JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

COMMONWEALTH OF KENTUCKY,

GUN AND HELD IN THE TOWN OF FRANKFORT, ON FRIDAY THE THIRTY FIRST DAY OF DECEMBER, IN THE YEAR OF OUR LORD, 1847, AND OF THE COMMONWEALTH, THE FIFTY SIXTH.

FRANKFORT, KY.
A. G. HODGES—STATE PRINTEE.
1847.
At a General Assembly, begun and held for the Commonwealth of Kentucky, at the Capitol, in the town of Frankfort, on Friday the 31st day of December, in the year of our Lord, 1847, and in the 56th year of the Commonwealth—on which day (being that designated by law,) the following members of the House of Representatives appeared, viz:

From the county of Adair—Chapman Dooney.
From the county of Allen—Richard S. Forde.
From the county of Anderson—Keeling C. Gaines.
From the counties of Ballard and McCracken—Reese Bourland.
From the county of Barren—James G. Hardy and Asa Young.
From the county of Bath—John B. Warren.
From the county of Boone—James N. Stephens.
From the county of Bourbon—Charles Talbut and Richard H. Hanson.
From the county of Boyle—Obediah Garnett.
From the county of Bracken—Archibald A. Askins.
From the counties of Breathitt and Morgan—Mason Williams.
From the county of Breckinridge—Nathaniel L. Lightfoot.
From the county of Bullitt—Richard H. Field.
From the counties of Butler and Edmonson—Samuel Woosley.
From the county of Caldwell—Jesse Stevens.
From the counties of Calloway and Marshall—Alfred Johnston.
From the county of Campbell—John N. Taliaferro.
From the counties of Carroll and Gallatin—John Field.
From the counties of Carter and Lawrence—George Grubb.
From the county of Casey—Franklin L. Wolford.
From the county of Christian—James F. Buckner and Lysias F. Chilton.
From the county of Clark—James H. C. Bush.
From the counties of Clay, Letcher and Perry—Hiram Hogg.
From the counties of Cumberland and Clinton—David R. Haggard.
From the county of Crittenden—Henry R. D. Coleman.
From the county of Daviess—Finley W. Wall.
From the counties of Estill and Owsley—Elisha L. Cockrell.
From the county of Fayette—Leslie Combs and Douglass L. Price.
From the county of Fleming—John A. Cavan and William R. Pearce.
From the county of Franklin—Landon A. Thomas.
From the county of Garrard—Horace Smith.
From the county of Grant—Peter Ireland.
From the county of Graves—John Eaker.
From the county of Grayson—Eli Bozarth.
From the county of Green—Ignatius Abell and Daniel P. White.
From the county of Hancock—Timothy Holmes.
From the county of Hardin—Thomas D. Brown and Charles G. Wintersmith.
From the county of Harrison—Hugh Newell and Joseph Shawhan.
From the county of Hart—Henry C. Wood.
From the county of Henderson—Thomas Towles, Jr.
From the county of Henry—Daniel M. Bowen.
From the counties of Hickman and Fulton—Newton E. Wright.
From the county of Hopkins—Newton Headley.
From the county of Jefferson—Isaac P. Miller and Benjamin H. Kerrick.
From the county of Jessamine—Joseph C. Christopher.
From the county of Kenton—Robert M. Carlisle.
From the counties of Knox and Harlan—James Culen.
From the county of Larue—William Beeler.
From the counties of Laurel and Rockcastle—William B. Moore.
From the county of Lewis—James Bilderback.
From the county of Lincoln—George H. McKinney.
From the county of Livingston—Robert S. Boyd.
From the county of Logan—Robert C. Bowling.
From the city of Louisville—James Speed and William H. Grainger.
From the county of Madison—Madison Boulware and Cyrus Turner.
From the county of Martin—Cornelius Railey.
From the county of Mason—Richard Collins and D. Rice Bullock.
From the county of Meade—Sylvester Harris.
From the county of Mercer—Benjamin C. Alin.
From the county of Monroe—John S. Barlow.
From the county of Montgomery—Archibald W. Hamilton.
From the county of Muhlenburg—William T. Short.
From the county of Nelson—Stanley Young and William H. Duncan.
From the county of Nicholas—David Ballingal.
From the county of Oldham—James F. Wilson.
From the county of Owen—James F. Blanton.
From the county of Ohio—Robert T. Bell.
From the county of Pendleton—Joseph Dougherty.
From the county of Pulaski—John T. Quarles.
From the county of Russell—Jesse S. Judd.
From the county of Scott—John T. Pratt.
From the county of Simpson—Samuel Hatfield.
From the county of Shelby—John Brown and Hartwell A. Bailey.
From the county of Spencer—Alexander L. Beard.
From the county of Todd—James A. McReynolds.
From the county of Trigg—William Soery.
From the county of Trimble—John B. Floyd.
From the county of Union—William G. Hughes.
From the county of Warren—Jeremiah C. Wilkins.
From the county of Washington—Thomas S. Grundy.
From the county of Wayne—Marshall N. Hudson.
From the county of Whitley—Milton E. White.
From the county of Woodford—Lewis A. Berry.

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

Mr. Cavan nominated Mr. Leslie Combs as a suitable person to fill the office of Speaker; Mr. Wood nominated Mr. Thomas D. Brown; Mr. Soery nominated Mr. James F. Buckner; Mr. A. Young nominated Mr. David R. Haggard, and Mr. Johnston nominated Mr. James G. Hardy; and the vote being taken, it stood thus:

Those who voted for Mr. Combs, were—

Messrs. Askins, Cockrell, Price,
Bailey, Collins, Stephens, J. N.
Berry, Culon, Taliusfero,
Boulware, Hamilton, Thomas,
Brown, J. Hogg, Turner,
Bushe, Hughes, White, M. E.
Cavan, Moore, Wolford—23.
Christopher, Pearce,

Those who voted for Mr. T. D. Brown, were—

Messrs. Beard, Holmes, Talbutt,
Beeler, Kerrick, Wall,
Those who voted for Mr. Buckner, were—

Messrs. Bourland, Grainger, Speed, Speed,
Bowling, McReynolds, Towles,
Boyd, Short, Wilkins—11.
Chilton, Soery,

Those who voted for Mr. Haggard, were—

Messrs. Garnett, Judd, Quarles,
Hudson, McKinney, Young, A.—6.

Those who voted for Mr. Hardy, were—

Messrs. Abell, Dougherty, Johnston,
Allin, Eaker,
Ballingal, Field, J., Miller,
Barlow, Field, R. H., Newell,
Bell, Floyd,
Bilderback, Forde, Pratt,
Blanton, Gaines, Shawhan,
Bowen, Grubb, Stevens, J.,
Bozarth, Grundy, Warren,
Bullock, Hatfield,
Carlisle, Headley,
Coleman, Ireland,
Dohoney,

No one on nomination having received a majority of all the votes given, the House proceeded take another vote, which stood thus:

Those who voted for Mr. Combs, were—

Messrs. Askins, Cockrell, Price,
Bailey, Collins, Stephens, J. N.
Berry, Culton, Taliaferro,
Boulware, Hamilton, Thomas,
Brown, J., Hogg, Turner,
Bush, Hughes, White, M. E.,
Cavan, Moore, Wolford—23.
Christopher, Pearse,

Those who voted for Mr. T. D. Brown, were—

Messrs. Beard, Holmes, Talbatt,
Beeler, Kernick, Wall,
Duncan, Lightfoot, Wintersmith,
Hanson, Railey, Wood,
Harris, Smith, Young, S.—15.

Those who voted for Mr. Buckner, were—

Messrs. Bourland, Grainger, Speed,
Bowling, McReynolds, Towles,
Those who voted for Mr. Haggard, were—


No one on nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Combs, were—


Those who voted for Mr. T. D. Brown, were—

Messrs. Beard, Beeler, Duncan, Hanson, Harris, Holmes, Kerrick, Lightfoot, Railey, Smith, Talbott, Wall, Wintersmith, Wood, Young, S.—15.

