr>
<tr>
<td><strong>Total cost of this work</strong></td>
<td><strong>10912 00</strong></td>
</tr>
</tbody>
</table>

---

**LOCK**—(12 feet lift; 6 feet guard walls.)

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>4622 perches masonry, at 4 dollars 25 cents</td>
<td>10643 50</td>
</tr>
<tr>
<td>Gates, and all necessary work estimated at</td>
<td>3350 00</td>
</tr>
<tr>
<td><strong>Total cost of this work</strong></td>
<td><strong>22993 50</strong></td>
</tr>
</tbody>
</table>

---

**ESSEX RIPPLE.**

**Lock and Dam, No. 5.—Lift, 8 feet.**

One high rock bluff shore for found. Lock. Dam on gravel bottom half across.

**DAM**—(Length, 270 feet; average height, 12 feet.)

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>270 feet length of wier of Dam, at 23 dollars</td>
<td>6210 00</td>
</tr>
<tr>
<td>Abutment and pier head, excavation and other work included</td>
<td>2000 00</td>
</tr>
<tr>
<td><strong>Total cost of this work</strong></td>
<td><strong>8210 00</strong></td>
</tr>
</tbody>
</table>

(Carried forward,)

---
SUMMARY OF ESTIMATE, No. 3.

Improvement as per Plan, No. 2, by 5 Locks and Dams, for 5 feet water.

Tabular view, showing the total cost, amount of lockage, extent of navigation improved, and the average cost per foot lift of lockage, and per mile of 5 feet navigation.

<table>
<thead>
<tr>
<th>Locality</th>
<th>No. works</th>
<th>Depth of lockage</th>
<th>No. miles of lockage</th>
<th>Extent of navigation</th>
<th>Average cost per foot lift of lockage</th>
<th>Average cost per mile of the improvement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Horse Shoe Bend,</td>
<td>Lock and Dam, No.</td>
<td>8 feet</td>
<td>19½ miles</td>
<td>19½ miles</td>
<td>6383.40</td>
<td>4.04</td>
</tr>
<tr>
<td>Marion</td>
<td>Lock and Dam, No.</td>
<td>10 feet</td>
<td>14½ miles</td>
<td>14½ miles</td>
<td>3249.80</td>
<td>4.04</td>
</tr>
<tr>
<td>Six mile creek,</td>
<td>Lock and Dam, No.</td>
<td>12 feet</td>
<td>16½ miles</td>
<td>16½ miles</td>
<td>31266.50</td>
<td>4.04</td>
</tr>
<tr>
<td>Cedar Creek</td>
<td>Lock and Dam, No.</td>
<td>13 feet</td>
<td>18½ miles</td>
<td>18½ miles</td>
<td>3200 00</td>
<td>4.04</td>
</tr>
<tr>
<td>Essex Ripple</td>
<td>Lock and Dam, No.</td>
<td>8 feet</td>
<td>9 3/8 miles</td>
<td>9 3/8 miles</td>
<td>26361.50</td>
<td>4.04</td>
</tr>
</tbody>
</table>

Net total cost of the improvement, 153791.00
Add, for contingencies, engineering, superintendence, &c. 10 per cent. 15379.10
Grand total, $169170.10

Average cost per foot lift of lockage, 3383.40
Average cost per mile of the improvement, 4.04

*The pool raised by the Dam at Essex, will give a depth of 5 feet water at Smooth Rock Ripple, 3½ miles above Frankfort, and a depth of 4 feet, two miles further up, at Glenn's Creek Ripple, 7½ miles above the mouth of the Kentucky.*
ESTIMATE, No. 4.

Location and number of works as per Plan, No. 2.
DAMS—To be of crib work throughout. Dimensions of work as per Estimate, No. 3.
LOCKS—140 feet chamber; 36 feet wide; 5 feet depth of water.

HORSE SHOE BEND.

Lock and Dam, No. 1.—8 feet lift.
One rocky shore for foundation of Lock. Bottom gravelly half across.
DAM—(Length, 260 feet; average height, 12 feet)
Coffer dam, bearing piles, earth excavation, &c. 1500 00
260 feet, length of weir of dam, at 17 dollars, 4420 00
Pier head and abutment, estimated, 1300 00

LOCK—(8 feet lift; 10 feet guard walls.)
Set down as per Estimate, No. 3, gates &c. included, (whole cost,) 21726 50

Total, $39,946 50

MARION.

Lock and Dam, No. 2.—Lift, 10 feet.
Bottom, solid rock three fourths across; broken rock, probably solid underneath balance distance.

DAM—(Length, 290 feet; average height, 14 feet)
290 feet, length of weir of dam, at 17 dollars, 4930 00
Abutment and pier head, all other work of dam included, 1500 00

LOCK—10 feet lift; 6 feet guard walls.)
As per Estimate, No. 3, (whole cost,) 20799 50

Total, $37,299 50

SIX MILE CREEK.

Lock and Dam, No. 3.—Lift, 12 feet.
One rock shore, foundation for Lock. Dam on gravel nearly across.

DAM—(Length, 335 feet; average height, 14 feet)
335 feet, length of weir of dam, at 19 dollars, 6365 00
Abutment and pier head, estimated, 1100 00
Add for bearing piles, excavating gravel, and tree crib, 660 00

LOCK—(12 feet lift; 6 feet guard walls.)
As per Estimate, No. 3, (whole cost,) 21688 00

Total, $23,753 00

[Ar. H. R. Jour.]
CEDAR CREEK.

Lock and Dam, No. 4.—12 feet lift.

Bottom, solid rock—earth banks.
DAM—Length of weir, 362 feet, (average height, 16 feet,) at 18 dollars, 6516 00
Abutment and pier head, 1100 00 7616 00
LOCK—13 feet lift; guard walls, 6 feet. Whole cost as per Estimate, No. 3, 22993 50
Total, $30,609 50

ESSEX RIPPLE.

Lock and Dam, No. 5.—8 feet lift.

One rock bluff shore, foundation for lock. Bottom gravel half way—one alluvial bank.
DAM—(Length of weir, 270 feet; average height, 12 feet.)
270 feet overfall of dam, 17 dollars, 4500 00
Abutment, pier head and other work of dam, 1500 00 6000 00
LOCK—(8 feet lift.)
All cost inclusive, as per Estimate, No. 3, 18151 50
Total, $24,341 50

SUMMARY OF ESTIMATE, No. 4.

Showing the aggregate and the average cost of Improvements per mile.

<table>
<thead>
<tr>
<th>Location</th>
<th>Lock and Dam, No.</th>
<th>Miles of navigation improved</th>
<th>Total cost of each improved</th>
</tr>
</thead>
<tbody>
<tr>
<td>Horse Shoe Bend</td>
<td>No. 1</td>
<td>124 miles</td>
<td>27,328 60</td>
</tr>
<tr>
<td>Marion</td>
<td>No. 2</td>
<td>144 miles</td>
<td>25,730 60</td>
</tr>
<tr>
<td>Six Mile Creek</td>
<td>No. 3</td>
<td>164 miles</td>
<td>22,763 00</td>
</tr>
<tr>
<td>Cedar Creek</td>
<td>No. 4</td>
<td>184 miles</td>
<td>20,000 00</td>
</tr>
<tr>
<td>Essex Ripple</td>
<td>No. 5</td>
<td>204 miles</td>
<td>23,250 00</td>
</tr>
<tr>
<td>Aggregate total,</td>
<td></td>
<td>65½ miles</td>
<td>140,780 00</td>
</tr>
</tbody>
</table>

Add for contingencies, 10 per cent.

Grand total cost, $154,538 00

Amount of lockage, 50 feet,
Average cost per foot lift, $3,097 16.
Extent of navigation improved for 5 feet water, 65½ miles.
Average cost, per mile, $2,360 00.

All which is respectfully submitted.

R. P. BAKER.

Note.—The Public Printer states that he has used the words "Dollars" & "Cents" at full length, instead of the abbreviations $ & cts. as they occurred in the manuscript. This note is published at the request of Maj. Baker.
REPORTS
OF THE
ASSISTANT ENGINEER,
OF HIS
Operations in the year 1835.

No. I.
SUMMARY REPORT.

FRANKFORT, December 27th, 1835.

To the President and members of the Board of Internal Improvement.

GENTLEMEN:

In compliance with the instructions of your honorable body, in the month of August last, I made the necessary examinations and contracts for the removal of all the fish dams in the Kentucky river below the Three Forks. During the latter part of the same month, and early in the next, I made the necessary examinations and contracts for the removal of the most dangerous obstructions to the navigation of the North fork for the distance of one hundred and twenty-seven miles, and also, for the removal of the obstructions which were in the mouth of the Middle fork of the Kentucky river.

The above examinations and contracts were made for the purpose of carrying into effect that part of the law, establishing a board of internal improvement, passed at the last session of the legislature, which appropriated the sum of five thousand dollars “for the removal of obstructions to the navigation of the Kentucky river above the Three Forks, and the fish dams in any part of said river.” A specific report, and the original contracts for the execution of the work, together with a sheet of drawings of some of the obstructions, are herewith submitted.

From the 20th of September to the 20th of October, I was engaged in assisting to make the survey of the Kentucky river, from its junction with the Ohio river to Frankfort, which had for its object the selection of the proper sites for a system of locks and dams, which would be calculated to ensure a perpetual navigation for steam boats of one hundred tons burthen.

From the 1st to the 20th of November, I was engaged in making the survey of the Sandy river, which was unfortunately interrupted by a rise in its waters before its completion. A report of the examination, and a map of the part of the river surveyed from the town of Louisa to the mouth of George’s creek, are herewith submitted.
By the request of many gentlemen of Floyd and Pike counties, while I was in that section of the state, I made a coup d'œil reconnaissance of the route of a road of about thirty miles in length, which should connect Pikeville, up to which the Sandy river is navigable for a large portion of the year, with the Sounding Gap in the Cumberland mountain, where it would join with a road in Virginia, leading through Russell county, and extending into the eastern portion of Tennessee.

From the Sounding Gap, which is within two miles of the very source of the North fork of the Kentucky river, I descended along its margin until I arrived at the commencement of the work which had been put under contract. From that place I descended the river in a canoe and made my inspections, the result of which will be found in the report on that subject.

By the invitation of his Excellency, the president of the board, I accompanied him to the Vienna falls, upon Green river, and was there at the same time the committees of the legislature assembled for the purpose of inspecting the public works which are progressing at that place.

I have the honor to be,

Very respectfully,

Your obedient serv't,

N. B. BUFORD,
Civil Engineer.

No. II.

REPORT

Upon the nature, and removal of the obstructions to the navigation of the North and Middle forks, and the fish dams in the Kentucky river.

The North, is much the most considerable of the three forks of the Kentucky river. It takes its rise in the south eastern extremity of Perry county, on the western slope of the Cumberland mountain, from which it descends with great velocity; but, before it has acquired the magnitude of an ordinary mill stream, flows with a gentle, and in its course decreasing velocity; when, after meandering in a north westerly direction a distance of four hundred and twenty miles, it discharges itself into the Ohio river, at low water of both streams, with a velocity scarcely perceptible.

The region through which it flows for the first two hundred miles of its course, is composed of mountain ridges and hills, all the rocks of which are of the carboniferous group, being sandstone, shale, and conglomerate, interstratified with beds, generally horizontal, of bituminous coal of from one to fifteen feet in thickness, and below which is found, at various depths, the mineral muriate of soda, (common salt). The valleys, through which the upper part of the river and its principal tributaries flow, are generally narrow, but frequently become wide enough to contain farms of from fifty to three hundred acres between the points at which the river, striking against the abrupt face of the mountain on one side, is deflected across the valley to the other, and
thence again to the same side. The bottoms are a rich alluvium, and
the hills are covered with magnificent forests of the most valuable tim-
ber trees.

The bed of the river, from its source to a point a few miles below
the junction of the Three Forks, is worn through strata of the carboni-
ferous group above described, which are frequently inclined, and as they
are of different degrees of hardness and chemical composition, they
have yielded unequally to the friction of the water, and the other de-
composing elements. In consequence of these causes, the river flows
over an irregular bed, being frequently interrupted by the outcrop
of the hardest of the inclined strata, which act as dams, over which the wa-
ter escapes with but little depth and increased velocity. At other places
the bed of the river is slate for several miles, which is so inclined, that
the velocity is sufficiently great, to render the depth so little, that it
would be difficult to navigate these shallows with the lightest canoe:
and what often renders them more difficult, is, that these smooth bot-
toms, which always occur where the river is wide, are literally strewed
with masses of detached rocks, varying from one cubic foot, to thirty
cubic yards in size. But the greatest obstructions which the ordinary
navigation with flat boats and rafts had to encounter, were the number
of large masses of detached rocks which were located in the elbows
formed by the sinuosities of the stream, which, against the current,
then sufficiently high for boating, sets with an almost irresistible force.
These rocks were so large that many of them measured upwards of one
hundred, and the largest, three hundred and fifteen cubic yards above
the low water mark. The upper part of the river is also obstructed by
islands, many of which, are fragments of rock, that have been able to
resist the causes of disintegration that have worn the channels on each
side of them, filled in with drift wood and alluvium, and now covered
with vegetation.

The above, together with the fish dams, which were numerous; over-
hauling trees in particular situations; a large drift which had accumu-
lated in the mouth of the Middle fork in 1817; and which had never
since been dislodged by the action of the water; and the snags that
were in the channel, embrace all the kinds of obstructions that the safe
navigation of the river, when it is at a boating stage, requires to be re-
moved.

If the means appropriated by the legislature had been sufficient for
the removal of all the obstructions above described, there would have
been no difficulty in selecting the very highest point at which the river
might be considered navigable for the commencement of the improve-
ment: but, this not being the fact, it became necessary to consider, to
what objects the appropriation should be applied, in order to afford the
greatest benefit to the community. After a careful examination it was
found, that the appropriation would be sufficient to remove all the ob-
structions that were absolutely dangerous to the descending navigation
of the ordinary crafts when the water was at a boating stage, from the
mouth of Leatherwood creek to the junction of the South fork, a distance
of one hundred and twenty-seven miles, and all the fish dams in the
principal Kentucky river.
It was conceived to be especially desirable that the navigation should be opened to the upper point, above named, in consequence of its being the seat of the salt works of General White and Colonel Brusher, which have but just been established and put into successful operation, and are now making about two hundred and fifty bushels of salt per week, which will be more than sufficient for the supply of that whole section of country with this indispensable article.

Between the mouth of Leatherwood and the South fork, contracts were made for the removal of obstructions at seventy-nine different places, and between the South fork and Frankfort, contracts were made for the removal of sixty-five fish and mill dams. The memorandum book which contains the descriptions and measurements, together with the actual cost at each one of them, and also a sheet of drawings representing some of the obstructions, and the fourteen original contracts, accompany this report.

The expenditure has been as follows:

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>On the North fork</td>
<td>$2,900.00</td>
</tr>
<tr>
<td>On the Middle fork</td>
<td>200.00</td>
</tr>
<tr>
<td>On the North and Middle forks conjointly</td>
<td>500.00</td>
</tr>
<tr>
<td>On the Kentucky river</td>
<td>1,243.00</td>
</tr>
<tr>
<td><strong>Total expended</strong></td>
<td><strong>$4,943.00</strong></td>
</tr>
<tr>
<td><strong>Balance unexpended</strong></td>
<td><strong>97.00</strong></td>
</tr>
</tbody>
</table>

Whole amount of appropriation, $5,000.00

The latest date which was stipulated in any of the contracts for the completion of the work, with the exception of one, was the first of December; and, although at the time when the inspection was made, which was in the latter part of November, only two of the contractors on the North and Middle forks had entirely fulfilled their engagements, yet, I feel happy in being able to state, that all the others had made such progress as to afford evidence of good faith, and that the principal and most dangerous obstructions have been entirely removed. Consequently, it has not been found necessary to annul any of their contracts, but a sufficient amount of the payments have been withheld, as will ensure their completion as soon as the season will permit. A rise in the Kentucky river prevented my inspections from extending down it, but the most satisfactory evidence has been furnished of the entire removal of the fish and mill dams, and of a faithful compliance with the contracts; the payments upon which have been fully made.

It would be improper for me to close this report without repeating that the navigation of the upper part of the Kentucky river has not been improved by the small expenditure which has been made upon it during this year, further than to remove the obstructions that were dangerous to the passage of the ordinary craft, and that the appropriation was scarcely sufficient for that object. To improve the navigation so that the same crafts can pass at a lower stage of water than they now can, and consequently, during a greater portion of the year, and to render the river practicable for keel boats, remains yet to be accomplished.
ed: and from the facts which I have been enabled to collect concerning the productions of this section of the state, I feel assured, that an improved navigation of the upper part of the river would develop sources of wealth that are of the utmost importance to the growth of the manufactures and the commercial prosperity of the state.

At the present time, the large section of country which is watered by the Three Forks of the Kentucky river, is the most inaccessible and the most destitute of facilities for the exportation of the mineral and agricultural treasures with which it abounds, and for the importation of all those articles of foreign manufacture and growth, which are not only absolutely necessary for comfort, but are, also, the rewards and stimulants of industry, of any portion of the state. The explorations which have already been made of the minerals with which this neglected region abounds, have discovered coal, salt, nitre and copperas in such vast quantities, that the future supply of them might be enumerated by the word, inexhaustible: while the forests can not only supply all the varieties of timber, which are found in other parts of the state, but also, the yellow pitch pine, which is of peculiar value.