Those who voted for Mr. Buckner, were—


Those who voted for Mr. Haggard, were—

Those who voted for Mr. Hardy, were—

Messrs. Abell, Allin, Ballingal, Barlow, Bell, Bilderback, Blanton, Bowen, Boulware, Brown, J. Bush, Cavan, Christopher, Cockrell,

Dougherty, Eaker, Field, J., Field, R. H., Floyd, Forde, Gaines, Grubb, Grundy, Hatfield, Headley, Ireland,


Mr. A. Young then withdrew the name of Mr. Haggard.

Mr. Haggard moved the following resolution, viz:

Resolved, That hereafter the candidate on nomination receiving the least number of votes given, shall be dropped until an election is had.

Which being twice read was adopted.

The House then proceeded to take a vote between those remaining on nomination, which stood thus:

Those who voted for Mr. Combs, were—

Messrs. Askins, Bailey, Berry, Boulware, Brown, J., Bush, Cavan, Christopher, Cockrell,

Collins, Culton, Hamilton, Hogg, Hughes, McKinney, Moore, Pearce,


Those who voted for Mr. T. D. Brown, were—

Messrs. Beard, Beeler, Duncan, Hanson, Harris, Holmes,

Hudson, Judd, Kerrick, Lightfoot, Railey, Smith,

Talbutt, Wall, Wintersmith, Wood, Young, S.—17.

Those who voted for Mr. Buckner, were—

Messrs. Bourland, Bowling, Boyd, Chilton, Garnett, Grainger,

Haggard, McReynolds, Short, Soery, Speed,

Stevens, J., Towles, Wilkins, Wright, Young, A.—16.
Those who voted for Mr. Hardy, were—


Mr. Johnston then withdrew the nomination of Mr. Hardy, and Mr. Cavan withdrew the nomination of Mr. Combs.

Mr. Soery re-nominated Mr. James F. Buckner; and Mr. Gaines nominated Mr. John T. Pratt; and the vote being taken, it stood thus:

Those who voted for Mr. T. D. Brown, were—


Those who voted for Mr. Buckner, were—


Those who voted for Mr. Pratt, were—

Messrs. Abell, Ballingal, Barlow, Bilderback, Dougherty, Eaker, Field, J., Field, R. H., Hatfield, Ireland, Newell, Shawhan,
Mr. Gaines withdrew the nomination of Mr. Pratt.

Mr. Newell nominated Mr. John S. Barlow.

The House then proceeded to take a vote between those on nomination, and it stood thus:

Those who voted for Mr. T. D. Brown, were—

Messrs. Beard, Bell, Beeler, Berry, Boulware, Bozarth, Brown, J. Bush, Cockrell, Collins, Conlon, Duncan, Garnett,

Blanton, Bowen, Bozarth, Bullock, Carlisle, Dohoney,

Mr. Gaines withdrew the nomination of Mr. Pratt.

Mr. Newell nominated Mr. John S. Barlow.

The House then proceeded to take a vote between those on nomination, and it stood thus:

Those who voted for Mr. T. D. Brown, were—

Messrs. Beard, Bell, Beeler, Berry, Boulware, Bozarth, Brown, J. Bush, Cockrell, Collins, Conlon, Duncan, Garnett,

Blanton, Bowen, Bozarth, Bullock, Carlisle, Dohoney,

Mr. Gaines withdrew the nomination of Mr. Pratt.

Mr. Newell nominated Mr. John S. Barlow.

The House then proceeded to take a vote between those on nomination, and it stood thus:

Those who voted for Mr. T. D. Brown, were—

Messrs. Beard, Bell, Beeler, Berry, Boulware, Bozarth, Brown, J. Bush, Cockrell, Collins, Conlon, Duncan, Garnett,

Blanton, Bowen, Bozarth, Bullock, Carlisle, Dohoney,

Mr. Gaines withdrew the nomination of Mr. Pratt.

Mr. Newell nominated Mr. John S. Barlow.

The House then proceeded to take a vote between those on nomination, and it stood thus:

Those who voted for Mr. T. D. Brown, were—

Messrs. Beard, Bell, Beeler, Berry, Boulware, Bozarth, Brown, J. Bush, Cockrell, Collins, Conlon, Duncan, Garnett,

Blanton, Bowen, Bozarth, Bullock, Carlisle, Dohoney,

Mr. Gaines withdrew the nomination of Mr. Pratt.

Mr. Newell nominated Mr. John S. Barlow.

The House then proceeded to take a vote between those on nomination, and it stood thus:

Those who voted for Mr. T. D. Brown, were—

Messrs. Beard, Bell, Beeler, Berry, Boulware, Bozarth, Brown, J. Bush, Cockrell, Collins, Conlon, Duncan, Garnett,

Blanton, Bowen, Bozarth, Bullock, Carlisle, Dohoney,

Mr. Gaines withdrew the nomination of Mr. Pratt.

Mr. Newell nominated Mr. John S. Barlow.

The House then proceeded to take a vote between those on nomination, and it stood thus:

Those who voted for Mr. T. D. Brown, were—

Messrs. Beard, Bell, Beeler, Berry, Boulware, Bozarth, Brown, J. Bush, Cockrell, Collins, Conlon, Duncan, Garnett,

Blanton, Bowen, Bozarth, Bullock, Carlisle, Dohoney,

Mr. Gaines withdrew the nomination of Mr. Pratt.

Mr. Newell nominated Mr. John S. Barlow.

The House then proceeded to take a vote between those on nomination, and it stood thus:

Those who voted for Mr. T. D. Brown, were—

Messrs. Beard, Bell, Beeler, Berry, Boulware, Bozarth, Brown, J. Bush, Cockrell, Collins, Conlon, Duncan, Garnett,

Blanton, Bowen, Bozarth, Bullock, Carlisle, Dohoney,

Mr. Gaines withdrew the nomination of Mr. Pratt.

Mr. Newell nominated Mr. John S. Barlow.

The House then proceeded to take a vote between those on nomination, and it stood thus:

Those who voted for Mr. T. D. Brown, were—

Messrs. Beard, Bell, Beeler, Berry, Boulware, Bozarth, Brown, J. Bush, Cockrell, Collins, Conlon, Duncan, Garnett,

Blanton, Bowen, Bozarth, Bullock, Carlisle, Dohoney,

Mr. Gaines withdrew the nomination of Mr. Pratt.

Mr. Newell nominated Mr. John S. Barlow.

The House then proceeded to take a vote between those on nomination, and it stood thus:

Those who voted for Mr. T. D. Brown, were—

Messrs. Beard, Bell, Beeler, Berry, Boulware, Bozarth, Brown, J. Bush, Cockrell, Collins, Conlon, Duncan, Garnett,

Blanton, Bowen, Bozarth, Bullock, Carlisle, Dohoney,

Mr. Gaines withdrew the nomination of Mr. Pratt.

Mr. Newell nominated Mr. John S. Barlow.

The House then proceeded to take a vote between those on nomination, and it stood thus:

Those who voted for Mr. T. D. Brown, were—

Messrs. Beard, Bell, Beeler, Berry, Boulware, Bozarth, Brown, J. Bush, Cockrell, Collins, Conlon, Duncan, Garnett,

Blanton, Bowen, Bozarth, Bullock, Carlisle, Dohoney,

Mr. Gaines withdrew the nomination of Mr. Pratt.

Mr. Newell nominated Mr. John S. Barlow.

The House then proceeded to take a vote between those on nomination, and it stood thus:

Those who voted for Mr. T. D. Brown, were—

Messrs. Beard, Bell, Beeler, Berry, Boulware, Bozarth, Brown, J. Bush, Cockrell, Collins, Conlon, Duncan, Garnett,

Blanton, Bowen, Bozarth, Bullock, Carlisle, Dohoney,
Mr. Newell then re-nominated Mr. James G. Hardy; and Mr. A. Young re-nominated Mr. David R. Haggard, and the vote being taken, it stood thus:

Those who voted for Mr. T. D. Brown, were—


Those who voted for Mr. Hardy, were—


Those who voted for Mr. Haggard, were—

Messrs. Allin, Buckner, Cockrell, Hudson, Judd, McKinney, Moore, Quarles, Towles, White, M. E., Wolford, Young, A.—12.

Mr. A. Young then withdrew the nomination of Mr. Haggard, and Mr. Newell withdrew the nomination of Mr. Hardy.

Mr. Hudson then re-nominated Mr. David R. Haggard, and before another vote was taken,

The House adjourned.
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SATURDAY, JANUARY 1, 1848.

Mr. Soery re-nominated Mr. James F. Buckner.

And the vote being taken between those remaining on nomination on yesterday, and the nomination of this day, stood thus:

Those who voted for Mr. T. D. Brown, were—

| Messrs. Beard, | Hamilton,     | Shawhan,  |
| Bell,          | Hamilton,     | Smith,    |
| Beeler,        | Harris,       | Stephens, J. N. |
| Berry,         | Holmes,       | Talbutt,  |
| Brown, J.      | Hughes,       | Taliaferro,|
| Bush,          | Kerrick,      | Thomas,   |
| Collins,       | Lightfoot,    | Wall,     |
| Duncan,        | Pearce,       | Wintersmith,|
| Field, R. H.   | Price,        | Wood,     |
| Grainger,      | Railey,       | Young, S.—30. |

Those who voted for Mr. Haggard, were—

| Messrs. Christopher, | Hudson, | White, M. E. |
| Culton,              | Judd,   | Young, A.—S. |
| Garnett,             | Quarles,|

Those who voted for Mr. Buckner, were—

| Messrs. Abell,      | Coleman, | Miller, |
| Allin,              | Combs,   | Moore,  |
| Askins,             | Dougherty, | Newell, |
| Bailey,             | Eaker,   | Pratt,  |
| Barlow,             | Field, J. | Short,  |
| Bilderback,         | Floyd,   | Soery,  |
| Banton,             | Forde,   | Speed,  |
| Bourland,           | Gaines,  | Stevens, J. |
| Boulware,           | Grubb,   | Towles, |
| Bowen,              | Hardy,   | Turner, |
| Bowling,            | Hatfield,| Warren, |
| Boyd,               | Headley, | White, D. P. |
| Bozarth,            | Hogg,    | Williams,|
| Bullock,            | Ireland, | Wilkins, |
| Carlisle,           | Johnston,| Wilson, |
| Cavan,              | McKinney,| Wofford,|
| Chilton,            | Reynolds,| Waosley,|
| Cockrell,           | Wright—54.|

Mr. Buckner having received a majority of all the votes given, was declared duly elected Speaker, and conducted to the Chair; from whence he returned thanks for the honor conferred, and recommended the observance and preservation of good order and decorum.
Mr. Thomas J. Helm was unanimously elected Clerk, and Mr. Joseph Gray Sergeant-at-Arms.

On motion of Mr. Combs,

Ordered, That a message be sent to the Senate, informing them, that this House had met, formed a quorum, and elected their officers, and are now ready to proceed to legislative business. That they had appointed a committee on their part to act in conjunction with a committee on the part of Senate, to wait on the Governor and inform him that they are now ready to receive such communication (by way of message) as he may think proper to make.

Whereupon, Messrs. Combs, Barlow, Collins and Hughes were appointed a committee on the part of this House.

Ordered, That Mr. Combs inform the Senate thereof.

Mr. Hughes nominated Mr. William R. Campbell, as a suitable person to fill the office of Doorkeeper; Mr. Grainger nominated Mr. William Colgan; Mr. Smith nominated Mr. Benjamin O. Branham; Mr. Towles nominated Mr. John Haydon, and Mr. Hanson nominated Mr. Elisha Brown; and the vote being taken, it stood thus:

Those who voted for Mr. Campbell, were—


Those who voted for Mr. Colgan, were—


Those who voted for Mr. Branham, were—

Combs, Ireland, Wolford,
Culiton, Johnston, Woosley,
Dohoney, Judd, Wright—62.
Dougherty, Kerrick.

For Mr. Haydon—Mr. Towles.

Those who voted for Mr. Brown, were—

Mr. Speaker, Hanson, Talbott,
Messrs. Beeler, Harris, Wintersmith,
Boyd, McReynolds, Wood,
Chilton, Railey,

Mr. Branham having received a majority of all the votes given, was declared duly elected Doorkeeper for the present session.

Mr. Soery nominated Mr. Albert G. Rhea as a suitable person to fill the office of Assistant Clerk, and Mr. Collins nominated Mr. John C. Herndon; and the vote being taken, it stood thus:

Those who voted for Mr. Rhea, were—

Mr. Speaker, Duncan, Miller,
Messrs. Abell, Grubb, Short,
Bell, Grundy, Soery,
Bourland, Hatfield, Towles,
Bowling, Headley, Turner,
Boyd, Hanes, Wall,
Brown, T. D. Johnston, White, D. P.
Chilton, Lightfoot, Wintersmith,
Cockrell, McKinney, Young, A.—29.
Coleman, McReynolds,

Those who voted for Mr. Herndon, were—

Messrs. Allin, Dougherty, Pearce,
Askins, Eaker, Pratt,
Bailey, Field, J. Price,
Ballingal, Field, R. H. Quarles,
Barlow, Floyd, Railey,
Beard, Forde, Shawhan,
Beeler, Gains, Smith,
Berry, Garnett, Speed,
Bilderback, Gräninger, Stephens, J. N.
Blanton, Haggard, Stevens, J.
Boulware, Hamilton, Talbott,
Bowen, Hanson, Taliaferro,
Bozarth, Hardy, Thomas,
Brown, J. Harris, Warren,
Bullock, Hogg, White, M. E.
Bush, Holmes, Williams,
Carlisle, Hudson, Wilkins,
Cavan, Ireland, Wilson,
Mr. John C. Herndon having received a majority of all the votes given, was declared duly elected Assistant Clerk.

A message was received from the Senate by Mr. Helm:

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.

On motion of Mr. T. D. Brown,

Resolved, That the rules of the last session of the House of Representatives be adopted for the government of this House in its proceedings.

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

On the motion of Mr. Combs—1. A bill for the benefit of the officers and soldiers in the war with Mexico.

On the motion of Mr. Hughes—2. A bill to take the sense of the people of this Commonwealth as to the propriety of calling a Convention.

On the motion of Mr. Towles—3. A bill for the benefit of the Judge of the Second Judicial District.

On the motion of Mr. Price—4. A bill to abolish the militia system and to revive and permanently establish common schools.

On the motion of Mr. Smith—5. A bill to incorporate the Franklin Institute in the town of Lancaster.

On the motion of Mr. Wintersmith—6. A bill to provide for the taking the depositions of the soldiers who have gone to Mexico in cases at law and in chancery.

On the motion of Mr. Moore—7. A bill for the improvement of the Crab Orchard and Cumberland Gap Turnpike Road.

On the motion of Mr. Hughes—8. A bill for the benefit of the Mechanics of Union county.


Ordered, That Messrs. Combs, Hardy and Askins prepare and bring in the 1st; Messrs. Hughes, Towles and Wall the 2d; Messrs. Towiss, Hughes and Coleman the 3d; Messrs. Price, Hamilton, Smith and T. D. Brown the 4th; Messrs. Smith, Price and Hamilton the 5th; the committee on the Judiciary the 6th; Messrs. Moore, Quarles, McKinney and Smith the 7th; Messrs. Hughes, Towles and Wall the 8th; Messrs. Hughes, T. D. Brown and Towles the 9th.

On motion of Mr. Collins,

Resolved, That the Editors of the Commonwealth, the Yeoman, and Kentucky Flag, be permitted to take seats in this House for the purpose of reporting its proceedings.
A message was received from the Governor by Mr. Reed.

Mr. Speaker: I am directed by the Governor to lay before this House a message in writing.