The enumeration of the amount of these articles which were brought into market during the last year, may be useful, but, dependant as they were upon an unsafe and precarious navigation, they will make but a poor figure in the statistics of the state. The coal region commences a few miles below the junction of the Three Forks, and extends up along the heads of each one of them. The principal veins that are now mined, and which but ineffectually supply the markets of Lexington and Frankfort, are near the mouth of the South fork; near the mouth of Troublesome creek; sixty miles up the North fork, where it is found in better quality than in any other part of the United States; and near Perry court house, fifty miles higher up the same fork. The quantity of this article brought to market during the last heating season amounted to seventy-five thousand bushels, and sold for near nine thousand dollars. The principal manufactures of salt, are upon Goose creek and the Red Bird fork, both of which are tributary to the South fork. It is, also, manufactured at the mouth of Leatherwood, as I have already noticed, on the North fork; and strong salt water has been obtained near the mouth of Troublesome, though the proprietor has not yet made his preparations to manufacture. From information which may be perfectly relied on, I have ascertained, that there were two hundred and fifty thousand bushels of this article manufactured during the last year, about two thirds of which was sold on different parts of the Kentucky river to as low down as Cleveland’s landing, and the remainder, either in the vicinity, or in the neighboring counties in Tennessee. The proceeds amounted to at least one hundred thousand dollars. It was found more difficult to ascertain the quantity of timber which is annually sent to market from this section, but from the data which I have collected, it may be estimated at three thousand saw logs, of poplar, pine, oak and ash, which were worth, at the least, five thousand dollars. To the above may be added thirty thousand pounds of ginseng, and large quantities of deer skins, furs, honey, beeswax and feathers, which are estimated to produce annually, ten thousand dollars.
I shall close this report with recommending, that the board ask of the legislature, the appropriation of five thousand dollars for the improvement of the navigation of the North and Middle forks of the Kentucky river, and three thousand dollars for the improvement of the navigation of the South fork; the whole to be expended under their direction. I shall make no suggestions in regard to the upper part of the principal Kentucky river; entertaining, as I do, no doubt of its susceptibility of a slack water navigation, which shall extend from its mouth to the Three Forks. If the river is susceptible of this improvement near its mouth, the only limit to its extension, would be the supply of water. By accurate measurements which were made in the month of October last, it was ascertained that the supply was not only sufficient for the navigation, but would, also, afford valuable water privileges. In the year 1828, I assisted in making measurements of the quantity of water flowing at Frankfort, and when the river was at quite as low a stage, at Boonesborough, more than one hundred miles above, and we were surprised to find upon comparison, the greater quantity at the latter place: but surprising as this fact may at first appear, it may be accounted for upon principles fairly deduced from natural laws. It is a well known fact, that the most elevated lands attract, in proportion to their volume and density, a larger quantity of that aqueous vapor which the heated atmosphere continually absorbs from the surface of the earth. By these means the higher regions become perpetual reservoirs, which descend and irrigate the lower valleys and plains. In consequence of this provision, almost all the water is first carried to the highest regions, and is thus made to pass over the greatest distance each region affords, before it can regain the sea.* The applicability of this reasoning to the circumstances of the Kentucky river, combined with observations confirmatory of the fact, leave us no reasonable room to doubt, that the supply of water immediately below the Three Forks will be found sufficient for slack water navigation.

It is proposed to improve, by the appropriation recommended, the tributaries of the principal Kentucky from this point, though in a less perfect manner.

The above is submitted by

Your obedient servant,

N. B. BUFORD, Civil Engineer.

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No. III.

REPORT

Of the survey of the Sandy river, with a view to the improvement of its navigation.

The Big Sandy river is twenty seven miles long, and constitutes part of the eastern boundary of the state. It is formed by the junction of two considerable streams, the Tug and the West fork, both of which have their sources in the mountainous part of South-western Virginia,

*Lyell's Geology.
but at points which are remote from each other; the former being a continuation of the eastern boundary for about seventy miles; whilst the latter, emanating from a more south westerly source, after breaking through the Cumberland mountain, flows, for a distance of about one hundred miles, through a rich, though mountainous part of the state.

The survey was commenced at the mouth of the Big Sandy, and it was intended to have continued it, and to have run a line of levels from that point, up the West Fork to Pikeville; but an extraordinary freshet for the season, occurred in the Ohio river in the latter part of the month of October, which backed its waters up the Sandy for about thirty miles, and which had not subsided when the survey was commenced. This circumstance prevented the possibility of obtaining the levels of the river near its mouth, and the lateness of the season rendered it unadvisable to delay in the expectation of low water. Before leaving the mouth, however, a careful examination was made, and the best information obtained of the width, depth and velocity of water flowing into the Ohio, at low water; and of the sand bar which forms in and immediately below it, and also, of the height and nature of the banks and the bed of the river. The river was then ascended in a light craft, and careful observations were made of the same objects as far up as the town of Louisa, which is opposite the junction of the Forks, and also, of the detached rocks, snags, &c. which were calculated to render the navigation unsafe, and especially of the laws which regulate the formation of its bed, and the depth of water in its channel. From Louisa, the survey and levels were regularly conducted up the West fork to the mouth of George's creek, a distance of fifteen miles, a map and profile of which accompany this report, when, unfortunately, we were met by a rise of water, which prevented all further operations with instruments: but I continued to ascend the river as far up as the mouth of Big Paint creek, making, as I passed, such a reconnoissance as was in my power. I also had the opportunity of examining the river at Prestonsburg and Pikeville, and several intermediate places.

In describing the results of the examinations which were made, it will be convenient to divide the river into sections, which will enable me to consider separately, the parts which were actually surveyed, and those which were examined in a less satisfactory manner.

These sections may be divided as follows:
1. From the mouth of Big Sandy to Louisa.
2. From Louisa, to the mouth of George's creek.
3. From the mouth of George's creek to Pikeville.

**1st Division:**

*From the mouth of Big Sandy to Louisa.*

The mouth of the river was an object of critical enquiry, as it would have been of examination, if the high water had not prevented it. The left bank is about 50 feet, and the right bank about 36 feet above the low water mark; and they are both composed of alluvium, in which there are several horizontal layers of large rolled stones, some of which are conglomcrated by the oxide of iron, and the whole overlaying a sandstone substratum. The bed of the river is quicksand, which is continu-
ually shifting its place, when the velocity of the water is sufficient to carry it; but as that velocity is frequently checked at this point, at such times, the bed of the river is elevated several feet; when, at other times a rise in its own waters, when the Ohio river is low, propels the sand into that stream, and causes the formation of a sandbar in it, which, though subject to constant fluctuation, usually extends half across it. The depth of the Sandy, near its mouth, is usually reduced to about 18 inches during the driest season of the year, and when the quicksand is sufficiently compact, the river is fordable at this place. By the examinations that were made some time past, by the Virginia engineers, who contemplated a bridge near this place, it was ascertained that the sand in the bed of the river overlayed the substratum of rock, to a depth of about 10 feet; and the depth to the substratum is known in many other places on this section from actual examination; for, as this is a salt region, in boring for that substance, it has been found indispensable first to sink a set of hollow gums, one overlapping the other, entirely through the sand, to the rock, before the boring with the augur could be commenced, and these gums had, in many places, to be sunk to the depth of fifty feet for that object.

The width of the river at its mouth, is nearly 400 feet wide, and it is seldom reduced to less than 300 feet, up to the junction of the Forks; and from the peculiar nature of the soil through which it flows, its regimen differs from most other rivers in the state, as it does also, from other sections of the Forks which form it. Throughout this section, the banks are alluvial, except when the meanderings of the stream bring it in contact with the base of the bluffs which environ the valley which contains it, and they yield so readily to the current, that it has necessarily carved out, for itself, a channel of such width, that the velocity is reduced to the rate which the banks are capable of resisting. The bottom of the river is nearly of an uniform depth below the surface, but something deepest near the concave side of all the bends; and is composed, with the exception of a few places, of drifting sand, which is undergoing a continual, but tardy transfer during low water, which is greatly accelerated during the higher stages. The bed, consequently, instead of being an alternate succession of deep pools and shallows, is one continued inclined plane, with a very gentle slope. The exceptions to this general character are caused by ledges of sandstone and slate, which, at a point about eight miles from the mouth, and also a short distance above the mouth of Big Blaine creek, extend nearly across the stream, and in three other places there are some detached rocks which are so situated as to be dangerous to boats descending the river at high water.

The whole country through which the river extends has the same geological features. The rocks are sandstone, interstratified with slate and bituminous coal, and also with nodules of the argillaceous oxide and other iron ores, but which are generally overlaying the rocks and found near the surface. Salt water can also be obtained by boring at any place along the margin of the river, as has been proved in many instances.

The Big Sandy receives but few considerable tributaries below the Forks, Big Blaine creek, which enters twenty-two miles above its mouth,
is the largest, and is remarkable for its falls, which are seven miles from its junction with the Sandy, where the creek is precipitated over a ledge of rocks about fourteen feet in perpendicular height. This place is admirably calculated for manufacturing establishments, for the back water of the Ohio frequently renders this creek navigable for large boats to the foot of the falls.

The Big Sandy is very serpentine in its course, though its general direction is due north, and in its elbows there are a few overhanging trees that are in the way of the navigation, and in its channel, there are a number of snags that should be removed.

2ND DIVISION:

From Louisa, to the mouth of George's Creek.

This section was accurately surveyed, and many of its features can be seen from an inspection of the maps and profile. From Louisa, to the foot of Five mile shoal, the river is in every way similar to the Big Sandy, except its width, which is scarcely 200 feet: there are no pools, the fall of water between these two points, which are distant apart, four and a half miles, averages one foot and four inches per mile, and its bed is composed of drifting sand. Five mile shoal is near half a mile in length, and is formed by the strata of slate and sandstone, which compose the banks of the river at this place, passing directly across the bed of the stream, thus forming a natural dam, which makes a pool of eight feet depth immediately above it, at low water. The fall over this shoal, which is principally distributed at four different places, was three feet three inches, and its depth was, in no place, less than one foot at the time the survey was made, when, from careful measurements, it was ascertained that the volume of water flowing, was 19152 cubic feet per minute, which may be reckoned to be about double the quantity flowing at the lowest stage of water.

Above this shoal, to the mouth of George's Creek, the river is a succession of pools and shoals, which are very similar in character to the one just described, and quite unlike those bars, which, in limestone regions, are ejected from the mouths of the creeks into the main river. The creeks that enter the Sandy, do not, in any instance, cause deposits capable of damming up the stream; they only discharge sand, which yields to the current, and is as apt to be found obstructing the channel at any other place, as at the mouths of the creeks. The pools between the shoals are scarcely ever less than three feet in depth, but in this section, there are several places where the river is wide, and its bed is slate, so that its depth, for considerable distances, is reduced to about six inches at low water. These shallows, and the obstructions caused by each one of the shoals, are the only obstructions to the navigation of this section, with light keel boats, when the river affords as much water as it did when the survey was made. There are a few detached rocks and many snags in it which would be concealed, and thus dangerous for boats passing at a higher stage of water.

This section receives four tributaries that are sufficiently large to afford valuable mill privileges, and on one of them there is a valuable one erected for the manufacture of Flour.
3rd Division:

From the mouth of George's creek to Pikeville.

This section was but cursorily examined. It was, however, ascertained that its general character was so much like the one last described, that the same adaptation for any one mode of improvement, would be found in both. Its length is about sixty-five miles, and continues throughout, in succession of pools and shoals. The river is considerably reduced in magnitude above the mouth of Big Paint creek, and still more above the mouth of Beaver creek, but it is also, reduced in width as well as in volume, so that the ordinary navigation is nearly as good in this upper section as it is lower down.

The geological features of the country bordering this section, are similar to those already described. The whole country is rich in mineral wealth, and though no enquiries have been instituted, as yet, to explore its hidden treasures, enough has been found by casual observation, to have justified the erection of the most extensive iron and salt establishments, if the navigation of the river had afforded a safe and certain outlet to the markets of the country. The bottom lands bordering the West fork and its tributaries in Pike, Floyd, and Lawrence counties, are extensive, and of the richest character. They produce annually, a surplus of 80,000 bushels of corn, which is shipped to the markets on the Ohio river. From the same section, there are, also, annually shipped 70,000 pounds of ginseng, 40,000 pounds of peltries, 2,500 cords of tan bark, 50,000 bundles of slams, 10,000 cords of wood, and 30,000 bushels of coal, besides large quantities of saw logs and cedar, and locust posts. The value of these exports, is, at the least, 150,000 dollars.

The importations into these counties, being entirely dependent upon the navigation of the river, are not very great. The tonnage, from the best information attained, may be reckoned at about 350 tons annually.

Before proposing a plan for the improvement of the navigation of the Sandy river, it will be proper to enquire into its present state. The river has upon its margin four beautiful towns, which are admirably situated, as depots for the trade of the adjacent country: Catlettsburg, at its mouth; Louisa, 27; Prestonsburg, 80, and Pikeville, 110 miles higher up the stream. Between the first and the second towns, the freshets of the river or the back water from the Ohio, cause a sufficient depth of water for a navigation with steam boats of 100 tons burden, for at least six months of every year, and for keel boats of 30 tons, for about nine months. There is a sufficiency of water, and no greater impediments than those between Frankfort and the mouth of the Kentucky, for steam boats of the smaller class ascending to Prestonsburg for about five months in the year, and keel boats for nearly eight months. At Pikeville, the river is navigable for large boats and rafts for about four months, and keel boats of light draft might ascend to that place for about seven months in the year. No steam boat has, as yet, ascended the Sandy river for any considerable distance, but the many impediments to the navigation which have been removed during the last year, will probably induce the owners of boats to venture up that stream during the next season.
Plan of Improvement.

If it were practicable to improve the navigation of the Big Sandy, and its West fork by a system of Locks and Dams, capable of passing a boat of 100 tons burthen, there can be no doubt, that it would be the mode of improvement which would afford greater facilities for the trade of that section of country than any other plan which has ever been adopted for the improvement of a river. Whether this mode of improvement is practicable, or not, on these rivers, the circumstances of the survey were so unfavorable to a minute investigation of all the facts that were necessary to be known in order to determine this question, that I am without the means of deciding it; but, if reliance can be placed upon the information obtained, which has been already stated, the peculiar features of the Big Sandy, especially at its junction with the Ohio river, present almost insurmountable difficulties to this mode of improvement. If it should be thought necessary, a future examination will enable us to decide this question.

A mode of improvement which has been already partially applied on the West fork of the Sandy, and with manifest advantage to the navigation, is that of improving the natural bed of the river, by clearing the channel and opening sluices through the shoals; so far as this goes to remove all the obstructions that could endanger the passage of steam or other boats, when, during the freshets the water is of sufficient depth, and at lower stages of water, to enable small boats under the management of three or four men, with a load of from ten to twenty tons to move up or down the stream without delay at any place, it is attended with benefit.

In the infancy of a country, this is the first mode of improvement which suggests itself, and I am of the opinion, that with all its imperfections, it could be so applied on the Sandy river as to secure a safe passage for steam boats to Prestonsburg and Pikeville for from four to six months every year, and for light keel boats for nearly the whole year. The following estimates are made for this mode of improvement.

1st DIVISION.
1. For blasting and removing 300 cubic yards of detached rocks, at 50 cts. per cubic yard, $150 00
2. Removing snags, trees, &c. for 27 miles, at $10 pr. mile, 270 00
Total, $420 00

2nd DIVISION.
1. Removing 200 cubic yards of rock, next the right bank opposite Chapman's, at 50 cts. per c. yard, 100 00
2. Opening channel 50 feet wide in Five mile shoal, 200 00
3. Opening channel 50 feet wide in Gaviot's shoal, 100 00
4. Opening channel 50 feet wide, and removing the rocks near the left bank in M'Lure's shoal, 150 00
5. Opening channel 50 feet wide and removing rocks near the left bank in Shannon's shoal, 130 00
(Carried forward,) $680 00
46

(Brought forward.)

6. Cutting channel 50 feet wide through the slate bottom, and removing 50 cubic yards of detached rocks below Griffith's creek, $680 00
7. Opening channel 50 feet wide and removing large rocks near the right bank in Chapman's shoal, 100 00
8. Opening channel 50 feet wide and removing large rocks in the Buffaloe rock shoal, 150 00
9. Cutting channel 50 feet wide through slate bottom between Picket's, 63 and 66, 150 00
10. Opening channel 50 feet wide through the Fish Trap shoal, 300 00
11. Cutting channel 50 feet wide through slate bottom below George's creek near Picket's, No. 73 and 77, 200 00
12. Removing snags, trees, &c. for 15 miles, at $10 per mile, 100 00

Total, 1,830 00

3RD DIVISION.

This division was not examined with sufficient detail to furnish estimates, but it is believed, that an expenditure of 150 dollars per mile for the whole distance, sixty-five miles, which amounts to 9,750 dollars, would be sufficient for the object which is proposed to be accomplished.

Whole amount of estimates, $12,000 00

I therefore respectfully recommend that the board would ask of the legislature the appropriation of twelve thousand dollars for the improvement of the navigation of the Big Sandy river and its West fork; to be expended under their direction.

The above is respectfully submitted,

N. B. BUFORD, Civil Engineer.

No. IV.

REPORT

Of a reconnaissance of the route of a road from Pikeville to the Virginia line at the Sounding Gap in the Cumberland mountain.

It is proposed by this road to open a communication between a point on the West fork of the Sandy river, up to which it is navigable for a large portion of the year, with a road leading from the eastern counties in Tennessee, through the south-western part of Virginia.

The road uniting these two points would be about thirty miles in extent, and could be carried along the valleys of the streams which intersect this mountainous region without encountering any very difficult elevations. Its route is distinctly marked out by nature and would be as follows. Along the margin of the Sandy river to the mouth of Island creek; up Island creek to the Gap which separates its waters from Shelby creek; through that Gap, and up Shelby creek to the mouth of Robertson's creek; up Robertson's creek to the Gap which separates its
waters from the Long Fork of Shelby creek; through that Gap and
down the Long Fork to its union with Shelby creek; up Shelby creek
and through the Gap which divides its waters from Elkhorn creek; up
Elkhorn creek to the foot of the Cumberland mountain, and up this
mountain to the Virginia line in the Sounding Gap.

That part of this road which lies in the valleys of the streams, could
be graded to as nearly a level as would be desirable. The first men­
tioned gap could be passed at a grade of about three and a half degrees,
and the next two gaps at about half that angle; and the Cumberland mountain
could be ascended by extending the road up into the Gap which sep­
arates the waters of Elkhorn creek from the head of the Kentucky riv­
er, which is elevated to about half the height of the Gap in the Cum­
berland mountain, and from thence to the top of the Sounding Gap, at a
grade of not more than two and a half degrees. It could also, be as­
cended directly from the valley of Elkhorn creek, at a grade of about
three and a half or four degrees, but at a cost which would be double
that required to carry it the longer route.

There would, also, be this argument in favor of the longer route; the
last part of the road would be common to the roads leading from Pike­
ville, and from Hazard, in Perry county, to Virginia, the latter of which
is now a mail route.

To construct a road through this section of the state, which would
be sufficient for the driving of stock at all seasons, and for the passage of
wagons in the Summer and Autumn, when the waters of the creeks,
which have to be frequently crossed, are not swollen, would be of great
benefit to the community, and could be made at a comparatively small
cost. It is also thought, that as there is a road now being constructed
through Russell county, in Virginia, which is intended to connect the
Sounding Gap with roads leading to Abingdon and East Tennessee, that
the merchandise which is brought from the Atlantic cities to that section
of the country, could be most advantageously imported to them by the
way of the Ohio river, the Sandy river, and the proposed road.

The route of road which is thought to be the best, would be about 32
miles in length, and may be estimated to cost not more than two thou­
sand dollars for the ascent of the Cumberland mountain, and at the rate
of two hundred dollars per mile, for the remaining thirty miles, making
the whole cost eight thousand dollars.

The above is respectfully submitted

By your obedient servant,

N. B. BUFORD, Civil Engineer.
REPORT
OF THE
PRINCIPAL ENGINEER
TO THE
BOARD OF INTERNAL IMPROVEMENT,
IN RELATION TO THE
KENTUCKY RIVER.

To the Hon. the Board of Internal Improvement of Kentucky:

GENTLEMEN:—In the Report I had the honor to lay before you on
the 19th of last month, embracing my estimates of the cost of im­
proving the Kentucky river, I stated that the time necessarily devoted
to those estimates had left me but a few hours to prepare the explana­
tory remarks which accompanied them. It therefore was impossible,
at that time, to give any thing more than a hasty outline of some of
the leading considerations taken into the account in the formation of
the plans of improvement then submitted. To resume that subject, and
to examine it in a more detailed and circumstantial manner, is the pur­
pose of the present paper.

In order that the causes that have delayed these reports to a later
hour than I intended may be more fully understood, I beg leave, previous
to taking up the immediate subject, to advert to some of the prevailing
impressions left upon my mind as the result of my observations of the
Kentucky river.

As respects the generic class of improvement adapted to this river,
my mind was fully settled as well from my notices of the river pre­
viously, as from confirmatory facts developed during the survey, that
the plan of slack water, by locks and dams, presented the only means
that could be applied to produce permanent and successful improvement.
This plan, if properly adapted to the circumstances of the river, I re­
garded as a sure and unquestionable guarantee of an effectual and per­
manent navigation. This guarantee, however, I considered as depend­
ing upon the condition of an effectual and judicious adaptation of the
various parts and details of the general plan of the works. These, it
seemed to me, required to be deliberately considered, and planned with

7  AP. H. R. JOUR.
cautious reference to some peculiar traits and habits of the river, which were regarded as presenting difficulties not hitherto encountered in the construction of similar improvements.

The peculiar traits or habits above alluded to, and regarded as constituting the principal anomalous features of the Kentucky, considered in reference to the applicability of the ordinary plans of works to its improvement, consist of the great inequality of its volume of water at different seasons of the year, by which its floods are swelled to a relatively great height in winter above the low water plane, and of its consequent tendency to choke, or fill up, the works by depositions of alluvial sediment. These peculiarities are regarded as imparting to this river a character decidedly different as it respects the adaptation of works from that of such other rivers, as in various parts of the U. States, have hitherto been subjected to this species of improvement, and consequently as enforcing the condition of a correspondent variation from the ordinary plans of works hitherto applied. The class of rivers heretofore improved by slack water navigation, consists generally of their upper waters, including, either sections or entire tributaries flowing through mountainous, broken, or sloping countries. This is the invariable character of the rivers thus improved in Pennsylvania and N. York, and in every instance, the following general topographical features will be found to prevail, to wit: they have their sources in elevated districts, drain a comparatively limited extent of country, have short courses, rapid fall, and a generally equitable supply of water, the extreme height of their freshets never exceeding a few feet above low water mark.

Owing to this conformation, works constructed for their improvement were easily raised above the reach of the highest floods, and were thus effectually secured from inundation, and defended from the influx of alluvial sediment.

The Kentucky is differently circumstanced. It is a long river, and drains an extensive country. Like the foregoing rivers it rises in the mountains. The soil of those upland regions composed of the porous debris of schistose and friable sandstone formations, allows the water readily to sink among its pores and cavities, where it is protected from evaporation, and dispersed by gradual percolation during the summer months. Hence a copious and gradually increased supply is kept up from its sources to the base of the mountains. From thence to the mouth of the river, a distance of near 260 miles, both the soil and the topographical features of the country are calculated to subject its volume to the extremes of fluctuation. The stiff tenacious soil of this lower district absorbs but little water, and the rains that fall in summer run quickly into the river, and the supply is thus wasted in a momentary flush; while the portion that remains, unable to penetrate the soil, is collected in sinks and hollows, or remains in puddles on the surface, and is dissipated by evaporation. Meanwhile the streams and watercourses, become either entirely dry or yield but a feeble tribute to the river. Throughout this whole distance, the general surface of this lower district has but a very slight declivity, and the fall of the river is unusually gentle. The extreme length of the river is about 420 miles, and in winter the accumulated waters of this extensive country overgorged its
channel, and swell its freshets in some cases to more than 50 feet above its low water plane.

These features appear to enforce the conditions that any plan of successful improvement must contemplate occasional inundations, and consequently the probability of heavy impingements; and must also provide precautionary means of obviating alluvial depôsitions.

Although the above peculiarities are not regarded as presenting any difficulties that may not be readily provided for, yet they seem imperiously to admonish a correspondent adaptation of the plan of works.

Independently of the original features which the anomalous character of the river appeared to render indispensable, there seemed, in my mind, room for improvement, in other respects, upon the ordinary plans generally applied to such constructions, which, moreover appeared to be rendered necessary in this case, in order to give the works the greatest degree of stability, and security against decay.

Upon turning my attention to the subject, I therefore felt myself in a great measure obliged to rely upon the resources of my own mind, and to cull among the materials of my own experience for the formation and adjustment of such a plan as, in my judgment, appeared to be required by the exigencies of the river.

As just now observed, the character of the river, considered in reference to such others as have been heretofore improved, appears somewhat peculiar: The plan of works, which has appeared to my mind to be required in order to insure its most effectual improvement, presents also some new features. These new features are observable, as well in the more obvious general lineaments of the work, as also in some of its minor details. Some of these modifications are thought to be imperiously dictated by the requisitions of the river, and others to be commended by considerations of judicious economy.

To compare, adjust, and modify the various details of these plans, so as to produce a proper adaptation of the several parts to each other, and a consistent agreement throughout the whole, has required some reflection, and mathematical calculations.

As the question of undertaking this improvement, has yet to be submitted for legislative sanction, it may, perhaps be thought that more general suggestions would have been sufficient for the present purposes of the Board, and therefore this minute attention may be deemed to have been unnecessary.

If such should be the impression, I beg leave respectfully to answer, that if no essential variation from the plans of such works as are in ordinary use had been deemed necessary, such a conclusion would obviously be the proper one. But in this instance, the nature of the case, according to my view of it, renders the introduction of some new features, indispensable to the most judicious adaptation of the works. These features are new, and I supposed that, as a matter of course, I should be required to explain their adaptation, mode of operation, &c., which it would be difficult to do if I had not in the first place adjusted their details in my own mind; and it would seem that any commendation of a plan by me would be but indifferently worthy of your confidence, if I should myself be found unable to unfold its interior construc-
tion, explain its details, and make its capacities and results apparent to the minds of others.

To effect this latter object, it became necessary to make minute and explicit drawings, exhibiting the mechanical construction of the various parts of the work, showing their uses and adaptation in detail. These duties appeared to be necessary for the reasons given above.

Previously to undertaking the above-named duties, I had already completed the calculations incident to the locations and arrangements of the lifts, of the two systems of locks and dams between the mouth of the river and Frankfort, respectively shown on the two profiles of the river recently submitted to the Board.

The adjustment of these lifts and locations, involved calculations of the levelings made in two surveys, one of them extending over a distance of 66, and the other upwards of 86 miles. This required voluminous calculations and mathematical strictness. All the above-named duties, and others not named, have been necessarily performed in person.

While engaged upon these duties, the execution by my assistants of the maps and sketches, a part of which has been recently presented to the Board, has also required a division of my attention.

These various duties and others, appeared to me necessary to be performed, previously to reporting upon this subject. My time was therefore very closely occupied accordingly, until a few days previously to the submission of the report of the 19th of last month.

Finding however that it would be impossible to complete my mechanical drawings, I laid them aside in an unfinished state, and commenced the preparation of my estimates, as mentioned in my former report.

The above, including the preparation of my report upon the survey of Rock castle river, lately submitted, are the principal duties that have occupied my attention since my return from duties assigned me abroad. The attention bestowed upon them has necessarily consumed some time, but in view of the circumstances of the case, it appeared to me to be necessary. I could have despatched these things with more precipitation, but I conceive that, in relation to the various considerations connected with the plans of improvement, I can speak more advisedly now than I could have done if I had acted more hastily. And upon the whole the Board will not, I dare say, regard my plans and views, whatever may be their real merits, the less worthy of entertainment on account of their having been considered with some degree of deliberation.

Upon taking up the immediate subject of the improvement, the several subordinate points, proposed to be considered in the course of the discussion, will be treated of under the following general heads, to wit:

1st. The character of the river in respect to its obstructions to navigation, susceptibility of improvement, &c., &c.
2d. Mode of improvement.
3d. General observations in relation to the capacities and public utility of the improvement.

1st. Character of the river, &c.

I shall commence my remarks with the commencement of the survey, premising that previous notices and observations of the river, as herebefore stated, had satisfied my mind that the improvement must consist of
looks and dams. The object of the survey was, therefore, the selection of proper sites for the location of such improvements.

The instructions of the Board directing me to commence this survey immediately on my return from the survey of Rockcastle, and subsequent reconnaissances in the upper district of the Cumberland and Kentucky, were verbally communicated simultaneously with instructions to execute those duties. Accordingly directions were given during my absence on those duties, for the party to assemble at the mouth of the river in time to anticipate my return.

I reached Port William, at the mouth of Kentucky, on the evening of the 24th Sept. last, where I found the boat and a majority of the party in waiting, and during the morning of the next day, the remainder of the persons making up the party, came in, and we proceeded on the prosecution of the survey in the evening of that day, (25th Sept.)

Previously to setting off on the survey, the following observations were made at the mouth of the river:

A low water mark was pointed out to me by a number of the citizens of Port William, who stated that it had been carefully adjusted by sawing it off from year to year, as the water successively fell below the plane of preceding years. (It is a pin fixed in a sunken log, having its end buried in the left bank of the Ohio and projecting into that river, 50 to 60 yards above the mouth of Kentucky.) Upon measuring down to this mark, the surface was found to be 155-100 ft. above the plane of low water. Previously to my arrival, a line of levels had been carried up, by my assistant, from the river to the surface of the low ground, to ascertain the rise of freshets, by which it appeared that from the plane of the lowest water, to that of the most extraordinary floods, the difference is about 57 feet. (I would also here remark that during the survey, levelings were made for a similar purpose at six mile Ripple and at Elk Horn, from the surface of low water, to marks placed as the records of extraordinary freshets, by persons living at those points, by which it appears that the respective ranges at those points, are at the former about 53, and at the latter place about 45 feet above the plane of low water.) Such freshets occur, however, only at distant intervals.

From the centre of the mouth of Kentucky across to the Indiana shore, the depth on the first one third part of the distance is 30 feet, from thence it gradually decreases to the shore. In the main channel, down the Ohio, as far as the mouth of the little Kentucky, (14 miles,) the depth is never less than 10 and in many places 15 feet. Also, for some distance above the mouth of Kentucky, the channel of the Ohio is nearest the Kentucky side, and the least depth is 10 feet. The above depths occur at the lowest water. The citizens of Port William, state that no moveable sand bars, or deposits of any kind, have ever been known to collect in the Kentucky either at or in the vicinity of its mouth. Continuous soundings were taken from the mouth of Kentucky to the Horse Shoe Bend, a bar which constitutes the first obstruction, and is situated 4 miles above the mouth. The depth at the mouth was found to be 33 feet, gradually decreasing to 12 feet deep 4 mile above. The breadth of the Kentucky, at its mouth, is about 360 feet.
the foot of the bar at the Horse Shoe Bend, the breadth varies from 300 to 350 feet, and the depths found, were pretty uniformly 12 to 14 ft, increasing to 17 in some cases, and at two points the depths respectively were 9½ and 9 ft. The latter depth occurs at the ferry, opposite Wickliffe's warehouse.

The few words it is proposed to say in relation to the general topographical features of the river valley, its banks, bed, &c. will be offered here. They will of course be confined to that portion of the river between the mouth and Frankfort, comprised within the limits of the survey.

The valley in which this portion of the Kentucky flows, consists of rich alluvial low grounds, flanked by continuous indented lines of high and generally steep hills, composed of the newer series of tertiary limestones, stratified in horizontal layers, and frequently rising in precipitous bluffs, whose bases are washed by the current at the flexures of the river, as it meanders from side to side of its valley. The breadth of this valley, at its connexion with that of the Ohio, is about a mile, but it gradually decreases to one half that width at 8 to 10 miles above, and continues of this latter breadth until it meets a more elevated range of country, a few miles below Frankfort, where the hills and tracts of rolling arable land bind more closely on the river.

The average breadth of the river, through this distance, is probably about 225 feet on its low water surface, varying from 175 to 300 feet. At shoals and obstructions it spreads out from 350 to 500 feet wide.

The first 20 miles, or upwards, from the mouth, excepting a few protruding points of rocky hills, composed principally of limestone rock in thin layers, the banks of the river on each side are of alluvial soil. Above this the rocky bluffs become more frequent, and their stratifications are of a more solid texture, progressively as we ascend towards Frankfort, frequently presenting steep cliffs and precipices, washed by the river at various points, sometimes forming one of its shores for several miles in extent, the whole body of the low ground constituting the river valley, being thus left upon the opposite shore.

Although these bluffs thus frequently form one solid shore, yet there is no instance of their approaching both sides simultaneously, there being in all cases one alluvial bank. Neither can the rock, except in a few cases, be detected, but a short distance from the shore, in the bed of the stream. At various points the iron sockets of our boatmen's poles would pierce the gravel, and detect the rock nearly one half the distance across the river, but in general, a much shorter distance; the balance of the bed upon the surface appearing to be a deep deposit of gravelly and earthy substances.

The surface of the Kentucky river, in common with that of most other upland rivers, exhibits at low water a continual succession of basins, or pools, of deep still water, interrupted by shoals or rapids.

These basins or pools are of various lengths, from ½ of a mile to more than five miles, and usually deep and unobstructed, and their surfaces being held up by the bars which separate them from each other, and which produce the effect of so many dams, the water in them is so nearly level, as to be in nearly or quite all cases destitute of any sensible motion.
The shoals (or ripples as they are called,) usually occur at the mouths of creeks, and are occasioned by deposits of sand, gravel, pebbles, &c. lodged generally on bars of rock. In a few cases, as above noticed, these rock bars may be observed forming the bed of the river entirely across; but in general they extend from the bluff shore some distance into the river, and disappear under the gravel.

The whole number of these obstructions, occurring between the mouth of the river and Frankfort is 34. They are of various extent at different localities, the shortest extending from 100 to 150 yards, and the longest being over ½ of a mile in length. The fall of the river over them also varies from a few inches to more than six feet. Generally, however, their lengths are from ¼ to ½ a mile; the fall varying between six inches and about 3 feet.

In most cases the whole high water beds, at low water, is left naked, excepting a narrow crooked and intricate channel, in which the water runs in a shallow and rapid current, frequently making short turns and elbows among these bars and deposits. In these angles, and frequently for considerable distances down the slopes of the channel, at nearly all the principal obstructions, the breadth of the low water channel does not exceed 40 to 50 or 60 feet; and the lowest depths on other parts of the same obstructions are, usually, not over 6 to 8 inches.

These shoals, therefore, present insuperable obstacles to any low water navigation in the natural condition of the river.

The susceptibility of improvement presented by the river appears by the above topographical facts to be restricted to the plan of slack water, by means of a system of Locks and Dams, as the only means of effecting any improvement for low water navigation upon this river.

This plan, with the necessary modifications required by the circumstances of the river, is regarded as heretofore stated, as being calculated to produce a sure and permanent low water navigation.

The most interesting enquiries with the friends of this measure appear to be the following, to wit:

1st. Does the Kentucky afford a low water volume sufficient to maintain such a navigation?

2d. Can works be made to stand in the river?

3d. Will not the locks fill up with sediment?

These enquiries will be next considered.

In the hasty notice I was enabled to take of the subject of the supply of water, in the report of the 19th last month, I stated that "the result of several guages made during the survey," "show that the probable medium volume during seasons of low water, is about 20,000 cubic feet per minute. The supply of this volume, but a minute fraction over eight hours in twenty-four, would pass one hundred boats of 150 tons each, leaving a surplus flow of sixteen hours in twenty-four, or two thirds of the whole volume to be devoted to the purposes of water power." (Upon giving a closer attention to the subject, I observe a slight error in the above. The flow of the river required for the passage of 100 boats, as will be seen hereafter, should have been stated to be a fraction less than 8 hours, instead of a minute fraction over.)

I also stated, in the same report, that the records, with the calculations
of their gauges, would be furnished in this report. I am, however, induced to write out a synopsis of the method, instead of giving the calculations at length, on account of learning that the necessary mathematical characters cannot be procured to put the formula in type.

The river was gauged at four different points as we ascended in the progress of the survey. At the first of these gauges, the river was represented by the concurrent statements of the inhabitants, to be fully as low or lower than the ordinary stages of low summer water. A progressively decreasing subsidence was however going on, and continued for about two weeks, during which time the gauges were repeated, in order to make sure of the lowest water of the season.

The method of making these gauges was as follows: A portion of the river where the water was all found to be collected into a narrow channel, and the whole volume from the axis of the stream to the shores was observed to be in tolerable brisk motion, was selected, care being taken to select a portion of as considerable length, and of as uniform breadth and depth as could be found. The portion to which the measurements were to be applied being determined upon, was measured linearly in the direction of the stream, and pickets placed at the water’s edge, at the extremities of the prism, and the course between the pickets observed by the compass. This being done other pickets at right angles to the first were placed on the opposite shore of the river, so as to define a line traversely across the river, thus enclosing the whole prism of water. This main prism was then divided into two sub-prisms by pickets placed on the opposite shore in the centre between the extremities of the main prism.

The breadth of the river was then measured on each transverse section between the pickets, and ordinates below the surface of the water were measured at equal distances across the channel.

The mean of these ordinates at each section, of course gave the mean depth, which being multiplied by the breadth gave each transverse section; and the mean of these three sections again gave the mean section of the whole prism, which, multiplied by the length, gave the cubic content of the whole prism. To find the time required for the discharge of this prism of water, a man was sent into the middle of the river with ten large apples, and caused to hold one apple in the water at the surface in a line between the pickets of the upper section, and at a given signal the apple was let go, and suffered to float through the distance of the whole prism, and the time of its passage, successively at the second and third sections, was noted by a stop watch. The first apple having passed entirely through, and the time having been noted, another apple was floated down and so on until the same operation was repeated ten times. From the mean of these ten observed times, the velocity at the surface, in inches per second, was calculated, and the mean velocity was calculated from the velocity at the surface, by M. de Buat’s formula. And from the mean velocity, the discharge of water in cubic feet per minute was of course calculated. This last part of the calculation was performed by two different methods; the arithmetical operation of which, it is inconvenient to describe in words.