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

Gentlemen of the Senate,

and House of Representatives:

The revolution of a year has brought us to the commencement of another session of the General Assembly. The circumstances under which you have assembled are eminently calculated to inspire us all with feelings of profound gratitude and thanks to the Supreme Ruler of the Universe for his countless blessings. Though the country is still afflicted with an unhappy war with a foreign nation, the affairs of our State have experienced no unfavorable change since the adjournment of the last General Assembly, and are, at present, in a highly flattering condition. Our people are not only in the enjoyment of health, but our State, in all its parts, abounds with most of the comforts and all the necessaries of life, and never, since I came into office, has there been a time when the fiscal concerns of the Commonwealth presented a brighter aspect than at present.

The means of the State have enabled those with whom payment was intrusted, to discharge promptly all demands which came against the State, in the fiscal year ending on the 10th of October last, and the means will be ample to meet all demands which may come against the State in the year ending the 10th of October, 1848.

After paying all demands that came against the Treasury, there remained $19,269 23 in it, on the 10th of October, 1847; and from an estimate made by the Second Auditor, there will probably remain in the Treasury, on the 10th of October, 1848, the amount of $19,045 90, after paying all demands which may come against it up to that time.

Including $20,503 which remained in the Treasury on the 10th of October, 1846, the receipts of the Treasury, for the year ending the 10th of October, 1847, amounted to $419,143 46; and there was paid out, in the same year, $399,547 23.

The estimated receipts of the Treasury, for the fiscal year ending the 10th of October, 1848, including $19,269 23, which remained in it on the 10th of October, 1847, amount to $407,621 93; and it is supposed that the demands upon the Treasury, for the same year, will amount to $388,573 03.

For more detailed information upon these subjects, I refer you to the First and Second Auditor's and Treasurer's reports, which will be laid before you.

The revenue which was payable in the last fiscal year, has been accounted for with commendable promptness. With the exception of about $18 80, the entire amount was paid by the collectors into the Treasury before the 10th of October last.
Taxable property has also been listed by the Commissioners appointed for that purpose the present year, with more benefit to the State than has been done in years past. The amount of tax on property listed this present year, exceeds the amount on property listed the year preceding, a fraction above four per cent. It is apparent, however, from an inspection of the books returned by the Commissioners to the Second Auditor, that a part of them have failed, most palpably, to fulfill the duties enjoined by law upon every Commissioner. This is an evil affecting the interest of the entire community, and addresses itself emphatically to the attention of the General Assembly.

In giving the present condition of the public debt, I need not go back further than the beginning of the last General Assembly. I should fail were I to attempt to present a more perfect analysis of the debt outstanding against the State at that time, than is contained in the message which I then communicated to the Legislature. The funded debt was stated, at that time, to amount to $4,596,026. Besides $426 of Internal Improvement Scrip which was then payable, a portion of that debt consisted of $49,600 of six years bonds, which were and have since become payable, $84,000 of Railroad bonds which will become payable in 1848 and 1849; and in a still greater amount of five per cent. bonds which will not become payable for several years to come.

With a view to provide means to extinguish these several liabilities on terms acceptable to the creditors, and terms advantageous to the State, authority was given to the Governor and Commissioners of the Sinking Fund to issue and sell other bonds of the State. Acting under that authority, it was deemed advisable, by the Commissioners, that a sale should be made; and in conformity with their advice, as Governor, I have issued and sold six per cent. bonds to the amount of $61,000. The bonds were made payable thirty years after date, but redeemable at the pleasure of the State, any time after fifteen years from their date.

The sales were made on such terms as realized to the State the par value of the bonds. The amount of sales was placed in the Treasury to the credit of the Commissioners of the Sinking Fund. With the means thus obtained, and others belonging to the Sinking Fund, and not needed to pay interest, the Commissioners in the course of the present year paid:

- 5 per cent. bonds, $21,000 00
- 6 per cent. 6 years bonds, 28,600 00
- 6 per cent. (Railroad) bonds, 3,000 00
- Internal Improvement Scrip, 40 14

Total amount of payments, $50,840 14

This amount of payments deducted from the amount ($61,000) of bonds sold, leave $10,159 86; which, added to $4,596,026, the aggregate amount
of debt outstanding at the date of my last annual message, makes the present funded debt of the State amount to $4,606,185 86.

Thus it will be perceived that the funded debt of the State has been increased the present year, above what it was at the commencement of the last General Assembly the amount of $10,159 86. But there remains after the payment of all interest which has accrued and which may accrue up to the first Monday in January, 1848, an unexpended balance of the means of the Sinking Fund greatly more than sufficient to cover the increase of the State debt, and which would have been applied to the reduction of that debt had not the Commissioners been prevented from so applying it by the failure of holders to present their bonds for payment.

Desirous to extinguish as soon as possible all the six years bonds which had become payable, as required by the 6th section of the act of Assembly, approved 23d of February, 1846, I issued and had published a proclamation, notifying the holders of such bonds, that the Government would, on the first Monday in August, 1847, at the Treasury, make payment and redeem all of said six years bonds, and that not more than four per cent. per annum interest would be thereafter paid on bonds not presented for payment on that day. The effect upon the bond holders was not such as I had hoped, nor such as was doubtless anticipated by the passage of the act. The bonds were not all presented on the day designated, nor have they yet been all presented. There still remain outstanding $22,800 of those bonds; so that under the law as now in force, the State is burdened with four per cent. interest upon bonds due and payable, and which the State has long been ready to redeem, but which has been prevented by the failure of bond holders to present them for payment, though notified to do so. This is unjust to the State and should not longer be tolerated. I therefore recommend the repeal of that clause of the act which subjects the State to payment of four per cent. interest.

Funds have been transmitted to the City of New York adequate to the payment of the instalment of interest which becomes payable at that place on the first Monday in January, 1848. After the payment of that instalment, and after the payment of all other demands for interest or otherwise, which in the present year came against the Sinking Fund, there remained in the Treasury on the first of December, 1847, subject to the order of the Commissioners of the Sinking Fund, an unapplied residue of $40,599 84. Including this sum, I am happy to assure you, that if not withdrawn and applied to other objects, the means of the fund will be more than sufficient to pay all the outstanding six years and railroad bonds, which may be payable the coming year, amounting to $69,800 00.

It is estimated that there will in the present fiscal year, be received from all sources by the Sinking Fund, $326,600, which, when added to $49-
589 84 in the Treasury, as already stated, makes an aggregate amount of $367,199 84.

Including the instalment of interest which will become payable on the 1st Monday in January, 1849, there will be required in the same year to meet liabilities for interest and contingent expenses, $264,250. This latter sum deducted from the former, leaves to be applied to objects other than the payment of interest and contingent expenses, the sum of $102,949 84. This amount will of course be applied to the reduction of the public debt, in such manner as is before indicated, and by the purchase, if possible, of other bonds of the State.

An estimate more in detail, of the resources and demands upon the fund for the coming year will accompany the report of the Commissioners, and be laid before you, and to which you are referred for more full information. It is, I think, not at all probable, that any item of the supposed receipts of the coming year will fall below the estimates. The receipts derivable from turnpike roads and the river navigations, hang upon more uncertain contingencies than those derivable from other sources, and we have no good reason to apprehend that less than the amount estimated will be received from either.

The receipts from the Kentucky River Navigation, which had, each preceding year, been increasing, have, in the fiscal year ending the 10th of October last, experienced a further increase, and will likely continue to increase the present fiscal year. The gross receipts from that navigation, in the last fiscal year, exceeded the gross receipts of the year ending the 10th of October, 1846, the amount of $7,836 66. After deducting all expenses, swollen, as I understand they were, by the unusual need of repairs on the public works, beyond what will probably be needed in the present fiscal year, there was received in the year ending the 10th of October last, by the Treasury, from that Navigation, for the use of the Sinking Fund, $29,070 30. The receipts of the preceding year, from the same source, after deducting expenses, amounted to $29,173 58.