These results, as obtained by each method, are given in the tabular view below, in which the localities and dates are also shown.
Tabular View, showing the localities, dates and discharge in cubic feet per minute, shown by the several guages of Kentucky river.

<table>
<thead>
<tr>
<th>LOCALITIES</th>
<th>DATES</th>
<th>RESULTS.</th>
<th>Discharge in cubic feet per minute.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>1ST METHOD.</td>
<td>2ND METHOD.</td>
</tr>
<tr>
<td>Drennan's Ripple,</td>
<td>Sept. 28th,</td>
<td>21455.132</td>
<td>21458.734</td>
</tr>
<tr>
<td>Six Mile Ripple,</td>
<td>Oct. 3rd,</td>
<td>21194.880</td>
<td>21214.120</td>
</tr>
<tr>
<td>Cedar Cr. Ripple,</td>
<td>8th,</td>
<td>18260.902</td>
<td>18257.716</td>
</tr>
<tr>
<td>Thomas' Ripple.</td>
<td>10th,</td>
<td>17634.280</td>
<td>17634.071</td>
</tr>
<tr>
<td>Mean of all the above,</td>
<td></td>
<td>4)78535.194</td>
<td>4)78564.64</td>
</tr>
</tbody>
</table>

At the time of making the first of these guages, the stage of the river, as before observed, was regarded, upon the authority of many of the inhabitants with whom I conversed, as being fully as low as ordinary low water; and the weather continuing warm and dry, the continual subsidence had so reduced the volume, that at the time of the last guage, it was manifestly, as evinced by all the ordinary indicative appearances, at a very low stage; and the citizens living along the river were concurrent in the statement, that the water was then considerably lower than the low water of common seasons.

They stated, generally, that they had seen it lower, but that a lower stage did not occur except at intervals of several years.

I am inclined to think that this is true, and if so, then the mean supply deduced from these guages, is considerably less than the actual medium low-water volume of the river. It is therefore thought that in all ordinary seasons during the drier months in the year, an average supply may be safely relied on of 20,000 cubic feet per minute. This supply is certainly many times greater than that of other streams, which do maintain a permanent slack water navigation.

The main line of the Pennsylvania State improvements, between Philadelphia and Pittsburg, from the foot of the Portage Rail Road, at the village of Johnstown, situated at the western base of the Allegheny mountains, is continued about 69 miles down the valleys of the rivers Conemaugh and Kiskiminetas by short canals, alternating with slack water navigation in the beds of these rivers. In this distance there are 10 pools raised by as many locks and dams, from the lower dam to the city of Pittsburg 35 miles, the communication is completed by an independent canal, along the valley of the Allegheny river. This canal derives its water from the lower dam in the Kiskiminetas, called the "Feeder Dam." (The Portage Rail Road connects this part of the line with the slack water navigation of the Juniata river, on the opposite side of the Allegheny mountains.)
The following extracts from several reports made in 1831, '2 and '3, by Mr. Welch, Chief Engineer of Pennsylvania, will convey a correct idea of the comparative size of these rivers: "Stony creek rises in Somerset county and runs northwardly to (Johnstown,) Conemaugh, by its course between 30 and 40 miles. ** ** ** The little Conemaugh rises in Cambria county, and runs southwardly, by its course about 25 miles. They unite at Johnstown near the head of the canal. The country drained by these streams, extends from north east to south west about 40 miles, and the average width is about 20 miles, making about 800 square miles. ** ** ** All the small streams that flow into the Conemaugh and Kiskiminitas, are nearly or quite dry in the summer. ** ** ** The quantity of water in the Conemaugh at Johnstown, is about the same as that in the Kiskiminitas when it enters the Allegheny: the quantity supplied by Black Lick and other streams, is not more than equal to the evaporation." — (Rep't. Nov. 1st, 1833.)

"The inhabitants who reside in the neighborhood of the Conemaugh, represent the river to have been lower than they have observed it at any former period.

"The dams that were not well gravelled did not retain water enough to supply the canal and keep the pools full. The dam at Letchburg, (No. 1.) which is nearly double the height of any of the others, was gravelled this season and when the water was low. This retained water enough to supply 35 miles of the canal." (Note — to Pittsburg) "And the pool was constantly full during the dryest part of the summer; and I am of opinion that the other dams with a small amount of labor, applied at the proper time, may be made equally tight, and that the quantity of water in the river has been at any time during the summer and fall, abundantly sufficient for the supply of the canal." — (Rep't. No. 1st, 1831.)

"The water of Little Conemaugh has been ample sufficient during the past season to supply the canal from the Basin at Johnstown to the pool of dam No. 4." (Note — there are 10 Dams.) "But during a part of the summer of 1830, the water of this stream was reduced to less than 650 cubic feet per minute, a quantity insufficient for the supply of the canal. The projected feeder from Stony creek, would furnish an ample supply at any season." — (Rep't. Nov. 21st, 1835.)

Now this line of navigation commences at Johnstown, the point where Stony creek and Little Conemaugh unite and form the Conemaugh river, and extends 60 miles down the Conemaugh and Kiskiminitas, in which distance there are 10 dams and locks, and from the lower dam the navigation continues to Pittsburg 35 miles by a canal. And we learn by the above that the country drained by these waters extends about 40 by 20 miles, making 800 square miles. And although the water of Little Conemaugh seems to have been reduced to 650 cubic feet in a season of unusual drought, yet it appears to have furnished a sufficiency at ordinary times. The quantity of water in Stony creek is not stated, but we learn by the suggestion of a feeder from that stream that it is deemed to be ample.

Now the length of the Kentucky river, by its courses, is estimated at
about 420 miles, and the breadth of the country drained by its waters varies in width from 40 to probably 60 miles. The boundary of this country, measured on right lines, is probably about 200 by an average of 45 miles, and its area 9,000 square miles. The streams, however, tributary to the Kentucky, between the base of the mountains and the Ohio river, like those along the Conemaugh, yield but a faint supply of water in dry seasons, but little if any more than the evaporation.

The Kentucky, therefore, like the Conemaugh, derives its volume principally from the mountain district, where the soil as heretofore noticed is eminently calculated for the production of perennial fountains and durable springs of water.

By its courses the length of that portion of the Kentucky flowing in the mountains, may be estimated at 175 to 200 miles, and the greatest breadth of the district traversed by its upper waters, is probably 60 to 70 miles. The straight lines which would enclose its average surface may be computed at 80 by 55 miles, and its area at 4400 square miles. This is an extensive region compared with that drained by the upper waters of the Conemaugh.

The slack water of the Juniata, which continues the same line of Pennsylvania improvements from the opposite base of the Alleghany mountains, is also pushed as closely into the sources of the river as that of the Conemaugh. The Rail Road which connects the two is but 36 miles long, and crosses the main ridge of the Allegheny, and both the above named rivers, which continue the improvement in opposite directions from the foot of the mountain, derive their waters from the intervening region.

Not only the rivers above noticed, but also several others, which have been improved for slack water navigation, are greatly inferior to the Ky. as respects their extent and volume of water. Of this description may be enumerated, with those above described, the Beaver river, French creek, Conestoga, Cordorus, Lehigh and others, in Pennsylvania, and the Seneca and Oswego rivers in N. Y. What volume would be found by the gauges of these streams I am unable to say, but this is certain that they are uniformly of greatly inferior size and extent compared with the Kentucky.

It has been already stated, that the supply brought in by the creeks, along the middle and lower portions of the river, between the Three Forks and the mouth, is regarded as being in dry seasons about equal to the quantity evaporated from the surface of the river; or in other words, that the river derives its permanent volume from the mountain district. In this respect it is thought that no material change will be produced by the improvement.

If we observe the natural surface of the river, we perceive that it is made up of deep pools whose surfaces are very nearly or quite as level as any improvement can make them, being held in this position by bars or shoals which serve as so many dams, and over whose surfaces the water passes off in a shallow and rapid stream into the succeeding pools below.

Now as regards its effects upon the general economy of the river, does this natural construction of the stream differ essentially from that
which will be produced by the improvement? The river will remain as it now is, a succession of pools, the only difference being the greater depth of water and narrower surfaces of the dams. The immediate causes of evaporation will be in some respects increased, and in others materially reduced, and upon the whole it is thought that the evaporation will be reduced to some extent. This will appear probable from the following considerations: Evaporation it is well known proceeds entirely from the surface, and other circumstances being alike, the quantity of course, must be in the direct ratio of the surface exposed: but it also depends upon the temperature of the fluid, and this again depends upon the depth, the temperature decreasing from the surface downwards. Many other circumstances also tend to modify evaporation. Now if we conceive two pools of water of equal surfaces, but of different depths, it is evident not only from the foregoing considerations, but from common observation also, that the greatest quantity of evaporation will accrue from the surface of that pool which has least depth. Independently of the greater depth which will be procured in the pools created by the improvement, the surfaces of the shoals and ripples, which now constitute a large proportion of the river, will be buried by deep water. By reference to the measurements respectively of pools and ripples, it will be seen that the aggregate length of the latter occurring between Frankfort and the mouth, is about 13 miles or nearly one fifth of the whole distance. Over these shoals and bars, the water runs in a shallow and generally a very narrow stream, exposed to the rays of the sun, and to the reflection from rocks and other heated substances, along the inclined margins of its narrow and circuitous channels. The dams will elevate the surface of the water and drown these ripples, and where it was previously shallow and exposed to the above causes of rapid and exhausting evaporation, it will then become deep and cool as in other parts of the river. The average breadth of the river as noted heretofore is thought to be about 225 feet, and its average depth, including ripples and pools, may be estimated at 5 ft. The acclivity of the banks, from the low water surface to the plane of high water, is probably about 30 degrees, or about equal to a base of 1.5 to each 1. perpendicular rise. Now, the average lift of the locks, upon the largest plan proposed, is 15 feet, and the depth of water contemplated is 6 feet. If we throw out of the account the shallow depth which now exists upon the ripples at the sites of the locks, (which in some cases will be partially included, and at others entirely drowned by the improvements,) the additional depth will be as follows, to wit: In the dams at the upper gates of the locks, the average depth will be 21 feet; and in the heads of the pools at the foot of the locks, over the mitre cills, the depth in all cases will be 6 feet. The average depth throughout the river will therefore, of course, be the mean of mean of these two depths, or 13½ feet. The slope of the banks being 1½ to 1, the additional expanse of the surface, consequent upon this, will be three times the increased depth or equal to 40½ feet.

The breadth and depth of the river will therefore be increased as follows, to wit: the breadth will be increased from 225 to 265½, and the depth from 5 to 18½ feet. The ratio of the increase of its breadth will
be about 84 per cent., and that of its depth about 285 per cent. This great increase of its depth will greatly cool the temperature of the water.

In view of the comparison made between the Kentucky and other rivers, heretofore improved, it will scarcely be deemed necessary to institute calculations to show the exact effect which the alteration of the river from its natural to an improved condition, will have in reducing the expense of evaporation, insomuch as it will be perceived that even should the evaporation be increased, still the volume would be greatly superabundant.

I have dwelt with more minuteness upon this topic than, from the results of the gauges, may seem to have been necessary, insomuch as I am apprised that by many, serious doubts have been entertained of the sufficiency of the supply. If, however, my impressions are correct, there will at all times be a volume not only commensurate with all the probable demands of the most enlarged prospective commerce, but also an exuberant surplus applicable to purposes of water power.

It has been stated that "the flow of this volume, a fraction less than 8 hours in 24, would pass 110 boats of 150 tons each, leaving the remaining flow of 16 hours to be applied to purposes of water power, &c. &c."

The medium volume it has been shown may with great certainty be assumed at 20,000 cubic feet per minute. This gives an aggregate discharge in 24 hours of 28,800,000 cubic feet.

The locks proposed on the largest plan contemplate the accommodation of boats of 150 to 180 tons register measure, but which will carry an actual tonnage of 180 to 220 tons; and if of proper model, a boat carrying an actual burthen of over 250 tons could be passed.

The passage of each boat would require a lock full of water. The dimensions of the locks are 170 feet, in the chamber 36 feet wide, and the average lift of the four which have been located, is 15 feet; to fill a lock would therefore require 91,800 cubic feet of water, and the volume flowing being 20,000 cubic feet per minute would replenish this in a fraction over 44 minutes (the exact time being 4 degrees 35 minutes and 24 seconds,) and consequently to pass 100 boats would require the flow of the river 7 hours and 39 minutes, and an aggregate expenditure of 9,180,000 cubic feet of water. The entire flow, therefore, of 16 hours and 21 minutes in each 24 hours, would remain to be devoted to hydraulic purposes. This would furnish an aggregate of 19,620,000 cub. ft. in 24 hours, equal to a constant flow of 13,925 cub. ft. per minute. If we consider the whole of this power to be effective, and make no allowances for wastage, it would appear to be capable of propelling machinery equal to 544 pairs of 44 ft. Mill Stones at each improvement. But allowance must be made for unavoidable wastage through the lock gates, and some inconsiderable percolation through the dams, although very little allowance need be made on this latter account, insomuch as they will waste but little if properly executed, and if on the contrary they should be constructed in a faithless or leaky manner, the demolition of the works will shortly follow. With the most careless construction, compatible with safety, the leakage could scarcely reach
1,000 cubic feet per minute. We will however throw away 5,000, which being deducted from 13,625, leaves 8,625 cubic feet per minute of effective unincumbered water power.

As it regards the capabilities of this water, all considerations relating to its proximity of low water mark being taken into the account, it is computed that each 250 cub. ft. per minute applied upon an overshot wheel of the diameter which the fall at these locations will allow, is capable of propelling one run of 44 feet Mill stones or any other equivalent machinery. At this rate the quantity of effective power available at each improvement, would be capable of propelling machinery equal to an aggregate of 34 pairs of 44 feet Mill stones.

It is deemed unnecessary to dwell upon the extent of the applicability of this power in the various departments of the manufacturing arts, or to enlarge upon its importance, in a country destitute of hydraulic privileges as Kentucky. It will be sufficient to observe that on account of its immediate connexion with the navigation, by which reason the business of taking in and discharging cargoes could be done immediately along side of any establishment. On account of this and many other considerations connected with the convenience of its locations for the transaction of business, it would possess important advantages over the best descriptions of like power, even if such existed, in other parts of the country. In view of these considerations it is not deemed unreasonable to suppose, that it would at an early day become the lever of an important interest, and furnish the basis of extended and profitable branches of industry.

By reference to various reports of canal commissioners and others, I ascertain that the rates of water rents upon the canals of Ohio and Pennsylvania vary according to the fall, convenience of locations, &c. from $100 to $250 per annum, for the requisite power to drive a pair of 44 feet Mill stones. The following extracts, selected from among a number of others, will furnish authority upon this subject: "In relation to this enquiry, we have to state that the lock at which the water power in question is situated, is one of 11 ft. Lift. ** The quantity of water will probably be about 600 cubic feet per minute. ** This quantity of water, applied on an overshot wheel of the height which may be here used, will be sufficient to keep in operation two pair of 44 feet Mill stones, judging from the best data in our possession, ** taking all these circumstances into view, and referring to proposals made for the purchase of water power in various other places, we are induced to believe that the privileges in question are reasonably worth from $300 to $250 per annum."—(Ohio can. com. Sp. Rep. Jan. 30th, 1830, in an. res. sen.)

"The quantity of water thus drawn from the canal, will be equal to a constant flow of 103 cubic feet per minute. This quantity applied to an overshot wheel 15 feet diameter, will give about two thirds the power required to operate one pair of 44 feet Mill stones." (Ohio can. com. Sp. Rep. Feb. 16, 1830.)

"In relation to hydraulic privileges on the canal, the board have the satisfaction to state, that permanent leases have been made during the past year, which, though at low rates, will be the means of directing
the public attention to the importance and value of these privileges, &c.

* * *

"On the Ohio canal sales have been effected as follows: At the Stillwell locks," * * * "power for a merchant mill with 4 run of stones, at $100 per annum for each run of stones. * * * At the village of Cleveland, power for a Paper Mill with two engines, $125 per annum for each engine. * * * Also, at the same place, "power for a Sash factory, * * consideration, $175 per annum. * * "On the Miami Canal at lock No. 16, power for a mill of two run of stones, $120 per annum for each run." * * At Cincinnati, power equal to 4 run of mill stones at $250 per annum, for each run of stones, exclusive of ground rent."

"An agreement has also been made to sell to the proprietors of the ground at the third and fourth sites below the upper level (Cincinnati,) one half of the power which may at any time be to spare at these sites. The price to be paid is $250 per annum for each run of stones at the third site, and $150 per annum for each run of stones at the fourth site, which is situated below the level of high water in the Ohio. As a further consideration, the proprietor grants to the State a sufficient number of lots on which the remaining power may be sold to other persons."

(Rep. Ohio can. comrs. 1831.)

"Leases of hydraulic power have been made on the Miami canal, on which annual rents accrue, amounting to $1280. * * * $20,000 is estimated as the product of water rents on the Miami canal.

(Ib. 1832.)

"By a resolution of the board Geo. Eckert was permitted to take from this part of the canal 4 inches of water 4 feet in breadth drawn from the surface, for which he is to pay $125 per annum."—(Rep. R. Faries, Eng'r., W. Br. Ca. Pa., 1834.)

From the above rates, the price of water rents appears to vary from $100 to $250 per annum, for power to drive a pair of mill stones, and also, that in one instance, for power similarly situated with that to be furnished by the Kentucky, to wit: below the level of high water, other considerations considerably over and above the highest price are also allowed. It may still further be observed that the lift of locks upon those canals seldom exceeds 8 to 10 feet; whereas the average fall at all the projected works upon the Kentucky, is 15 feet. But if, with this advantage of the greater fall, we still accept the lowest price of rent, to wit: $100 per annum, and suppose the whole power to be employed, the income would be $3,450 at each improvement, equal to $13,800 from the four locks and dams between the mouth of the river and Frankfort.

To carry the estimate throughout—The estimated total amount of lockages between the mouth of the river and the Three Forks, is 228 feet. The distance is 255 miles. This total fall, divided into lifts of 15 feet each, would give a fraction over 15 locations, and the average length of pools constituting the intermediate distance between the locations of the works, would be 17 miles. It may therefore be reasonably supposed that a considerable part of this power would be needed by the country, and would be employed to a greater or less extent, throughout
the whole distance. If we suppose the whole to be employed at the above rates, the entire income would be $51,750.

The estimated total cost of the whole work to the Three Forks is a fraction less than $340,000. The interest on this sum at 5 per cent is $32,000. The water power, if all employed, at the rates supposed, would produce an income of $51,750. This would pay the annual interest on this investment, and leave a balance of $19,750, or a surplus of over 60 per cent.

I have carried out this calculation rather to show the actual amount of water power to be created by this improvement, than in the expectation that results to this extent can be expected to be realized. To what extent these privileges might eventually be realized, would, it is thought, depend upon events connected with the improvement of the river itself, which it would be difficult to calculate, and useless to speculate upon at this time. Independently of the many other general inducements, presented by the demand for hydraulic power, the mountain region of Kentucky, in its forests and its mines, furnishes a bountiful storehouse of raw materials, which would seem calculated to furnish objects for the investment of capital in the employment of this water power. But if these resources should still remain neglected, still the incidental wants of the country would certainly require the application of a part of it. It will not, therefore, be regarded as visionary to suppose that at least one fourth of the above income might be reasonably calculated upon, as available at an early hour after the construction of the improvements. If this hypothesis be true, then the income from this source would be $12,937.50 per annum, equal to about 40 per cent of the annual interest of the investment. Even this amount may appear large, but when it is recollected that the Miami canal is but 60 miles in length, and that the commissioners, after observing the availability of the water power, estimated its annual product at $20,000, and actually received into the treasury before the canal was completed, the sum of $4,280, the income of 1832; the estimate of the above income from 250 miles of river, (upon which water is greatly more abundant, the lift of lockage greater, and in a country where hydraulic power is fully as scarce and equally in demand,) may not appear extravagant.

The next enquiry is, "Can works be made to stand in the Kentucky river?"

Upon this subject one finds it difficult to reason. To suppose the negative of the proposition, is to suppose that the force of the current, exceeds the limit of strength which can be given to any combination of materials; and to argue the affirmative, appears like an attempt to prove that which is obviously undeniable. As it regards the question of the permanency of works constructed in this river, it will depend upon the skill with which they are planned, and the faith with which they are executed, and not in any manner upon the natural capacity or incapacity of the river for the reception of such works. The forces excited by the current, as well as other conditions calculated to disturb the stability of improvements, are capable of being ascertained and guarded against; and if works are properly adapted to meet these conditions they will be immovable; but if on the contrary they are
unskilfully contrived or faithlessly executed, they will be apt to fail. It
will be necessary on account of the height to which the freshets of the
Kentucky sometimes rise, which will subject the works to occasional
inundations, that the walls of the locks, especially, shall have stouter
dimensions than would be required if they were not liable to be overflown.
These enlarged dimensions will be necessary as a precautionary de-
dence against impingements from drift wood, logs, &c. which will be
liable to come in contact with the walls while overflown. This strength
can be as readily imparted to these walls, as the necessary stability can
be given to any other structure, whatever may be its magnitude, or
wherever it may be situated: the only difference between the two, con-
stitutes in the scale of their respective magnitudes, and in the quantity of
materials and labor respectively required in their construction.
Guard walls of sufficient height to exclude the influx of ordinary
freshets will be placed upon the locks. These must nevertheless con-
template occasional submergence, and must have the requisite dimen-
sions, to render them secure in times of extraordinary floods, which rise
above the reach of any works. This necessity, however, involves no
further difficulty than that of the extra labor necessary to give them
the required enlargement. The highest floods rise to an altitude of over
50 feet. No guard walls can reach this height, and the
locks must therefore be planned accordingly. Such floods, however, occur only at com-
paratively distant intervals. In ordinary seasons, the locks would
seldom be inundated. There has been no water this winter that would
have overflown them.
It may be objected that dams in other rivers have been swept away.
This is true, and it is also true that if these dams had been built in
this river, they would most probably have met the same fate. But if
we enquire into the causes of their failure, they will scarcely be found
in the impossibility of making permanent dams upon the sites from
which they were displaced. A most conclusive proof of this, is the
fact that, in every case of any note among the public works in various
parts of the United States, where dams have been destroyed by floods,
ye were directly afterward rebuilt upon the same localities, and have
since stood permanently. Among examples of this kind may be cited
the Shamokin, and the Muncy dams, two large structures in the
Susquehannah. After being successively swept away, they were finally
rebuilt, probably in 1831. They are now standing perfectly secure.
Another conspicuous example is the great dam at Port Edward,
across the Hudson, in N. York. This structure which conducts the
Champlain canal across the Hudson river, is 900 feet long and 28 feet
high. It was first built in 1818, and destroyed the following winter;
rebuilt the following summer, and again displaced in winter. In the
summer of 1820 it was again rebuilt upon its present plan, and is standing
permanently at this day, having withstood the icefloods of that
northern climate, 16 winters. Among the various works in different
quarters of the United States, I think that more than 100 dams in rivers
of equally formidable character with the Kentucky, and many in greatly
larger streams, might be enumerated, whose permanency is as un-
equivocal as that of any other structure. It is true that in the inception

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of works of internal improvements, and before engineers had acquired the skill that subsequent experience has imparted, more frequent failures occurred in this than any other class of constructions. Progressive improvement has, however, corrected the inexperience of earlier times, and the art of building dams has assumed a more practical character, than the immaturity of plans had then given to it. Upon comparing the plans of the dams cited in the disastrous cases above noticed, and those of other failures of the times, with such improved ones as the progress of experience has found indispensable, the secret of their catastrophies readily reveals itself in the exhibition of models that subsequent improvement has exploded. Other and more properly adapted plans being applied, works stand securely upon the same localities.

Will not the locks fill up with sediment? This subject has been throughout regarded as one calling for the exercise of great vigilance, inasmuch as I am apprised that this difficulty has heretofore been considered of such serious import as, in the opinion of eminent engineers, to exclude from improvement, by lockage, rivers whose freshets rise to such height as to subject the locks to frequent or deep inundation. The effect produced by such inundations in filling the chambers of locks with depositions of alluvial sediment, is a matter of common observation, in all cases where locks upon the ordinary plan of construction have been placed in such situations. The only provision suggested by any plan hitherto made public, for the prevention of such depositions, is the personal vigilance of the lock keeper, in opening the paddle gates at the approach of every freshet. Although it may appear that this method might be successfully relied on, yet it has been hitherto found to be decidedly inefficient. To practiced men acquainted with the construction and operation of such works, the reason of this inefficiency will appear obvious; but as it may not be as readily understood by others less acquainted with the details of such constructions, a brief explanation of a plan for the construction of sediment gates, proposed for the obviation of this difficulty, will be attended to under the future head of the plan of the works. In the meantime I will only observe that the plan is the result of reflection which has been extended through several years, and is believed to present a sure and effectual remedy for this hitherto onerous and vexatious trait, and that by its application it is thought that submerged lockage may be constructed in any river, with the most unquestionable certainty of success.

Drift wood and other floating substances, it seems to be feared by some, may endanger the stability of the works. By reference to the plans and drawings, it will be seen that the guard walls and gates of the locks, and the pier heads and abutments will rise 6 feet higher than the combs of the dams. The lock, including the breadth of the pier head, will occupy a space at one bank of 76 feet. From the stream side of the pier head, the dam will extend to the opposite bank where it will terminate in the abutment. A considerable proportion of the breadth of the river will therefore be occupied by the works at each shore, which rise 6 feet above the comb of the dam. There will, therefore, at all times be a strong current passing through the channel thus formed, which will prevent the lodgement of any drift above the dam. Even
in high floods when the works are inundated, on account of the greater depth over that part, the strongest current will be over the middle of the dam. At such times however, the lock walls will be liable to receive impingements, and must be planned of dimensions sufficient to resist them. In making the locations, care has been taken to fix the locks at points where the configuration of the river would have the effect of directing drift away from them.

Ice may disturb the security of the works,—appears to be an apprehension indulged by some. To point to the numerous dams in Pennsylvania, New York and other eastern States, in countries several degrees north and in climates greatly more rigorous than Kentucky, would seem sufficient reply to any fear upon this account. The Fort Edward Dam, noticed hitherto, is situated in about 43 degrees north. The ordinary thickness of the ice in the Hudson in that country is every winter 2 to 3 feet. That dam has been standing 16 years.

In a report to the canal commissioners of Pennsylvania, Mr. Gay makes the following statement in relation to the ice upon the slack water improvements in the Conestoga: “The current in the pools is not more than one to one and a fourth miles an hour when the ice is breaking up.” (Rep’t survey Ohio, Allegheny & Monongahela rivers, 1828.

Upon dismissing this branch of the general subject, and in relation to the question of the practicability and permanency of locks and dams required for slack water improvements, and also in relation to the certainty with which they may be regarded as productive of their object, the remark is confidently ventured, that, owing to the limited number and extremely simple arrangements of their parts, together with their generally stout dimensions, they are regarded, if judiciously planned and faithfully executed, as being in all respects as fully certain of realising the object of their construction as a common saw mill, or any other, the most simple hydraulic structure.

Alluvial deposits from the creeks will obstruct the navigation. This seems to be another object of apprehension. If we reflect that the water of the pools, will set a good distance back into the mouths of the creeks, we shall perceive that their currents, which now run rapidly into the river, will, after the improvement, be checked at some distance up. There is generally a brisker fall than the eye detects at the mouths of these creeks, and when swelled by freshets they descend furiously into the river and bring out large quantities of alluvial matter, which they deposit at their mouth, where their currents become neutralised as they enter the river. The elevation of the water in the pools will back the water over this fall, and neutralise their currents, according to the height of the fall near their mouths, at various distances from the river. Their currents thus checked will drop their sediment at the points where their force is spent. Hence deposits will hereafter be formed at a distance from the river, up in the channels of the creeks, instead of in the river as heretofore. In answer to enquiries directed to him upon this subject, Josiah White, late a member of the board of canal com’t’s. of Penn., writes me thus: “We have experienced no inconvenience upon our slack water, from deposits from the surrounding country.” I will only add that Mr. White has been many years practically engaged
in the construction and subsequent management of the slack water navigation, and other works of the Lehigh Coal and Navigation Co.

Cavernous Limestones. I have heard the probability suggested that this substance may occur, and suffer the water to escape from the channel of the river. That there are no such fissures in the bed of the river, is very evident, from the fact that the water does not sink, but continues to flow during the dryest seasons. I have made the best inquiries my opportunities have enabled me, to learn whether any such chasms are known to exist at any point above Frankfort, and I have been unable to learn that the existence of any such is known. Nor is it believed that any apprehension need be entertained on this account. In the first place it is disbelieved that any such difficulty will be found to exist. But if it should be the case, the crevices, wherever they may occur, must be found, if at all, in the sides of the bank along the bluff shores, and may be readily stopped. This can be effected with great facility, by placing a revetment, of rough stones, parallel with the ledges of rocks, in which fissures may be found and puddling the intervening space. My opportunities have not enabled me to examine the river above Frankfort, I therefore, cannot speak of that part from personal observation, but in relation to the portion below Frankfort, I am confident that no such caverns exist. A difficulty of this kind was experienced upon the Schuylkill canal in Pennsylvania. That work was located upon a high level, near the general surface of the country, various expedients were resorted to, to render the canal impervious, but they all proved abortive; and as a last resort, that canal company determined to change the character of the improvement into slack water, by locking down into the Schuylkill river. They did so, and had no further trouble, the bed of the river being found entirely impervious, although the rocks upon the surface of the country were cavernous.

Some inconsiderable difficulty of this kind along sandstone bluffs in the valley of the Conemaugh in Pennsylvania, was also experienced, but the leaks in this case were readily stopped. Other than these two cases I do not recollect of any material instances, that have occurred within my acquaintance. At all events it is not regarded as being by any means probable, that any trouble of this kind need be feared at as great a depth below the general surface of the country as the bed of the Kentucky. And if such fissures should be met with, they are not considered as beyond the reach of a remedy.

The Pools will overflow and injure property along the river. It may be remarked that any property situated on so low a level as to be in danger of being inundated by these pools, would be utterly worthless for the purposes of cultivation if the river were to remain as it is, inasmuch as such ground would be liable to be inundated at any time in the summer while the crops were in the ground.

It will be borne in mind that the pools are only to be raised a few feet higher than low water mark, and not to the summit of the banks. Diligent enquiries, however, were made in order to ascertain whether any injuries of this kind would be likely to accrue, and I could learn of no instance where it appeared that any need be apprehended. The banks of the river usually rise abruptly up to the surface of the low ground,
and the only property that can be found below this level, is an occasional narrow strip of a few yards in width, sufficient for a few tobacco hills, below the second banks of some of the creek bottoms.

But in such cases where these patches occur so near the level of low water as the surfaces of these pools will be, they are not regarded by their proprietors as worthy of cultivation, and are therefore neglected. Neither are there any mills so near to the mouth of any of the creeks as to be able to any inconvenience from the improvement.

The rise of freshets, will be increased to a greater height than formerly, and floods will inundate the country. Every person has noticed the fact, that while the water is deep and flows leisurely in the upper part of a pool of water, that it falls quickly and in a thin sheet over the comb of a dam. The principle has also, I dare say, come frequently under the observation of every one, that as the volume of a stream becomes contracted its velocity is accelerated. It is also doubtless well understood by all, that the motion of a stream in train (that is, while the whole body of its water is moving forward,) is retarded by its friction against the side and bottom of its channel. In connexion with the above facts, it will also be borne in mind that the lower body of water in the pools is confined by the dams, and remaining stationary during freshets, does not share the motion of the body of water, that flows upon the surface of the river above the dams. These facts and principles being considered, we should probably deduce the conclusion that the effects of the dams would be to reduce the extreme height of freshets rather than to increase their altitude. But it is deemed unnecessary to speculate upon results, or enter into lengthy arguments to prove that which can be substantiated by the more conclusive authority of examples furnished by the experience of the country.

I make the following extracts from the report of Mr. Gay to the canal commissioners of Pennsylvania: "The height of dams on the Schuylkill are from 7 to 27 feet, and the rise of floods is greatly less than in the natural state of the stream."

"On the Conestoga the heights of dams are from 10 to 14 feet above the bed of the stream, and the water has in no instance risen more than three feet in the pools, whereas in the unimproved parts of the river the rise was and is yet from 10 to 12 feet in height. * * "The current in the pools is not more than one to one and a fourth miles an hour when the ice is breaking up."—Rept. of Ed. F. Gay, survey of Ohio, Allegheny and Monongahela rivers, 1828.

The influence of the dams upon the health of the country along the river. If we revert to what has been said in relation to the natural construction of the river, we shall be reminded that it consists in its present condition of a succession of deep pools separated from each other by bars stretching across its bed, and performing the offices of so many dams; and that therefore, the general economy of the stream when improved, will not materially vary from what it is at present. The only difference between its present and its improved condition, affecting its character in this respect, will be in the depths of water in the pools and in the extent and nakedness of the existing bars compared with the narrow vertices of the artificial dams. This difference in the
condition of the river will, it is contended, improve the health of the country instead of endangering it.

I believe the opinion is generally entertained that the principal cause of the more common diseases of the country, and especially of the autumnal fevers, that sometimes prevail along the rivers and water courses, is attributable to the effects of miasma arising from the decomposition of vegetable matter. And this opinion appears to be sustained by the fact that diseases of this class usually prevail in the vicinity of causes which tend to promote the rapid growth and alternate dissolution of rank and shortlived vegetation.

Now if we notice the river during the low water season, we observe that a large proportion of its bed, consisting of bars and shoals and narrow beaches near low water mark, and along the low slopes of the banks, is left naked, and covered with a thin stratum of vegetable mould and muddy sediment strewn with rotten drift wood, logs, &c. and usually overgrown with rank fatal vegetation, which, in consequence of its rapid growth, is continually perishing and falling to the ground. These bars, beaches, and mud flats, are of frequent occurrence all along the river, and are frequently extensive, often covering many acres, overrun with weeds and vegetation, situated so low as to be inundated at every little swell occasioned by the showers and rains of summer. Accordingly, we notice that in the spring, and early part of summer, during the fluctuating stages of that showery season, these flats and beaches are often temporarily overflown just deep enough to kill their vegetation. A thin layer of light sediment is left upon the surface after each of these swells, in which successive growths of weeds spring up and vegetate until succeeding inundations occur to drown them in their turn. Thus successive crops of these weeds fall and putrify during the warm weather and contaminate the atmosphere with noxious miasma.

These bars and beaches, that are thus alternately inundated, and afterwards left naked to produce pestilent effluvia, will be constantly buried by deep water. Besides a freshet, which, in the bottom of the river bed, would rise several feet, would flow in a thin sheet over the vertex of the dams, and therefore would wash but a narrow strip along the banks, to which the production of this hasty vegetation would be confined. Innumerable rotten logs, and other offensive substances, exposed along the river, will be covered by the deep water of the pools, and the elevation of the surfaces will repress the growth of a large portion of neglected vegetation that now annually decays upon the banks.

If there is danger to be apprehended from the pools, they are equally as noxious now as they will be when improved. The only change which they will undergo will be in the elevation of their surfaces. The greater depth given them will reduce the temperature, and the water will be cooler than it now is, and the shoals, bars, &c. with all their fetid and offensive matter on their surfaces, will be drowned by deep water. If therefore the hypothesis be true that effluvia from vegetable decomposition is productive of sickness, the health of the country will be improved by the removal of those extensive causes of miasma, and the cooler temperature imparted to the water by its greater depth, will certainly not be conceived to be productive of bad consequences.
There is a common error in relation to the effect of the dams upon the motion of the water, which deserves a passing refutation. By some it is thought that the water in the pools will be stagnant, and thus injure the health of the country. If we notice the natural pools along the river, we observe their surfaces to be apparently motionless; and if we apply a levelling instrument to ascertain their declivity, we find the fall but just sufficient to impart an insensible motion. Yet this water is not stagnant, nor are any ill effects experienced from its proximity. Families residing along the reaches of deep water are not affected by sickness any more than others. In short, no one seems to entertain any apprehensions from the natural pools of the river. Now in what essential particular will the artificial pools vary from the natural ones? The dams cannot prevent the onward progress of the water to the Ohio. The fall will remain precisely the same that it now is. It is not to be destroyed. It is only to be transferred from the shoals and ripples where it now occurs, to the combs of the dams when it will there occur. The fall will, therefore, remain exactly as it is now, but will be differently distributed; and the passage of the water to the Ohio will be made in the exact instant of time that it now is. The water in the pools will therefore be in motion sufficient to preserve its purity, although, like the natural pools, the declivity will be so gentle that the surface will have the appearance of being motionless.

If the above considerations are correctly judged of, the effect of the improvement will be to improve the salubrity of the atmosphere, and thereby to remove existing causes of disease, rather than the contrary effect of injuring the health of the country.

Plan of the works. Of this, I shall examine the outlines only. If the largest plan should be adopted, the locks will be 170 feet long in the chamber, 36 feet wide, and will be surmounted by guard walls 6 feet high above the combs of the dams.

Should the board prefer the small plan, the locks will be 140 feet in the chamber, 36 feet wide, and also have guard walls of the same height. Whichever of these plans may be adopted, the estimates heretofore submitted, provide for the construction of the works by either of the two methods, as respects the use of different description of materials.