The receipts from the Green and Barren River Navigation have also, in the fiscal year ending the 10th of October, 1847, exceeded the receipts of the preceding year, $682 87. In the year ending 10th of October last, after deducting what was received in that year for previous years, amounted to $9,400. The gross receipts of the preceding year amounted to about $8,727 13. The expenses of the year ending the 10th of October last exceeded the amount of receipts, but it is, I understand, not probable that the expenses will be so great in future, and we have reason to believe that not less than the amount estimated will be realized from that navigation by the Sinking Fund in the present year. I refer you, for more full information as to the river navigation, to the report of the Board of Internal Improvement.
The receipts from the Turnpike roads, for the fiscal year ending the 10th of October last, exceeded the receipts of the preceding year, and as I have said, we have no reason to anticipate a decrease in the present year.

Nor will the demands on the Sinking Fund, I feel sure, exceed the estimates. More than $264,000 cannot be needed to pay interest, and $250 will cover all contingent expenses. A larger amount was needed the last fiscal year to pay contingent expenses, but a considerable part of those expenses grew out of the settlement with the Commissioners of the Sinking Fund, under the act of the 10th of February, 1845; and with no outstanding claims against the Fund, I am satisfied that not more than $250 will be required to pay contingent expenses in the present fiscal year.

It must therefore be a source of peculiar satisfaction to witness the flattering condition of the Sinking Fund. The annual contingent expenses of the Fund, including exchange and interest on Bank loans, which in a succession of former years averaged upwards of $6,000, and which in some years ran up as high as $14,000, have been brought down to the inconsiderable sum of $250 for the present year. The resources of the Fund, at first inadequate to meet the objects proposed, have become not only sufficient to pay all the interest accruing annually on the public debt, and all incidental expenses, but in the two preceding years have enabled the Commissioners to commence reducing the amount of the public debt, and in the present fiscal year will yield them the very considerable surplus of $102,949 84, to be applied to its further reduction. The funded debt of the State, which had for a series of years been accumulating, until in 1844 it amounted to $4,671,503, has since that time been undergoing a gradual but steady reduction; and during the present fiscal year the means will be possessed to reduce the debt to $4,503,236, which reduction, agreeable as it must be to the people of the State, I confidently expect will be made before the termination of my administration of the State's affairs.

Besides, it is well known the State is in possession of other means by which part of the public debt may be paid without burthening the people with taxation. These means consist of stock in the several Banks of the State, amounting, as stated in my last annual message, to $1,270,500; this sum deducted from $4,503,236 leaves $3,232,736, which may be considered the actual burthen of debt that will remain outstanding at the end of the present fiscal year.

Of course the possession, by the State, of the Kentucky and Green and Barren River Navigations, and her interest in bridges, and turnpikes, public works of great value, and of annually increasing revenue, may be considered as available means for the further reduction of that reduced debt of $3,232,736.

These figures are predicated on the supposition, that the Commissioners of the Sinking Fund will be able to apply all of their surplus means of the
present fiscal year, to the reduction of the public debt. If they are by any means prevented from so doing, the estimates above will have to be changed accordingly.

In connection with this subject, I have the pleasure to inform you that, as required by law, all the paid coupons or interest warrants have been received by the Commissioners of the Sinking Fund, and registered in books kept for that purpose in the office of the Auditor. The coupons so received and registered, have also been cancelled and burnt in the presence of the Secretary of State, First Auditor and Treasurer.

With regard to the Penitentiary, I am able to inform you that the buildings intended for an eating house and chapel which were under contract, at the date of my last annual message, have been completed. There has also been erected, since the adjournment of the last Legislature, a blacksmith shop in the Penitentiary as required by an act of that session. The contracts for the buildings have all been filled with fidelity and satisfaction on the part of the Keeper, and I am pleased to inform you that the institution is at this time provided with buildings of superior order, and better adapted to the business of the Penitentiary than at any former period.

The convicts in the Penitentiary on the first day of December, 1847, numbered twenty one less than were in the Institution on the first day of December, 1846. One has died and six escaped during the present year. The convicts are generally in good health.

The Institution realized a profit, in the last year, exceeding the amount of annual profit guaranteed to the State by the Keeper. This estimate includes all accounts of the Institution outstanding on the first of March last, a portion of which may not and doubtless cannot be collected. It is, however, presumable, from the increased prices of the principal articles manufactured in the Penitentiary, that the present will be a year of greater profit.

But I would not be understood as indicating an opinion, that the failure to make greater profits has resulted from any fault of the Keeper. In a former message, I expressed my confidence in the rectitude of the conduct of the Keeper, and I have seen nothing to change that opinion. On the contrary, considering the many and peculiar difficulties with which he has had to contend, many of a very disheartening character, I have had occasion to admire his fortitude and his energy, and his fidelity, as I conceive, to his contract with the State. I have no reason to believe that any other could have done better.

I am not of the opinion, that under the present system of managing the Institution, any considerable pecuniary benefit will ever be realized by the State. But whether any other system less objectionable or better calculated to attain the objects of the Institution, can be devised, is for the wisdom of the Legislature to determine. The term of the present Keeper will expire on the 1st of March, 1849, and in anticipation of that time, provision should
be made by legislative enactment for the future management of the Institution. The law under which the present Keeper was elected, will cease to be in force after the end of his term.

In connection with this subject, I will say to the Legislature, that I have received the third annual report of the Prison Association of the State of New York, with a request that I shall call your attention to the same. This Association is composed of gentlemen eminent for talents and philanthropy, and their object is to collect and disseminate facts relating to Prison Discipline in all its bearings, both on convicts and governments. Their report is voluminous and would be well worthy of the enlightened attention of any members of your body, who may choose to call at the Executive Office and examine it.

But, gentlemen, I should fail in my duty, were I not to invite your attention to a subject which, in my judgment, is of far higher importance than either of those to which I have already alluded. It is a subject not only applicable to the tax payer, but applicable equally to him who has nothing to pay; to the poor as well as to the rich; to all, whatever may be their circumstances or condition. It addresses itself to no particular interest, but comprehends in its bearings all of every order and pursuit. It is limited to no particular interest in exclusion of all others, but reaches every interest, whether of individuals, associations, or the community at large.

It needs only to be named for its importance to be acknowledged and felt. Who will deny the immense importance of Education? Who so debased in sentiment as not to perceive and appreciate its benefits? Where is the individual, be his pursuits what they may, who would willingly decline its advantages? Where the father who would willingly cast his child upon society, destitute of its blessings?

But I need not indulge further in reflections like these. The importance of education is so universally acknowledged, and has been so repeatedly recognized by our legislative enactments, that nothing I could say would make it more manifest.

But whilst all admit its importance, we have to lament that so little has been done to advance the cause of Education. Statute after statute has been enacted, setting apart and dedicating funds to the object of education; but when we turn to the generation rising around us, what a vast number do we behold, wholly destitute of the means by which they might become enlightened and useful citizens. Why is this suffered to be so? We have on our statute book what is denominated a System of Common Schools; but hitherto it has been barren of results. The subject was treated of in my last annual message, and I then attempted to point out some of the wants of the system, without which, in my judgment, it could never succeed. In my subsequent reflections I have become more fully satisfied that the views
there presented are correct, and I refer you to what was then said, and again commend the subject to your favorable consideration.

The condition of the Education Fund is not changed from what it was last year. The report of the Superintendent of Public Instruction will give you particular information on this point, and also as to the present condition and future prospects of Common Schools.

By an act of Congress, approved January 23, 1845, it is provided, "that the electors of President and Vice President shall be appointed in each State on the Tuesday next after the first Monday in the month of November, of the year in which they are to be appointed." The time prescribed by this act differs from the time designated by the laws of Kentucky for holding elections for electors for President and Vice President. It will therefore require the further action of the General Assembly to conform to and carry out the act of Congress. As the election cannot, consistently with the act of Congress, continue longer than one day, it may be worthy of consideration whether provision ought not to be made, allowing, in some counties at least, an increased number of precincts, so that the whole vote of those counties may be fairly polled, and without delay, crowding and confusion.