The Locks. In either case, are to be built of cut stone masonry, and will in all instances stand upon a solid rock foundation, which will form the floor, excepting perhaps Lock No. 1, at the Horse Shoe Bend, where the surface being covered by soil and loosened strata of rock, it is not known whether a rock foundation sufficiently solid to form the floor of the lock can be procured.

The Dams. Two methods of construction are suggested as respects the materials to be used.

The general plan, or form of the dam, will be the same in either case, modified however by a greater or less base, according to the materials to be used, and also further modified both in this respect, and in some other details accordingly as they are to be fixed upon a gravel or upon a rock foundation. The general figure of their transverse sections will be, in all cases, an elongated trapeziod. The breadth of base, as also the breadth across the top of the comb, to be varied to meet these contingencies.
By the first of these plans, each dam would consist essentially of two parts, each part being constructed of different materials, to wit: The bottom part of the dam, below the plane of perpetual inundation, to be constructed of crib work, framed of timbers hewn on two sides, and filled with broken stone. The bottom timbers to be securely bolted to the rocks with heavy iron bolts secured by box wedges. And the upper part of the dam above this plane, corresponding in height to the lift of the lock, to consist of sloped stone masonry, constructed of large sheets or slabs of rock, disposed in sloping courses, or layers, the outside edges of the courses to form the face of an inclined wall constituting the breast of the dam, and their flat sides, or beds, to slope downwards toward the bottom of the dam, in the direction upstream. The comb of the dam to consist of squared timbers, secured to a crib of timber filled with broken stone, and placed on the top of this sloped masonry. The top, slope, and the breast of the dam to be covered with a course of 6 inch oak sheathing spars. The sheathing spars to be placed in the direction of the thread of the stream, and securely tremailed to bond plates of squared timber, inserted in the breast wall and top slope of the masonry. The whole to be securely bound together by iron anchor rods fastened into the crib work in the bottom of the dam. The anchor rods to extend upward through the masonry, and to pass through the bond plates, and be fastened by nuts and screws. The comb crib, and comb timbers to be secured by anchor rods in the same manner.

Thus constructed, the timber part of the dam, liable from its situation to decay, could at any time be removed, and be replaced by any necessary repairs, without disturbing the body of the dam, which being of masonry, without any intermixture of timber, would be effectually imperishable.

The second plan contemplates the construction of the dams throughout of timber crib work, similar to that proposed to be used in the bottom part, if constructed according to the first plan.

More minute specifications are forborne for reasons which will be obvious. In the meantime, the board are referred for a more explicit exhibition of these constructions to plans and drawings exhibiting the minutia of the workmanship in detail, which are partially executed, and will be laid before them as soon as they can be finished. In respect to the merits of these two plans of constructing the dams, the first one proposing the use of sloped masonry, is respectfully submitted to the judgement of the board, as the result of much reflection devoted to its maturity, with a view of rendering its character for solidity and imperishability as perfect as the nature of materials will allow, and with deference it is thought to combine these characteristics in a higher degree than any plan hitherto suggested, the eligibility of which has stood the test of experience.

The superior adaptation of this description of sloped masonry, to the purposes of resisting the action of running water, is a matter of common notoriety among practical engineers, and its superiority in this respect over every other species of stone constructions is well known. Of its eligibility in the construction of dams, the Fairmount dam, a work of much celebrity across the Schuylkill at the Fairmount water works,
the city of Philadelphia, and, also, the whole of the dams among the works of the muscle shoals canal, in the Tennessee river, in Alabama, furnish conclusive examples. The different circumstances of this river, however, requires, that instead of the timber ties and struts, which a reference to the plans of those dams will show to have been used in their construction, iron fastenings should be here substituted. That necessity is found in the inferiority of the summer volume of water in the Kentucky, and in the contemplation of the use of water power, which will so reduce the quantity flowing over the breast of the dam, as to leave the outside exposed to contact with the atmosphere. Hence, if ties of timber were made to extend from the interior outward, to the lower face, or breast of the dam, their ends would, in a short time, become so decayed and rotten that no work could be framed to them, and, consequently, no repairs could be effected without the entire demolition of the whole structure above the plane of perpetual inundation. It was, therefore, deemed necessary to resort to iron fastenings. By this plan, no wood is admitted in the superstructure of the dam, excepting merely the sheeting spars, necessary to protect the surface of the masonry from local impingements, which might have the effect to occasion jar or loosen the fabric. These spars, including the bond plates to which they are secured, and the crib and timbers which form the comb, or vertex of the dam, are the only timbers in the superstructure. These can be readily removed whenever any repairs may be required, and the masonry and iron fastenings will remain undisturbed. By this means, the process of a thorough repair, from end to end of the dam, would require but a few days time, and a comparatively trifling cost.

In cases of gravel foundations, the dams will slope 3 to 1 on both sides. To secure the foundation, the following plan is suggested: On the line of the bottom of the lower slope, a row of strong iron shod piles, 3 feet from each other, extending from one bank, across the river, until it meets the rock bottom from the other shore, is to be driven through the gravel to the rock, or other solid bottom. Parallel to this, are to be two other rows of piles, placed each 15 feet further up stream; the gravel from between these rows of piles is to be excavated so as to form a trench 4 feet deep, which is to be filled with cribs, constructed of small trees, with their tops left on, the tops being placed up stream, and the whole interlocked by lineal ties, extending lengthwise of the dam, and filled with rock, in the manner of other crib work. The tops of the piles are to be levelled off even with the top of this tree cribbing, and the timbers of the crib work, heretofore described as forming the bottom part of the dams, are to be securely framed and bolted into the tops of these piles. The superstructure above this will be constructed in the manner described heretofore, excepting the breast above the level of perpetual inundation, which will consist of frame work and slope 3 to 1. The experience of the northern States seems to have nearly settled the question, that the impact of the water, passing down a slope of 3 to 1, is so oblique as not to disturb the security of a gravel foundation; it is thought, however, that this method will give additional security, insomuch as should any excavation be made at the foot of the slope, the flexibility of the tree cribbing will cause it to sink and fol-
low the excavation downward; at the same time, the piles thus bolted to the timbers above, will hold every thing in place, and the space left above could be readily filled by additional crib work, placed on the sunken part. The plan usually pursued in Pennsylvania, seems to have been, first to construct the dam without any such precaution, and allow it to wash out under the breast, and afterward repair the breach, by placing crib work in the excavation; the above plan is deemed a better one.

The Locks. The dimensions to be given to these structures depend upon the class of boats to be used. In my report of the 19th last month, a hasty outline of the plan, conceived of a continuation of the improvement to an ultimate connexion with the Atlantic, was submitted, a few words farther upon that subject will be ventured in a subsequent part of this communication. It may, however, be justly regarded improper to base calculations of this kind upon speculative results, dependent upon events as remote, or probabilities as questionable as the consummation of any prospective scheme of the character alluded to. I shall, therefore, confine myself to such reasons, as in their bearing upon the subject, in reference to the confinement of the trade to the valley of the Kentucky river alone, seem to me to enforce the propriety, of providing for the passage of the largest class of boats contemplated by the two plans of improvement submitted to the board.

By reference to the estimates, it will be seen that (the lifts of locks remaining as they are now arranged in the respective plans) the actual cost per mile of the large improvement, for 6 feet navigation, is less than that of the smaller plan, by which 5 feet of water only is procured, and the passage of small boats only provided for. This, however, is not conclusive, because the pro rata cost of the smaller plan, can be reduced by making the lifts of the locks higher. Arrange that matter, however, as we will, the difference of cost will be very trifling, while the advantage of the navigation, if only for the occasional passage of a large boat, would, it is thought, greatly preponderate over the additional expense. If the small plan is adopted, the passage of any but small boats is actually interdicted, and the trade of the country must undergo the expense and disadvantages arising from detention, warehouse charges, transhipments, &c. in the neighboring ports along the Ohio, before it can proceed to any distant market; because the small boats, which could pass these locks would not find their account in making long voyages, they bring such as necessarily confine their operations to the smaller rivers, and become the intermediate carriers upon shallow waters, and narrow streams, which larger boats cannot advantageously navigate.

Among the smallest boats which find it profitable to make a regular business of plying in the trade to New Orleans, and other distant markets, the smallest are, I believe, those of about 150 tons. These and others of their class between 150 and 225 tons, taking into the account their business through the year, are found perhaps more advantageous than any other class. But competition in the business of steam boating is such, that in order to make this class of boats profitable, it becomes indispensable to construct them upon such model as shall combine a
capacity, both for speedy motion and carriage of heavy freight, they must, therefore, be made long, as a long boat of the same beam with heavy freight, draws no more water than a short one with lighter freight.

The following is, therefore, thought to be about the dimensions and model most proper for a boat of this class, to wit: length on deck (straight rabbit) 140 feet; breadth of beam, 19 feet; depth of hold, 6 feet; guards, 8 feet and 3 inches. The extreme length of such a boat would be, including her stern gallery, about 150 feet, and her breadth, including guards, 35 feet. Such a boat would register about 168 tons, but would carry an actual burthen of about 200 tons, when full loaded. She would carry 180 to 190 tons, on 54 feet water. This appears to be the description of boats found best adapted to the trade between distant points upon the Ohio, Mississippi and Missouri rivers. Boats of this description could load at any point on the Kentucky, and proceed direct to any market along either of those rivers, and thereby the detention, cost and disadvantages to business, consequent upon transhipment, would be saved. Besides, the employment of such vessels in the carrying trade from this country, would be of advantage to the trade itself, by the certainty and punctuality it would introduce into business, and the regular and direct commercial intercourse it would establish between the interior of the country and distant markets. This is regarded as an important advantage. Again, it is not deemed unreasonable that among the various schemes suggested from different quarters, for the construction of commercial channels between the Ohio and the Atlantic coast, that some of them may, at no very distant period, be carried into effect, and judging from the topographical features of the country, it is believed that the upper part of Kentucky offers the most eligible track for such a communication, whether it be by means of a railroad, or by water, either of which is regarded to be of easy accomplishment, and in the event of such a communication ever being made to pass that section of the country, it is thought that the demand upon the navigation of the Kentucky would require the facilities offered by the larger plan. These considerations, and others appear to render the adoption of the scale of works proposed by the largest plan, as most advisable, and as best calculated to provide for the prospective exigencies of such a trade, as it is thought may be anticipated at a future day. The locks, therefore, proposed upon the largest scale of the improvement, have been planned for the passage of this class of boats. The length of play, allowed for a boat of the model described, would be 14 feet in the length, and 6 inches in the breadth of the chamber. A boat, therefore, carrying an actual burthen of over 250 tons, constructed upon a model properly planned for the passage of these locks, could, by careful management, be passed.

The construction of the locks will be upon the ordinary plan, with both pairs of the main gates upon the same level, their dimensions have been already stated. The only material variations from the common plans, in the details of their constructions, are such as will be noticed as accruing, in consequence of the new appendage of Self-acting Sediment Gates, proposed as a means of preventing the accumulation of alluvial sediment, in times when the locks may be inundated by freshets.
The following is intended to give a general idea of the mode of operation, and plan of constructing these gates. Their object, as above stated, is to prevent sediment from settling in the lock, by causing a current of water to pass through the bottom at all times, whenever the river rises above a given plane.

Their action is produced spontaneously by the hydrostatic pressure of the water acting upon a buoy. It is, therefore, independent of any human volition. Thus, whenever the water of the river rises above a given level, its hydrostatic force acts upon a buoy and opens these gates, which cause a strong current to sweep through the bottom of the lock until the water falls again below that level, at which times, the gates are again closed by spontaneous action.

The following will show the general plan of their construction and arrangement:

1st. The floor of the lock is to be sunk 15 inches below the bottom of the mitre cills.

2d. There are to be 4 of these gates, each 6 feet long and 15 inches wide, and fixed so as to revolve horizontally under the bottom of the mitre cills.

3d. The gates are to be made of cast iron, and to revolve in a frame of the same material; they are to be placed under the mitre cills, on the sides next the walls. The centre shaft of the gate which forms the gudgeons on which it revolves, will extend into the wall through an aperture purposely left, and be connected by an horizontal lever and an upright iron rod, with a buoy, which is placed in a cell constructed in the wall, directly over the end of this centre shaft.

4th. The buoy, is constructed in the form of a cask of about 130 gallons capacity, and is placed in a cell, which allows it just play enough to rise or fall, the length of the average, and thus to open the gate upon a rise, or close it again upon the subsidence of the river.

5th. At a plane 2 feet above the comb of the dam, or the level of low water mark, in the head of the lock, a channel 3 feet wide and 6 inches deep, connects between this cell and the face of the lock walls, so as to admit the water to the buoy, from the upper pool above the lock, whenever the river rises to that level. And from the bottom of the cell a waste pipe 2½ inches in diameter, leads downward to the space occupied by the lower level of the lock, for the purpose of discharging whatever water remains in the cell after the river has fallen below the level of the supply channel above described. To fill the cell, requires but few barrels of water.

The force necessary to open one of the sediment gates is about 90 pounds. The hydrostatic force of the buoy, over and above the force necessary to lift its own weight, is about 800 pounds. The weight of the buoy, including the connecting rod, which attaches it to the opening lever, or crank at the end of the centre shaft of the gates, is about 500 pounds.

Now, it is supposed, that a freshet of 6 feet rise in the upper part of the pools, will cause a rise of 2 feet over the combs of the dams. At this stage, the waters become turbid and muddy, and there is danger of a deposit of sediment at the head gates of the locks. The feeder channels
which lead to the two upper buoys, open into the upper pool, through the inlet walls of the lock, consequently, so soon as the water rises to that level, which is, as before stated, 2 feet above the comb of the dam, the water pours through these channels and fills the cells, and instantly lifts the upper buoys just high enough to open the upper sediment gates, and the water rushes through and rises to the same level in the chamber of the lock. At this instant, the water from the chamber, having risen to the level of the supply channels, pours into the cells upon the lower buoys and lifts them in the same manner by which the lower sediment gates are also opened, and a sweeping current of water is thus produced throughout the whole length of the lock. In this current, it is presumed, no sediment can settle.

Upon the occurrence of a subsidence, so soon as the surface of the river falls to the same level, the supply channels are left dry, and the waste pipes immediately discharge the water from under the buoys, and they settle down, and closing the gates by the pressure of their weight, rest upon the bottom of their cells, and all is made tight in the lock.

Minute and explicit drawings have been made, exhibiting the construction of these fixtures, and a model has been constructed showing the principle upon which they operate, to which I beg leave to refer the board for a more minute understanding of their merits. In reference to this subject, I take occasion to observe that the introduction of these gates, at this time, is the result of reflection extended through several years of time, and that the plan of their attachment to the works and adaptation to their object, has been matured with what of ability my resources have enabled me to bring to the subject. The whole necessary fixtures consists of but very few parts, and those of extremely simple arrangement, and would appear to present scarcely any liability to get out of order. The law by which their effect is produced is fixed and inflexible, and it is thought that the object of their application may be relied upon with the most unerring certainty. If this be true, their introduction into general use, may, it is thought, be regarded as an important improvement in the construction of lockage, inasmuch as it will place within the reach of improvement every river, whatever may be its character in respect to the depth of its freshets or the turbidness of its waters.

It has been my endeavor, by the most rigid scrutiny, to detect objections, if any could be found, but to me there seems to be none, but such as may be readily obviated.

In regard to the certainty of the effect of this plan, the principle is as fixed and as sure in its operation as that which would cause an anvil to fall down if dropped in the open air. The chain and ball which we have sometimes seen suspended to a common lattice gate, does not effect its office with more unerring certainty, nor is the machinery but little more simple.

As respects the liability of the fixtures to get out of order and thus derange their functions, there is scarcely any, the most simple implement we can think of, in common use, which has not an equal number of parts, or is not equally objectionable on this score. I have heard it suggested that these gates are unnecessary because that the
paddle gates of the lock might be opened by hand and answer the same purpose. In answer to this, it may be observed, that, in the first place, the plan of depending upon the vigilance of the lock keeper has been fully tried, and is found to be notoriously inefficient. There are several men employed to attend the locks at Louisville, and I learn from the superintendent, that they are, notwithstanding, frequently filled to the depth of several feet, and that the sediment has to be dug out by manual labor. But the paddle gates if left open will not produce the same effect of freeing the sediment. This will be apparent to any one acquainted with the construction of lock gates. The current produced through the paddle gates, would be in the body of the water above the bottom of the lock, and, therefore, there would be a body of dead water under the current and upon the bottom. Especially under and along the lower edge of the main gates, where sediment would settle if the paddle gates were left open. The current produced by these sediment gates, would be open at the bottom, and, therefore, would sweep all clean.

Again, no human vigilance, no matter how attentive lock keepers may be, can possibly act with the same promptitude as the buoys. They would act at the instant when their action would be wanted, and at the instant when that necessity would cease, their action would cease also. No human volition can attain such promptitude. That it does not, is proved in the instance of the Louisville locks.

I have also heard it observed by an advocate of the paddle gate plan, that when the river should rise to be very high, and the fall over the dams should be nearly or quite equalized there would be very little current through these gates. This is true, and it is also true that there would be still less amounting to nearly or quite none at all through the paddle gates, if their use were substituted. This, however, is one of the cases in which nature refuses her co-operation with the works of man, and the effect is attributable to an impossibility and not any defect in the mechanism of the works. There would not, it is true, be so strong a current at such a time, but yet it is doubtful whether any rise could so effectually neutralise the motion of the water as to cause depositions to any extent that would not be removed in the progress of the succeeding subsidence. At all events, this plan appears manifestly better calculated to insure such a result, than any other hitherto suggested.

It has also been suggested that, admitting the necessity of these gates, their application could be effected by a simpler plan. But as that plan has not been specified, and besides, as I regard the proposed one to be probably as simple as any substitute which I think is likely to be fallen upon, it is scarcely thought worth while to discuss that subject, until the forthcoming of such a plan. I will, however, remark that as it respects the connexion with the buoys, various other methods are presented for the application of these gates; and that, by a proper construction of the main gates, the paddle gates may also be made to operate in the same manner, and that thus an additional security in addition to the sediment gates would be obtained. This latter subject is thought to be worthy of future attention in the construction of these works.

By a simple fixture, which is deemed unnecessary to describe, the
sediment gates could be opened or closed by hand whenever any circumstance should render it necessary. Should this plan be adopted for the construction of the paddle gates, the same means could be applied to open or close them upon the passage of a boat.

In conclusion, I take occasion to observe, that whatever may be the merits of the improvement, it is the result of some thought, applied in the hope of producing something useful, and the subject is, therefore, with great deference, submitted to the judgment and experience of practical and scientific men.