In conformity to a resolution of the last General Assembly, and with permission of the widow of Major Philip Norbourne Barbour, of the 3d Regiment of the United States Infantry, who fell whilst gallantly leading his command to a desperate charge in the streets of Monterey, I caused his remains to be brought, and, with appropriate honors, buried beneath the soil of his native State, within the Cemetery at the seat of government, in testimony of the high sense of the General Assembly of his distinguished services as a patriot, his heroic achievements as a soldier, the chivalry of his life and the glory of his death. A suitable monument of marble has also been erected over his grave.

It will not, I trust, be thought altogether out of place to notice, briefly, other distinguished officers and soldiers whose loss, since the date of that resolution, our State has been brought to mourn. Whilst gallantly leading their respective commands, Col. William R. McKee, Lieut. Col. Henry Clay, and Capt. William T. Willis, of the 2d Regiment of Kentucky Volunteer Infantry, fell, accompanied by the fall of many heroic citizen soldiers, in the ever memorable battle of Buena Vista. Deploring most deeply their loss, and appreciating fully the motives of lofty patriotism by which they were induced to enter the service of their country, their heroic valor and distinguished services in battle, and the glory of their death, many of our fellow-citizens united with their relatives and friends, and caused the bodies of the officers, and many of their brave men who fell with them, to be brought back and buried beneath the soil of their native land. The bones of these officers and soldiers, as well the bones of the lamented Barbour,
now rest within that part of the beautiful Cemetery at the seat of government, appropriated to the use of the State. It is for the Legislature to determine whether one common monument, worthy of the State and worthy of her fallen sons, shall mark the spot and tell to future ages the esteem in which a magnanimous Commonwealth holds her chivalric and devoted sons.

The swords intended as tributes to the gallantry of Maj. Gen. Zachary Taylor, Maj. Gen. Wm. O. Butler, and Maj. P. N. Barbours, and which, by resolutions of the last General Assembly, I was required to have made and presented on behalf of the people of Kentucky, were contracted for by agents appointed by me for that purpose, and I am assured that they have been finished in a style and exhibit specimens of elegance and taste well adapted to the object intended, and highly creditable to the artisans who produced them. The contract for the swords was made on the credit of the State, and should be fulfilled in good faith. An appropriation for this purpose will be necessary.

I would invite your attention to Resolutions of the Legislature of Ohio, upon the subject of the Ohio boundary, which were laid before the last General Assembly, but not acted on before their final adjournment. The Legislature of the State of Virginia, I am informed, have adopted corresponding resolutions, and Commissioners have been appointed by each of those States with a view to the speedy adjustment of the boundary question, and the prevention of any future acrimonious contests growing out of it. Should the General Assembly determine that Kentucky should unite with Ohio and Virginia in the settlement of this question, early action should be had, so that Commissioners may be appointed on the part of this State to meet the Commissioners of Ohio and Virginia already appointed, and who are shortly to assemble in the City of Washington.

I have transmitted, herewith, resolutions and proceedings of the Legislatures of the States of Connecticut, Vermont, Virginia, Maine and Rhode Island, forwarded to me by the Executives of those States, under the instructions of their Legislatures, for the purpose of having them laid before you. I also lay before you a letter from the Librarian of Harvard University in relation to the Public Documents of Kentucky.

In conformity to an act of the last Legislature, I lay before you the accompanying annual report of the Visitors of the Kentucky Military Institute.

I also lay before you the report of the Commissioners appointed by an act of the last Legislature to audit and settle the accounts of the Board of Internal Improvement.

I have thus briefly adverted to such matters as seemed to require notice in giving to the General Assembly a statement of the true condition of the Commonwealth. Your better knowledge of the wants of the people whom
you represent, will doubtless call to your minds many other matters equally deserving of consideration. Whatever objects may engage your attention, I hope your deliberations will be conducted in harmony, and terminate acceptably to your constituents and advantageously to our State.

It will not, gentlemen, be my duty or privilege again, in my official capacity, to meet the representatives of the people at the commencement of another General Assembly. The wheels of time, by which we have been brought to the commencement of the present session, will, in a few more months, carry us to the end of my official term. The duties and responsibilities of Chief Magistrate, which now rest on me, will then devolve upon a successor, and I shall be relieved of the cares and anxieties of office. The coming of that time excites in my breast no emotions of regret. Until then, if spared so long by a merciful Providence, I shall continue to exercise the functions of my office as I have hitherto exercised them—honestly, independently and faithfully. But, when the end of my term comes, I shall, without repining, part with the insignia of office, and pass from public station to the more desirable pursuits of private life. In doing so, however, I shall not feel altogether indifferent to public sentiment. That I should, in the performance of the many highly important and delicate duties appertaining to the office, incur the displeasure of none, is more than I have any right to expect. But, actuated throughout my administration by no desire other than to promote the public good, and conscious of the rectitude of my motives, I shall, with entire confidence, rely upon the liberality of my fellow countrymen to do me justice. More than justice I neither expect nor desire. During my life, a large portion of which has been spent in the service of the State, I have had occasion more than once to appeal to this tribunal from the passionate judgments of an hour; and they have never failed to sustain my course. On retiring from office, I shall carry with me grateful recollections of the confidence of my fellow-citizens, and cherish, while life lasts, an ardent desire for the happiness and prosperity of our State.

WM. OWSLEY.

January 1, 1848.

On motion of Mr. Smith,

Resolved, That the Public Printer forthwith print 5000 copies of said message for the use of the members of this House.

Mr. Towles moved the following resolution, viz:

Ordered, That the Lobbies in the rear of the seats of this House be reserved for the use of the ladies, and the gentlemen who accompany them, ex-members of the General Assembly, and such other persons as may be invited by the Speaker. And it shall be the duty of the officers of this House to see that this order be strictly executed.

On motion of Mr. Haggard,
Ordered, That said resolution be laid on the table.

A message was received from the Governor by Mr. Reed, Secretary of State, announcing that he had approved and signed enrolled bills which originated in this House at the last session, of the following titles, viz:

An act to amend an act incorporating certain turnpike roads.

An act for the relief of Emigrants.  

Approved January 1, 1848.

And then the House adjourned.

MONDAY, JANUARY 3, 1848.

1. Mr. Hardy presented the petition of the heirs of Theopilus D. Starke, deceased, praying the passage of a law authorizing the sale of certain real estate descended to them.

2. Also, the petition of Thomas T. Duke, the administrator, and Elizabeth Duke, widow of John Duke, deceased, praying the passage of a law authorizing the Barren Circuit Court to confirm a parol contract for the sale of a tract of land made by said deceased.

3. Mr. Grainger presented the petition of Elizabeth Pearcy, widow of William Pearcy, deceased, praying the passage of a law authorizing the sale of certain real estate belonging to her deceased husband, for the purpose of educating her children.

4. Mr. Johnston presented the petition of sundry citizens of Marshall county, praying that the State road from Waid'sborough to Mayfield be placed under the control of the Marshall County Court.

5. Mr. S. Young presented the petition of James T. Weathers, executor of James A. Pottinger, deceased, praying the passage of a law legalizing a sale of slaves made by him as executor of said deceased.

6. Mr. Askins presented the petition of Rachael L. Jett, praying the passage of a law authorizing a sale of certain real estate belonging to the estate of her deceased husband, William Jett.

7. Mr. Wilkins presented the petition of Josiah Greathouse, praying the passage of a law changing the names of his children.

8. Also, the petition of Maria A. Peyton, praying that her name be changed.

9. Also, the petition of the Chairman and Trustees of the town of Bowlinggreen, praying an amendment of the laws regulating said town.

10. Also, the petition of William B. Smith, praying permission to import into this State certain slaves.
11. Mr. Haggard presented the petition of sundry citizens of Green county, praying a division thereof, and the formation of a new county out of part of said county.

12. Mr. Boyd presented the petition of the Trustees of School District No. 1, of Livingston county, praying the passage of a law directing the payment of the dividend of the common school fund belonging to said district.