The guard walls of the locks will extend 6 feet above the combs of the dams; consequently, the locks can at all times be passed until the water has risen to this height over the combs. Taking into consideration the ratio between the rise over the dams, and that in the upper parts of the pools, it is thought that by the time the water has acquired this elevation on the dams, it will have risen several times higher on their lower sides, and that, consequently, the fall will have become nearly equalised in all parts of the river. The disappearance, therefore, of the Guard Walls, as they become submerged, would give the signal to boats, bound either up or down the river, to steer for the middle of the stream, where they could pass over the dam without inconvenience.

Locations of the works. It is deemed unnecessary to trouble the board with all the details of the operations of the survey. Its object being the location of works, intended to produce a system of pools of slackwater, it was not thought necessary to extend the levellings throughout the whole distance of the river, but only over ripples or portions of the river when the current is accelerated so as to produce a sensible motion, inasmuch as the declivity of these pools, existing in the natural stream, whose surface is so very nearly level as not to produce any sensible motion in the water, it was thought would remain nearly the same upon the construction of the dams. Besides, continuous buildings had previously been made in the survey conducted by Lieut. Turnbull, and it was supposed that any data, which might be required in relation to the fall of these pools, could be obtained from the notes of those levellings, to be found on the profiles in the office. These levellings were, therefore, conducted as above suggested. Great care was taken to embrace in the levellings every portion of the river, upon which any perceptible motion could be detected. The amount of fall to be overcome by lockage was ascertained by this process. And what further data were required, as the basis of calculations respecting the fall of the pools, were procured from the notes of Lieut. Turnbull's levellings. So far as authentic levellings were continuously conducted over the same portions of the river, the levels of the two surveys verify each other with very exact accuracy. Owing to interruptions from the back water from the Ohio, exact levels could not be continuously made in either survey below the foot of Drennan's ripple. From that point to Frankfort, the amount of fall found on accelerated water, deducting the intermediate fall of pools, is found by a calculation of the levels of both surveys to be as follows:

By Lieut. Turnbull's levels, the face is 36 feet, 1 inch, 51-100 dec. By levels made in this survey, 36 feet, 137-1000 dec. Owing, how-
ever, to the high stage of the Ohio at the time of Mr. Turnbull's survey, his estimate of the fall below the foot of Drennan's ripple is considerably larger than that I have made. The stage, at the time of commencing this survey, was near low water mark, it being, as heretofore noticed, ascertained to be 1.55 feet above the plane of low water. But a subsequent rise, which occurred during the progress of the lower part of the survey, interrupted the continuity of authentic levels, until we reached the foot of Drennan's ripple, as before stated. Upon the occurrence of this rise, it was considered that either time must be spent to make an uninterrupted line of levels, which would require the consumption of several days, and perhaps detain the party until a head rise would put an end to the low water, which then prevailed in the Kentucky, or that the best estimate circumstances would allow, of the quantity of fall below the head of the back water must be made. For this purpose, the altitude of the back water was carefully measured, and the progress of the rise estimated for the time we were ascending the river, until we reached the head of the back water. The best pains the nature of the case would permit, were used to make this estimate as correct as possible, and it is thought to be sufficiently near the truth for the purpose, although new-levellings would, of course, be required upon any definitive location of the works.

From this method, aided by some partial levels subsequently made, the fall occurring on ripples between the mouth and Drennan's creek, is computed to be 5.591 feet, which, added to the amount found by the accurate levellings between Drennan's and Frankfort, 36.137, makes the whole fall occurring on accelerated water on this portion of the river, 41.728 feet, to which, in the calculations of the left of locks, an additional allowance of 0.06 feet per mile is made, to cover an estimated difference between the fall of the pools, which will be raised by the dams, and the natural pools in the river. To find this allowance, recourse was had to Mr. Turnbull's levellings, from a calculation of which, extending the whole distance from Drennan's creek to Frankfort. The average fall of the natural pools was ascertained to be about 0.09 feet per mile. One third of this fall was, therefore, deducted, and the balance 0.06 feet per mile assumed as the fall of the artificial pools. This difference being computed for the extent of pools and allowed, makes the amount of fall to be overcome by lockage between the mouth of Kentucky, and the town of Frankfort, 44.925 feet.

Upon reaching Frankfort, the further progress of the survey was interrupted by a permanent rise in the river, which did not afterward afford an opportunity of continuing it any higher.

The field notes of the survey, as also the calculation by which the locations and lifts have been arranged are contained in two field books in the office, to which the board are referred for more minute particulars in relation to these matters, than could be conveyed in a communication of this kind.

According to the two plans of constructing the improvement, between the mouth of the river and Frankfort, as shown on the two profiles heretofore submitted, the locations and lifts of locks proposed, are respectively as follows, to wit:
PLAN 1st.

(To give a navigation of 6 feet depth of water for boats of 150 to 180 tons, register measure.)

Lock No. 1. Lift 17 feet; located at Horse Shoe Bend, four miles above the mouth of the river. This dam will set the water back 274 miles to Six Mile Ripple, and will drown 17 shoals, bars, and ripples, on which there is not a depth over 6 to 10 inches at low water, in the present state of the river.

Lock No. 2. Lift 14 feet; location, Six Mile Ripple, at the head of the last named pool. The pool of this dam will extend 10½ miles to the head of Cedar Creek Ripple. It drowns four bad obstructions.

Lock No. 3. Lift 14 feet; located at Cedar Creek Ripple; pool extends 23¾ miles to Lee’s Ripple, 4 mile below Frankfort. It will drown 14 obstructions.

Lock No. 4. Lift 15 feet; located at Lee’s Ripple. The pool of this dam gives a depth of 6 feet, 15¾ miles above the lock. This depth terminates at Gilpin’s Ripple, 80½ miles above the mouth of the river, a few miles from the towns of Versailles and Lawrenceburg. The head of the pool terminates several miles further up. A depth of 5 feet extends between 3 and 4 miles higher, or between 18 and 19 miles above the lock. Upon a continuation of the improvement, the next lock would stand at Gilpin’s Ripple.

PLAN 2nd.

(This plan contemplates a navigation for smaller boats, with smaller locks and lower lifts. Depth of water to be 5 feet. Navigation for boats of 100 to 120 tons.)

Lock No. 1. Lift 8 feet; located at Horse Shoe Bend. The pool of this dam will set back to Marion, 12½ miles, and will drown 10 obstructions.

Lock No. 2. Lift 10 feet; located at Marion Ripple. Gives a navigation up to Six Mile Ripple, 14¾ miles; drowning 8 obstructions.

Lock No. 3. Lift 12 feet; located at Six Mile Ripple. Pool extends 10½ miles to Cedar Creek Ripple. Drowns 4 obstructions.

Lock No. 4. Lift 12 feet; located at Cedar Creek Ripple. Pool extends 15½ miles to Essex Ripple. Drowns 11 obstructions.

Lock No. 5. Lift 8 feet; located at Essex Ripple. The pool of this dam gives a depth of 5 feet water to Smooth Rock Ripple, 3½ miles above the town of Frankfort, 69 miles above the mouth of the river, and a depth of 4 feet, two miles further up to Glenn’s Creek Ripple. Upon a continuation of the improvement, the next lock would be located at Smooth Rock Ripple.

In relation to the locations, it will probably be sufficient, at this time, to repeat what has heretofore been said, that in all instances the locks will have a rock foundation, sufficiently solid for the floor of the lock, with perhaps a qualified exception of Lock No. 1, at Horse Shoe Bend, where it is uncertain whether the rock will be solid enough for the floor. The dams will in all cases have either an entire or a partial rock foundation.

Lifts of Locks. By reference to the estimates contained in the
former report, it will be seen that the lifts contemplated by the larger plan, are somewhat higher than are usually observable upon other works heretofore constructed. I shall only advert to a few of the leading considerations which appeared to my mind to enforce the propriety of high lifts.

1st. Greater security against frequent inundations. It has already been frequently observed that the inordinate height of freshets in the Kentucky river is regarded as a somewhat troublesome feature. Now, without minutely discussing the reasons which seem to establish such a conclusion, it is presumed that it will be obvious, that the higher the lifts the less frequently will the works be liable to submergence.

2nd. The time required to pass a high lift is scarcely appreciably greater than that required to pass a low one; less detention would, therefore, be caused to boats, as there will be a less number of locks.

3d. Greater security against the depositions of sediment from creeks. If the reasoning adduced upon this subject, under a former head, where it has been systematically treated, be correct, this apprehension will be more effectually guarded against by high lifts, which will back the water to a greater distance into the mouths of creeks, and thereby neutralise their currents at a greater distance from the river. Their sediment would, in this case, be dropped before it could reach the pools, and the navigation would be less liable to obstruction from this cause than if the lifts were so low as to allow the currents of creeks to retain their momenta until they should be checked as they entered the pools.

4th. The health of the country would be more effectually consulted by high lifts. This subject has already been more fully considered. By reference to what has been advanced upon this subject, if the conclusions there deduced be correct, the effect produced by high lifts, on account of their more permanently maintaining the surface of the water at a fixed plane, and confining its fluctuations within a narrow range during the summer months must be more effectually to neutralise the causes of sickness than the effect produced by low lifts.

5th. More effectual water power would be created by high lifts than by low ones. There would be a greater number of low lifts in the event of the adoption of the smaller plan of the improvement. But when we take into account the consideration that the fall would be so low as to be liable to frequent inconvenience from the fluctuations of the river, it will doubtless be perceived that a fewer number of high lifts would secure the greatest share of effectual power.

6th. The cost of the improvement will be greatly less if high lifts are adopted, inasmuch as the higher the lifts the fewer number of works are required, and the cost of a high lift is not greater than a low one in the ratio of its height. The same quantity of work below the mitre cills, as also the Guard Walls above the comb of the dam, and considerable other incidental work is equally required whether the lift be a high or a low one.

It may be objected to the use of lifts as high as those proposed for the construction of the larger plan of works, that they are of unusual height. The same objection might have been made to lower ones at their first introduction.
As it regards the security of the works; it is believed that they will be fully as secure as they would be if made lower. There are no forces exerted by the river, which will not be found upon examination to be within the reach of effectual control, by works of the height of these or even of greater height.

The greatest height of any point upon any dam, is less than 25 feet; and the greatest average height of any one dam, is about 19 feet; generally the average height of dams is between 16 and 19 feet; their average length varies from 260 to 370 feet. Now the Fort Edward dam, sometime since adverted to, is 900 feet long and has an average height of 28 feet, and has stood 16 years in a climate 43 degrees north. The feeder dam at Leechburg in the Kiskimimitas is described as being five hundred and fifty feet long “and its average height, from the bed of the river to the comb, is thirty four feet.”  (See Report Penn. Canal Commissioners, Nov. 1st. 1833.)

Upon this same subject Josiah White, whose valuable communications I have previously had occasion to acknowledge, writes as follows: “The Company I am connected with, called the Lehigh Coal & Navigation Company, are making 26 miles of navigation, 8 1-10 of which is slack water. We have about 20 feet fall per mile; we make 29 locks from 13 to 25 feet lift, and 20 dams from 12 to 40 feet in height.”

He adds, “I consider high dams quite as safe as low ones, if not more so, base being proportioned to the height.”

In this opinion I fully concur: because in the case of a high dam, with a slope on the upper side, of say 2½ or 3 to 1, the sheet of water that passes over the top, bears a less proportion to the vis inertia of the body of dead water which rests on the upper slope, than it does in the case of a low dam. Thus suppose such a dam to be 4 feet high, and slope 3 to 1, and the sheet of water passing over to be 4 feet deep. Now if we suppose the dam to be raised to 10 feet high with proportionate base, the depth upon the comb would probably be reduced below 2 feet, meanwhile the body of water resting on the upper slope of the dam would be increased to more than six times as great as in the former case. The high dam would therefore be the safest. It will be borne in mind that the motion of the sheet which passes over the comb is communicated but a very little depth below the surface, while the whole weight of dead water rests on the dam, with a tendency to hold it in place. When we recollect the extended and varied experience of Mr. White, through more than twenty years, spent in the construction and management of works of this description, and observe the results of that experience as practically exemplified in plans that he is at this time executing, the fact would seem to go very far towards quieting any apprehension on account of the heights of the lifts proposed in the construction of the works upon the Kentucky.

Public utility of the improvement. In relation to this enquiry it would seem to be sufficient to point to the sixteen counties that lie along both shores of this river, comprising within their limits one fourth of the whole population of the State, and presenting an array of productive resources, equal in their extent to those of probably any other equal section of the commonwealth. In its present condition, even with the
most favorable tide, the river affords but a precarious and hazardous navigation, and in consequence, nearly the whole of the transportation required by this extensive district of country is driven to the expensive and tardy result of road wagonage. Hence many articles, the natural resources of the country, and such as would be produced if easy and cheap communications were offered for their carriage, are either entirely neglected or are produced to a very limited extent. This is especially true in relation to the various resources presented by the mines and the forests of the mountain district, which articles are of the first necessity to the inhabitants of the older settled parts of the State, but which will not bear the cost of land transportation. The stimulus of the improvement, however, would not be confined to the development of resources of this class, it would be equally felt by the agricultural interest, and in short by every department of industry in the country.

If improved in the manner proposed, the navigation of the Kentucky would be better than that of the Ohio, inasmuch as it would remain of uniform capacity throughout the whole year. Instead of being interrupted during low water, the best navigation would be presented at that season.

According to the estimates the average cost per mile of effecting such a navigation, for boats carrying an actual burthen of 150 to 250 tons, would be about $2,500 per mile. This is about one half the usual cost of a common turnpike road. Estimated alone by its effects upon the existing industry and active interests of the country, the value of such a navigation, it would seem, could scarcely be measured by comparison with turnpikes. Still wider would seem the disparity, when considered in reference both to the superior accommodation the navigation would afford to existing interests, as also to its capacity for bringing out those dormant resources whose development depends alone upon the creation of such facilities. These questions are, however, regarded to be so obviously understood that perhaps their mention at this time may be out of place.

Before concluding this report I take occasion to advert to suggestions heretofore made, in relation to what is regarded as among the ultimate capabilities of the projected improvement of the Kentucky river. I allude to the probable practicability of continuing a communication, by a connected line of canals and slack water navigation, from the Ohio river to the Atlantic coast. This measure is believed to be practicable and to be well worthy the attention of the State, and capable of producing more important results than any scheme of internal improvements which has hitherto engaged discussion in Kentucky. In my report of the 19th last month, I stated generally some of the facts upon which the belief of the practicability of this measure was founded, and it was my intention at that time to have examined the subject more minutely upon this occasion, than subsequent circumstances have determined me to do at this time. A few words however upon that subject will close this paper.

In the report above alluded to, I adverted to the receipt of the instructions of the board of the 5th of September, 1835, forwarded to me at Barbourville, directing me to make examinations of the contiguous
waters of the Cumberland and Kentucky rivers, in the vicinity of that town, with a view of ascertaining "whether it would be practicable to connect the two rivers by a canal?" and suggesting a request for my views as to "the beneficial effects of the improvement" if found practicable.

In pursuance of these instructions, I made the examination of the contiguous sources of the tributaries of the two rivers, extending the examination of the Cumberland to Cumberland Ford, 16 miles above Barbourville. The result of these examinations satisfied my mind that "it would be practicable to connect the two rivers by a canal" by taking the water out of the Cumberland river at Cumberland Ford.

Taking into consideration, however, the circumstances of the country, and the character, as respects its navigable capacity, of the Cumberland river, there being perpendicular falls, and other serious obstructions below, it appeared to me that, considered as a merely isolated measure, confined to any trade likely to be presented by that country, or dependent upon auspices to be furnished by the navigation of these rivers alone, that no equivalent object would be obtained by the connexion of their navigation.

At the same time, however, as observed in the former report, the result of observations and enquiries extended through a residence of several years in professional employment in that region of country, had some years ago, created on my mind a strong impression of the practicability of a canal which would connect the Savannah and Tennessee rivers.

From representations made me by the Hon. James Love and other gentlemen of Barbourville, and others at Cumberland Ford, of the topography of the country between Cumberland Ford and Cumberland Gap, and from their suggestions of the probability of an adequate source of water for supplying the summit level of a canal through the Cumberland Mountain at the latter named point, it appeared to me to be possible that a connexion could be by this means effected between the Cumberland and Powell's river, (which latter stream is a copious tributary of the Tennessee, flowing along the southern base of the Cumberland Mountain,) and thus continue the connexion of the navigation of the Kentucky and Cumberland rivers, through to the Tennessee river. If this could be effected there would, it is thought, be no invincible obstacle to the continuance of an unbroken chain of water communication from the Ohio river, at the mouth of the Kentucky, to the mouth of Savannah on the Atlantic coast in Georgia.

From Cumberland Ford it is 13 miles, in a southwardly direction to Cumberland Gap, a narrow depression in the Cumberland Mountain, and from thence it is five miles to Powell's river. Upon hearing the suggestions and representations above mentioned, I determined to proceed to Cumberland Gap with a view of enquiring into these probabilities. The result of this reconnaissance satisfied me of the reasonable practicability of connecting the navigation of these two rivers, (Cumberland and Powell's) by a canal, made to pass by a tunnel through the mountain at Cumberland Gap. The length of the tunnel which would perforate the mountain at this point, would not, it is thought, exceed
700 to 800 yards. For supplying the water for this summit level, a source believed to be superabundant is presented by a fountain which issues from the southern brow of the mountain, several hundred feet above the plane of the canal.

The face of the mountain at the point where this water issues, is a vertical ledge of rocks of probably 1500 feet in height, and the water pours out of an aperture in the face of the rocks, several hundred feet above the base. A part only of this water is collected in a race and conveyed a short distance below, where it has been applied to drive a grist mill, a saw mill, and an iron forge.

The great depth of the sources of this water below the surface of the earth, gives to it an uniform flow during the whole year. At a few hundred yards from its source, the water which becomes scattered by falling among a lodgement of broken rocks at the base of the mountain, is collected into one channel and forms a considerable stream, which flows down a valley five miles, where it enters Powell's river. This is on the Tennessee side of the mountain, the line dividing that State from Kentucky passing along the summit at this point.

The distance over the ridge at Cumberland Gap, following the road by zigzag windings along the steep acclivities of the mountain, is about a mile and a quarter; but directly through the base, upon a straight line, such as would be followed by a tunnel, the distance as before stated is estimated to be about 700 to 800 yards.

From the northern base of the mountain, on the Kentucky side, Yellow Creek, a considerable stream, flows through a broad valley of low grounds to the Cumberland river, which it enters 4 miles above Cumberland Ford. The distance from Cumberland Gap, following the valley of Yellow Creek to its mouth, is informed, 12 miles. I rode along the bank of this creek seven miles. The low grounds through this distance are very level, and generally several miles wide, and the creek appeared to have but very little fall. The remaining distance of the creek valley, next the Cumberland river, I did not personally examine, but I was informed by the proprietor of the lands lying along it, that from the point where my observations terminated, to the Cumberland river, the Creek Valley presented the same character, except its width. He stated that its average breadth was probably about one fourth of a mile, varying from a few hundred yards to half a mile wide, and that it was uniformly level and unbroken, and that the current of the creek was equally level and sluggish as upon the parts I had witnessed.