13. Mr. McReynolds presented the petition of James T. Pettus, praying the passage of a law releasing him from all liability on account of importing into this State a slave.

14. Mr. Wright presented the petition of the Members of the Bar and Clerk of the Fulton Circuit Court, praying that a division of the Kentucky Reports of the Decisions of the Court of Appeals, now in the Hickman Circuit Court, between the said courts.

15. Mr. R. H. Field presented the petition of Henry Trunnell, praying to be divorced from his wife, Louisa Trunnell.

16. Also, the petition of Benjamin Collings, and Nancy B. Collings who has been divorced from the said Benjamin, praying that said Benjamin may be relieved from any disability now existing on his part to again intermarry with the said Nancy B. Collings.

17. Mr. Wilkins presented the petition of Adam Wainscott, praying a change of venue in the prosecution now pending against him in the Simpson Circuit Court for murder.

18. Mr. Bozarth presented the petition of Thomas Bratcher, and others in his behalf, praying that permission be given him to increase the height of his mill dam across Caney creek.

19. Mr. Wilkins presented the petition of Thomas L. Stephens and James Ford, praying a re-conveyance of land conveyed to the Commonwealth, or that compensation be made them therefor.

20. Also, the petition of Joel R. Alcock, praying the passage of a law changing the names of himself, wife and children.

21. Also, the petition of William Wilkinson, praying to be divorced from his wife, Juliana.

22. Mr. Bourland presented the petition of Mildred Rascoe, praying to be divorced from her husband, Joshua Rascoe.

23. Also, the petition of Andrew Lovelace, praying the passage of a law authorizing the sale of certain real estate belonging to the estate of his deceased father, Elias Lovelace.

24. Mr. Woosley presented the petition of Joy Babbet, praying to be divorced from his wife, Edy Babbet.

25. Mr. T. D. Brown presented the petition of James S. Smallwood, praying that compensation be made him for taking care of Eunice Smith, a lunatic.
Which were severally received, the reading dispensed with, and referred; the 1st, 2d, 3d, 5th, 6th, 9th, 10th, 13th, 14th, 17th and 23d to the committee on the Judiciary; the 4th to Messrs. Johnston, Barlow and Wilson; the 7th to Messrs. Wilkins, Beard and Beeler; the 8th to Messrs. Wilkins, A. Young and Boyd; the 11th to the committee on Propositions and Grievances; the 12th to the committee on Education; the 15th, 16th, 21st, 22d and 24th to the committee on Religion; the 18th and 19th to the committee on Internal Improvement; the 20th to Messrs. Wilkins, A. Young and Forde, and the 25th to the committee on Claims.

The Speaker laid before the House the annual report of the Treasurer, which is as follows, viz:

STATE OF KENTUCKY, TREASURY OFFICE, January 3d, 1847.

Sir: Accompanying this note is the annual report of this Department, which you will please lay before the House over which you preside.

Very respectfully,

JAMES DAVIDSON, Treasurer.

To the Hon. JAMES F. BUCKNER,
Speaker of the House of Representatives.

[For Report—see Legislative Documents.]

Ordered, That the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

The Speaker laid before the House the annual report of the Visitors to the Penitentiary, which is as follows, viz:

[For Report—see Legislative Documents.]

The Speaker laid before the House the annual report of the 2d Auditor, which is as follows, viz:

REVENUE DEPARTMENT, AUDITOR'S OFFICE, KY., Frankfort, January 1, 1848.

Sir: I herewith send the annual report from this Department.

I am, very respectfully,

THO. S. PAGE, 2d Auditor.

To the Hon. JAMES F. BUCKNER,
Speaker of the House of Representatives.

[For Report—see Legislative Documents.]

Ordered, That the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

The Speaker laid before the House the report of the settlement of the accounts of Rev. R. T. Dillard, Superintendent of Public Instruction, which is as follows, viz:
Re: Jan., 3.

House of Representatives.

Revenue Department, Auditor's Office, Ky.,

Frankfort, January 1, 1848.

SIR: I herewith send settlement with the Rev. R. T. Dillard as Superintendent of Public Instruction.

I am, very respectfully,

THO. S. PAGE, Commissioner.

To the Hon. James F. Buckner,
Speaker of the House of Representatives.

[For Report—see Legislative Documents.]

Mr. Robert Harrell, the member returned to serve in this House from the county of Logan, appeared, and having produced a certificate of his election, and of his having taken the oaths prescribed by the Constitution of the United States and this State, took his seat.

Mr. Hughes moved the following resolution, viz:

Resolved, That the Secretary of State be requested to transmit to the House of Representatives, as soon as practicable, the aggregate number of all the citizens of this State entitled to vote for Representatives; and also the aggregate number of all the citizens who voted at the last August election for calling a Convention to amend the Constitution of this State.

Which being twice read was adopted.

On motion of Mr. Hanson,

Resolved, That the Speaker request the Ministers of the Gospel, residing in Frankfort, to alternate with each other in opening the House daily by prayer to Almighty God.

Mr. Bush moved the following resolution, viz:

Resolved, That all petitions for divorce be referred to the committee on Religion, with instructions to report against such cases as the Courts of Justice in this Commonwealth have jurisdiction to grant relief, and in all cases where the petitioners have not complied with the requisitions of law.

Mr. Gaines moved to lay 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. Bush and Johnston, were as follows, viz:

Those who voted in the affirmative, were—

Those who voted in the negative, were—

Mr. Speaker, Collins,  
Messrs. Abell, Combs,  
Askins, Combs,  
Bailey, Combs,  
Beard, Combs,  
Bell,  
Beeler,  
Bilderback,  
Blanton,  
Boulware,  
Bowen,  
Bozarth,  
Brown, J.  
Brown, T. D.  
Bullock,  
Bush,  
Carlisle,  
Cavan,  
Chilton,  
Christopher,  
Cockrell,  
Pearce,  
Price,  
Quarles,  
Railey,  
Shawman,  
Short,  
Smith,  
Speed,  
Talbott,  
Thomas,  
Turner,  
Wall,  
Warren,  
White, D. P.  
White, M. E.  
Wilkins,  
Wintersmith,  
Wood,  
Wolford,  
Young, A. — 61.

The said resolution was then twice read and adopted.

The Speaker laid before the House the annual report of the 1st Auditor, which is as follows, viz:

Frankfort, Jan. 3d, 1848.

Sir: I herewith enclose you a copy of the annual report of this Department.

Respectfully,

H. I. BODLEY, Auditor.

To the Hon. JAMES F. BUCKNER,
Speaker of the House of Representatives.

[For Report—see Legislative Documents.]

Ordered, That the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

On motion of Mr. Bush,

Resolved, That Joseph Gray's son be allowed to assist him in the discharge of his duties, and that he receive one dollar per day.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, that a committee of eight, composed of five members of the House of Representatives and three from the Senate, be appointed to visit the Lunatic Asylum at Lexington and report its condition; and that said committee shall have power to send for persons, papers and records for their information.

Mr. Combs read and laid on the table the following resolution, viz:
Resolved by the General Assembly of the Commonwealth of Kentucky,
that so much of the Governor's message as relates to the erection of a monument to the memory of the gallant heroes who fell on the field of Buena Vista, and whose remains are interred in the State's portion of the Cemetery at the Seat of Government, be referred to a joint committee of both Houses, to consist of eight members of the House of Representatives and four members of the Senate, who may report by bill or otherwise.

The rule of the House requiring joint resolutions to lie one day on the table having been dispensed with, said resolution was twice read and adopted.

Mr. T. D. Brown read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, that when they adjourn on the 10th day of February, they will adjourn sine die.

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

By Mr. Towles—1. A bill for the benefit of the Judge of the Second Judicial District.

By Mr. Combs—2. A bill for the benefit of the officers and soldiers in the war with Mexico.

By Mr. Smith—3. A bill to change the name of John M. Hall.