According to the route it is proposed to follow, the Cumberland Mountain would form the most elevated point between the Ohio river and the Atlantic coast, and if the above facts are correctly judged of, they would seem to indicate the practicability of constructing a canal through this mountain, between Powell's and Cumberland rivers.

The bed of the Cumberland river is considerably more elevated than that of the Kentucky. About 6 miles from Barbourville, the contiguous tributary waters of the Cumberland and the Kentucky flow in opposite directions from the same low ridge. At one point the sources of these waters are within probably 100 steps from each other, and in
another they flow in opposite directions from the same source. These waters pass in one direction to the Cumberland by the northwardly fork of Richland Creek, and on the other side by Collins' Fork of Goose Creek to the Kentucky river. The elevation of this ridge above the high water mark of Cumberland river is estimated to be about 40 to 45 feet. The water for a canal, however, cannot be taken out of the Cumberland in this vicinity, inasmuch as the necessary height of a dam would inundate a large area of country. It would therefore be necessary to pursue the river farther up until the fall of the stream would give sufficient elevation. Sixteen miles above Barbourville, at Cumberland Ford, the river breaks through the Pine mountain, over a succession of abrupt rapids. The fall over these rapids, including the fall of the river between Barbourville and this point, would, it is thought, give sufficient elevation at this place to require a dam of only moderate height to turn the water into a canal.

The locality is highly favorable for the construction of a dam; the whole bed and banks of the river being of rock, and any required height could be given to it. A canal could here be taken out and be continued along the basis of the hills, in the rear of the low grounds of the Cumberland river, and passing by a cut, through the ridge above described, would be conducted into the bed of Collins' Fork, whence it could be continued through Goose creek and the South Fork of Kentucky into the Kentucky river at the Three Forks.

There appears in the way of effecting this, but one difficulty, and it is regarded to be doubtful whether that need be considered as invincible. It is this—It is feared that on the lower part of the canal, the water brought from Cumberland Ford, owing to the distance it would have to travel from its source, might in very dry seasons be found insufficient for a full supply. The distance from the dam to the dividing ridge, where the canal would enter Collins' Fork, is about 22 miles. From that point to Manchester in the vicinity of the Saltworks is 16 miles, making the distance from the dam to Manchester, 38 miles. From Manchester to the Three Forks, the supply of water is thought to be sufficient, but there would be a distance of 16 miles upon which the water of Collins' Fork could only be calculated on for a partial supply, and this portion of the canal would be at the greatest distance from the dam, the source of the supply. In very dry seasons, therefore, it is possible that the water might be found to be faint upon this part of the improvement. The whole distance, however, from Cumberland Ford to Manchester being 38 miles, is but 3 miles greater than the distance from the city of Pittsburgh to the Feeder dam at Leechburg, on the Kiskiminitas, that distance being 35 miles. The Pennsylvania canal is supplied, throughout that whole distance, from that dam, without any auxiliary; whereas, the water of Collins' Fork would in this case furnish some help. Upon the whole, however, I am inclined to be apprehensive that in very dry seasons a scarcity of water would be felt along this part of the canal. In such an event, the example furnished by the reservoirs upon the Ohio canals may be, it is thought, successfully followed here. By a resort to this means, they have succeeded in furnishing a supply for some parts of their canals without any aid
from natural streams. The plan by which this is effected is to construct a reservoir by throwing an embankment across a valley or ravine, thus forming a pond in which the water collected during the rainy season, is held in reserve and drawn off for use during seasons of drought. The following extract will give a correct impression of the efficiency of this reliance.

"This reservoir extends from west to east nearly eight miles. Its medium breadth is about half a mile. Covering, where its surface is, six feet above top water line in the canal, an area of nearly 2500 acres.

It is capable of furnishing the summit level, and other levels dependent on it, with water for a period of three months without any aid from streams; and the water, from occasional summer rains, which flows into it through various channels from the surrounding country, greatly increases its capacity for supplying the canal."

"The drought of last summer was uncommonly severe in this region, having commenced unusually early, and continued long, yet the water in the reservoir was found adequate to the demands of the navigation."

(Rept. Ohio can. commrs. 1833.)

The topographical character of the country presents ready facilities for the construction of reservoirs, and it is thought that an efficient resource could thus be procured in the event of their necessity. If the above views be correct, it would seem possible that upon more exact examinations being made, a connexion between the navigation of Kentucky and Tennessee rivers may be found to be practicable. If this can be effected, the belief has been expressed that practicable facilities exist for its extension to the Atlantic ocean, by means of a canal between the Tennessee and Savannah rivers.

Upon an inspection of the general geography of the United States, it will be observed that the several great chains of the Appalachian mountains, which through the Atlantic States rise to great height in continuous ranges parallel to the sea coast, become broken and disjoined, and finally lose themselves in isolated spurs, and straggling knobs, in the country occupied by the Cherokee nation of Indians in the upper counties of Georgia.

The route alluded to as offering facilities for the construction of a canal to connect the Tennessee and Savannah rivers, would leave the Hiwassee river about 25 or 30 miles above its junction with the Tennessee. From thence it would pass around the bases, and through the valleys which separate the terminating spurs of the mountains and passing through the upper part of the Cherokee country, and upper counties of Georgia, would connect with the Savannah river either at, or above, the city of Augusta.

The distance would be about 180 to 200 miles. If future examinations should prove the practicability of pursuing this track, the route would, by outflanking the mountains, obviate the great amount of lockage encountered by other improvements, in climbing over them, and a canal could therefore be constructed at a greatly reduced cost. And the advantages to be attained by a communication following this route, in consequence of numerous important lateral channels which it would intersect in its course, appear to be more multiplied than those attainable by following any other route between the Ohio and the Atlantic.
The canal would, in its course to Augusta, intersect the two navigable branches of the Coosa, the main stream of the Chattahoochee, the head waters of the Oconee, and finally terminate in the Savannah, from whence, access to the Atlantic coast could be effected either by the navigation of that river to the city of Savannah, or by the Charleston and Hamburg Rail Road to the city of Charleston.

Through the channels of the various lateral rivers above named, access would be offered to the numerous markets presented by the entire extent of cotton country lying between the mountains and the coasts of the Gulf of Mexico and Atlantic ocean from New Orleans to the city of Charleston.

The Coosa leads into the rich cotton countries of South Alabama, through the Alabama river to the city of Mobile. The latter river is navigable for large steam boats in midsummer from above the town of Montgomery to Mobile, a distance of near 650 miles.

The canal would cross the Chattahoochee below the mouth of the Chestatee its principal upper tributary. From the junction of these two rivers, the Chattahoochee is represented to be a gentle and deep river offering, in its present condition, no impediments to boats of two feet draft, 100 to 170 miles, down to the falls near Columbus, a flourishing town, situated in the late Creek purchase, in Western Georgia.

The town of Columbus stands at the foot of an obstruction, which extends a few miles in the river above the town. But from hence an uninterrupted steamboat navigation continues all the year through this river, and the Apalachicola, a distance of 350 to 400 miles through this rich cotton region, to the coast of Florida on the Gulf of Mexico, within a day or two’s sail of the island of Cuba, and within about twice that distance of the large islands of Jamaica and St. Domingo, and others of the West India Islands. The head waters of the Oconee, the principal branch of the Altamaha, would also be crossed by the canal. This river leads to Milledgeville, the capital of the State, and thence into the Altamaha and through the counties of Southern Georgia to Darien on the coast of the Atlantic, thus presenting access to the markets of that country.

Whatever improvements might be required upon the navigation of these streams, would, it is thought, be induced by the construction of the canal, and hence the entire markets of this extensive region would be thrown open to the productions of the counties bordering upon, and lying north of the Ohio.

In regard to the practicability of the scheme, the route is in the condition of all others upon which actual survey has not tested this question. If, however, a communication can ever be extended through this route, the immense extent of country lying at each extremity, together with the various markets offered by those natural advantages for lateral communications, the economy of the expense of its construction, the mildness of the climate, and the great superiority of water transportation, seem to point out advantages to be gained by its consummation, not obtainable by any other route, or by any other description of improvement.

According to the plan suggested, the communication would commence...
in the Ohio, at the mouth of the Kentucky river. The following would be the modes of improvement, and the estimated distances:

From the mouth of Kentucky to the Three Forks and thence up the South Fork and Goose creek to Manchester by slackwater navigation—distance 255 miles. From Manchester to Cumberland Ford by a canal, 38 miles. In the pool of the dam at Cumberland Ford by slackwater, 4 miles to the mouth of Yellow creek. From the mouth of Yellow creek, by a canal, up the valley of that creek through Cumberland mountain by a (tunnel 700 to 800 yards long.) into Powell's river, distance 18 miles. From thence by slack water navigation through Powell's and Clinch, into Tennessee river, 100 miles; down the Tennessee to the mouth of Hiwassee, 70 miles; up that river to the mouth of Okeo, 30 miles, making in this stretch of slack water, 200 miles. From the latter named point, by a canal around the southwestern base of the Appalachian mountains to Augusta, (distance 180 to 200 miles,) say 200 miles. From Augusta by slack water through the Savannah river, 150 miles, to the Atlantic ocean.

The entire distance according to this computation would be 925 miles, to wit: Rivers improved for slackwater navigation, 669 miles, and of artificial canals, 256 miles.

In regard to the cost of effecting this communication, if practicable at all, it could probably be effected at a greatly more economical expense than any work hitherto proposed.

Having been engaged in the construction of improvements in the Tennessee, enable me to speak with certainty of the capacity of that river. My opportunities have also given me a tolerably familiar acquaintance with the Clinch and the Hiwassee. My knowledge of the character of Powell's river, is derived chiefly from third persons. But judging from the general topography of that country, it does not probably materially differ from the others in any respect, that would increase the expense of its improvement.

The Tennessee and Clinch, are well known large rivers. The former affords a good winter navigation for steam boats, and has a volume of water, fully equal to the Ohio at Cincinnati; and as regards either of the others, their susceptibility of improvement at a very moderate expense, admits of no doubt.

The same may be inferred of the Savannah, inasmuch as that river is now navigable for steam boats in winter, and for light craft at all seasons.

The fall of the Tennessee, is very nearly the same as that of the Kentucky, and there is probably no material difference in this respect, between that river and the others, Powell's, Clinch and Hiwassee. The latter river is especially remarkable for its gentle fall. It is thought that a single lock and dam, would be all that would be required to effect 6 feet depth of water, as far as the improvement would extend up this river. The breadth, however, of the Tennessee, and of the Clinch, both of which are large rivers, would require dams of greater length. The fall also, of the South Fork of Kentucky, and of Goose creek, would be steeper, which would increase the requisite amount of lockage.

Now the estimated cost of improving the Kentucky, from the mouth,
to the Three Forks, upon the best plan of works, for 6 feet water, is $639,503. The distance being 255 miles, the average per mile, is about $2,508.

But if, for the considerations above named, we exclude this portion of Kentucky river, and allow about $1,000, per mile over this average cost for all slack water improvements required upon the remaining extent of rivers embraced in the line of communication, the estimate for lock and dam navigation would stand thus:

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kentucky river, from the Ohio to the Three Forks,</td>
<td>$639,503</td>
</tr>
<tr>
<td>Aggregate extent of other rivers, distance 414 miles at</td>
<td>$6500 per mile</td>
</tr>
</tbody>
</table>

Total extent 663 miles. Total cost, $2,118,503

This would be equal to an average cost throughout, of nearly $3,107 per mile, for the slack water portion of the improvement.

The cost of canals, depends much upon the topographical character of the ground, and especially upon the amount of lockage required. In both these respects, it is thought that the features of this route are highly favorable. It is believed that the average amount of lockage, would be found to be less than one half of that encountered either upon the Chesapeake and Ohio canal, or upon the Pennsylvania line of improvements, including the inclined planes upon the rail roads connected with the latter. The canals of New York and Ohio, outflank the mountains on the north. This line would turn their southern extremity. The extreme compression of the mountain at Cumberland Gap, may be regarded as a highly fortunate circumstance, inasmuch as the construction of a tunnel of moderate length, which is rendered of easy accomplishment by this conformation of the mountain, would obviate a great amount of ascending and descending lockage, which would be required to surmount the elevation at any other point. Including the tunnel among the items of expense of constructing the canal through that portion embraced in Kentucky, and the unusually favorable character of the route in other respects, would render its cost probably below the average cost of similar works upon routes already improved, or where works are in progress. In regard to the scale of the works it is obviously unnecessary to enter into any discussion. I will only make the passing remark that the capacity of the canal would probably be required to be equal at least to the dimensions to which the Erie canal of N. York is now undergoing enlargement, to wit: for the navigation of boats of 120 to 150 tons. The Muscle Shoals canal in Alabama is of about this capacity. The length of this canal is 15 miles. In this distance it has 20 guard and lift locks, and 6 dams, and occupies ground of a generally very expensive character. A considerable part of the distance being along steep rock cliffs in the edge of the Tennessee river. That work is about being completed at an average cost per mile, I believe, of about 40,000. The smaller canals which have been constructed in various other sections of the country have varied in their cost from $20,000 down to $10,000, according to the ground and the cir-
cumstances under which they have been constructed. The cost of the Erie and the Champlain canals in N. York was, I think, about $10,000. That of the Juniata division of the Pennsylvania canal upon which there is a great amount of lockage, was constructed more latterly at a cost of $19,000 and the average cost of the canals of Ohio was about $10,000 per mile. But if we take the Muscle Shoals canal as the standard, and make a fair allowance for the difference in the character of the ground, and the reduced average amount of lockage, it is thought that $25,000 per mile may be assumed as the probable cost of constructing the intermediate canals required in this case. The aggregate extent of canals has been estimated at 256 miles. This would make the total cost of this item $1,400,000. The grand total distance and cost of the whole line of improvement would then be thus shown:

<table>
<thead>
<tr>
<th>Description</th>
<th>Distance</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Slack water</td>
<td>660 miles</td>
<td>$2,118,503</td>
</tr>
<tr>
<td>Canals</td>
<td>256 miles</td>
<td>$6,400,000</td>
</tr>
<tr>
<td>Total distance and cost</td>
<td>925 miles</td>
<td>$8,518,503</td>
</tr>
</tbody>
</table>

This is equal to an average cost throughout, slack water and canals inclusive, of $9,117 per mile, and is about one half the ordinary average cost of a double track rail road of wood and iron. The Portage Rail Road in Pennsylvania has cost about four times this sum. The first 13 miles of the Baltimore and Ohio Rail Road cost near six times as much.

On the best Rail Road that can be made, the cost of transportation would be more than three times greater than its cost upon such a navigation.

With a view of more fully illustrating this subject, a map showing the general geographical features, and principal lines of communication of the U. States, as also two other maps on a larger scale, showing in detail the topography of that part of the route lying between the Three Forks of the Kentucky river, and the State line at Cumberland Gap, have been constructed.

It is possible that the attention devoted to this subject, may be found to have been gratuitous, inasmuch as closer enquiry may develop the impracticability of the scheme upon the plan proposed. In the event however of a communication by canals, between the rivers spoken of, being found impracticable, the same route is open to the construction of Rail Roads, which might be substituted upon any portion where a canal could not be made. By this means the general advantages presented by the route would be secured, and the superior economy of steam boat transportation on the river portions of the improvement, would probably compensate for transhipments, and still reduce the entire cost of transportation considerably below what it would be upon a continuous Rail Road extending throughout. The amount of business would immediately establish regular and punctual lines of transportation, and when this is the case, and transhipment becomes reduced to a systematic business, it is effected at a very reduced expense. It is effected at Albany from the Erie canal boats into steam boats upon the Hudson river at 15 cents a ton, as I observe from a late report of the N. York engineers.
If, however, a water communication throughout can be effected, it would, it is thought, be greatly better suited to the wants and circumstances of the country than either a partial or a continuous Railroad.

If we suppose a continuous water communication completed and in operation, independently of the substantial benefit of the greatly lower cost of freight, it would present many other positive advantages.

We have seen that the cheapest mode of procuring artificial improvements in this country, where the fall of rivers is usually moderate, is that by locks and dams. This line would intersect a number of rivers upon which this mode of improvement could be readily applied, and which led into extensive regions and to voracious markets. The interests of the people living along those rivers, would induce their improvement simultaneously with, or soon after the main line. Any citizen could then build his own boat, and propel it with whatever kind of power he could most readily command; on this he could embark his cargo and travel at his pleasure, either fast or slow, to whichever he might choose among the numerous markets that have been pointed out, accordingly as the one or the other might offer the best prices for his produce. The construction of the main line would be all that would be required to effect this advantage of a choice of markets. All lateral channels would be the work of competitors for the trade.

A great proportion of the route it is seen would consist of rivers improved for steam boats of heavy tonnage, and the intermediate canals could be calculated for the passage of the same, or very nearly equally eligible boats.

This would seem to set at rest the objection of slow traveling. Again, the mildness of the climate, places this route compared with those of the North, measurably beyond the reach of frost. Even that portion situated in the most elevated part of Kentucky would have a great advantage, in this respect, over the more northern improvements.

I shall not detain the Board by any attempt to calculate the business that would be drawn to such an improvement, nor shall I undertake to portray its effect upon the social prosperity of the extended communities who would share its benefits; it would seem to be sufficient to point to the sweeping regions of productive country for whose commercial intercourse it would evidently become the most eligible thoroughfare.

Believing the accomplishment of this project to be worthy of the attention of the State, I shall conclude by suggesting to the Board the propriety of placing the subject before the Legislature, in such shape as may elicit from that body, an invitation to the governments of the States of Tennessee and Georgia to co-operate in the examinations or surveys necessary to ascertain its practicability.

I will also add before closing, that the extension of the improvement of the Kentucky river to the State line at Cumberland Gap, even if it were to terminate at that point, would, it is believed, be a measure of judicious public policy, calculated to secure the transportation, and bring into the State a portion of the trade of a large section of country in East Tennessee and Western Virginia, including the neighboring portions of North Carolina and Georgia, and also calculated to develope the
mineral resources of the mountain districts of Kentucky, and to provide employment for the water power furnished by the improvements in the Kentucky river.

I shall apologize for the late appearance of this Report, and perhaps for its defective character, by stating that it has been written, especially the latter half of it, under the disadvantage of very bad health.

All which is

Respectfully submitted,

R. P. BAKER,

Chief Engineer,

St. Ky.

Frankfort, 23d Feb. 1836.
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