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

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st was referred to the committee on the Judiciary, and the 2d and 3d were ordered to be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of the 2d and 3d bills having been dispensed with, and the same being engrossed,

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

Mr. Hughes, from the committee appointed to prepare and bring in the same, reported a bill to re-take the sense of the people of this State as to the propriety of calling a Convention.

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

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Ordered, That said bill be referred to the committee of Ways and Means, with instructions to report the same to the House on Wednesday next, and that the same be made the special order for that day.

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

On motion of Mr. Hardy—1. A bill to regulate the duty of Jailers and for other purposes.

On motion of Mr. A. Young—2. A bill to repeal the law taxing spectacles, &c.
On motion of Mr. J. N. Stephens—3. A bill to amend the road law in the county of Boone, and for other purposes.

On motion of Mr. Garner—4. A bill to amend the charter of the Danville and Perryville Turnpike Company.

On motion of Mr. Williams—5. A bill to remove the obstructions to the navigation of Licking river.

On motion of Mr. Chilton—6. A bill to change the time of holding the Christian Circuit Court.

On motion of Mr. Coleman—7. A bill to change the names of Francis Trimble, Jerdenia Hawkins and William Y. Denning.

On motion of same—8. A bill for the benefit of the heirs of John Swooney deceased, of Crittenden county.

On motion of Mr. Wall—9. A bill for the benefit of Edward T. White, Deputy Sheriff of Daviess county.

On motion of Mr. Price—10. A bill to amend an act for the benefit of the mechanics of the city of Lexington.

On motion of Mr. Pearce—11. A bill to incorporate the Flemingsburg and Poplar Plains Turnpike Company.

On motion of Mr. Thomas—12. A bill for the benefit of A. F. Kennon and wife.

On motion of Mr. Smith—13. A bill to change the name of John M. Hall.

On motion of Mr. Ireland—14. A bill for the benefit of Martin Draper, former Sheriff of Grant county.

On motion of same—15. A bill for the benefit of John Thornhill, Betsey Thornhill, Priscilla Thornhill and Mahala Thornhill, who are lunatics.

On motion of same—16. A bill for the benefit of Mary Jane Eales, a lunatic.

On motion of Mr. Baker—17. A bill for the benefit of the Sheriff of Graves county.

On motion of same—18. A bill to enlarge the powers of the Board of Internal Improvement for Graves county.

On motion of Mr. Wintersmith—19. A bill to prohibit all officers of courts, including attorneys at law, from becoming security in bonds executed in the courts of which they are officers.

On motion of same—20. A bill to allow the action of replevin to defendants in execution and distress for the recovery of property exempted from legal process to them by law.

On motion of Mr. T. D. Brown—21. A bill allowing a bona fide House Keeper additional property exempt from execution.

On motion of Mr. Towles—22. A bill to amend an act, entitled, an act to regulate the administration and settlement of estates, approved February 20th, 1839.
On motion of same—23. A bill to amend the law in relation to taking depositions in suits at common law.


On motion of Mr. Bowen—25. A bill to expedite proceedings in suits in chancery.

On motion of same—26. A bill to repeal the law prohibiting fishing in the Kentucky river with seines and dip nets, and for other purposes.

On motion of Mr. Wright—27. A bill to modify the act of 1833, prohibiting the importation of slaves into this Commonwealth.

On motion of Mr. Miller—28. A bill to incorporate the Louisville and Shepherdsville Turnpike Road Company.

On motion Mr. Bilderback—29. A bill for an appropriation to remove the obstructions in Kinnicand, in Lewis county.

On motion of Mr. Boyd—30. A bill for the benefit of Nancy J. Yates.

On motion of Mr. Bowling—31. A bill for the benefit of the citizens of Keysburg, in Logan county.

On motion of same—32. A bill for the benefit of the Sheriff of Logan county.

On motion of Mr. Moore—33. A bill to amend the law regulating chancery proceeding in Circuit Courts.

On motion of same—34. A bill to amend the penal laws.

On motion of Mr. Speed—35. A bill to amend the charters of the Louisville Turnpike Company, and the Shelbyville and Louisville Turnpike Company.

On motion of Mr. Collins—36. A bill to remove the seat of justice of Mason county, from the town of Washington to the city of Maysville.

On motion of same—37. A bill to amend the charter of the Dover and Minerva Turnpike Road Company.

On motion of Mr. Harris—38. A bill for the benefit of Dr. John H. Boorman.

On motion of Mr. Hamilton—39. A bill for the benefit of the Mount-sterling and Maysville Turnpike Road.

On motion of Mr. S. Young—40. A bill to remove obstructions in the navigation of the Beach and Rolling forks of Salt river.


On motion of Mr. Bell—42. A bill to legalize the proceedings of the Ohio County Court, and for other purposes.

An motion of Mr. Dougherty—43. A bill to amend the road law in Pendleton county.

On motion of Mr. Quarles—44. A bill to legalize the proceedings of the County Court of Pulaski, held the 3d Monday in November, 1847, and to
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authorise Courts to be held for said county in the months of April, May, June and October.

On motion of Mr. Judd—45. A bill authorizing the County Court of Russell to sell a portion of the lot on which the county Jail is situated.

On motion of Mr. Hatfield—46. A bill for the benefit of Edward B. Gibson of Simpson county.

On motion of same—47. A bill for the benefit of W. A. Butt of Simpson county.

On motion of Mr. Floyd—48. A bill to amend the law in relation to roads in Trimble county.

On motion of Mr. Hughes—49. A bill for the benefit of George W. Riddle and Wm. Harmon.

On motion of same—50. A bill for the benefit of Dickson Ann Thompson, infant heir at law of Dickson Thompson, deceased.

On motion of same—51. A bill to change the time of holding the April Term of the Union County Court.

On motion of Mr. Wilkins—52. A bill to amend proceedings in criminal cases.

On motion Mr. M. E. White—53. A bill to change the time of holding the spring term of the Whitley Circuit Court.

On motion of Mr. Culton—54. A bill to regulate the manner of docketing causes in the Court of Appeals.

Ordered, That Messrs. Hardy, Wood and Collins prepare and bring in the 1st; the committee on Ways and Means the 2d, 14th, and 17th; Messrs. J. N. Stephens, Short and Wall the 3d; the committee on Internal Improvement the 4th, 28th and 40th; Messrs. Williams, Collins, Price and Barlow the 5th; the committee on the Judiciary the 6th, 10th, 19th, 20th, 22d, 23d, 25th, 32d, 34th, 41st, 52d and 53d; Messrs. Coleman, Towles and Hughes the 7th and 8th; Messrs Wall, Hughes and T. D. Brown the 9th; Messrs. Pearce, Hamilton and Cavan the 11th; Messrs. Thomas, Bailey and Hughes the 12th; Messrs. Smith, Hanson and Price the 13th; the committee on Claims the 15th and 16th; Messrs. Eaker, Wilkins and Wright the 18th; Messrs. T. D. Brown, Wall and Wintersmith the 21st; Messrs. Towles, Hughes and Hanson the 24th; Messrs. Bowen, Blanton and Hardy the 26th; Messrs. Wright, Hatfield and Haggard the 27th; Messrs. Bilderback, Ireland and Williams the 29th; Messrs. Boyd, Speed and A. Young the 30th; Messrs. Bowling, Harrel and Lightfoot the 31st; Messrs. Bowling, Wilkins and Wood the 32d; Messrs. Speed, Kerrick, S. Young and Beard the 35th; Messrs. Collins, Barlow, Bullock, Speed, Wintersmith and Bowling the 36th; Messrs. Collins, Bullock and Bush the 37th; Messrs. Harris, T. D. Brown and Wood the 38th; Messrs. Hamilton, Pearce, Collins and Warren the 39th; Messrs. Bell, Wright and Forde the 42d; Messrs. Dougherty, Carlisle and Ireland the 43d; Messrs. Quarles, Moore and McKinney.
the 44th; Messrs. Judd, Haggard, McKinney and Hudson the 45th; Messrs. Hatfield, Forde and Wright the 46th; Messrs. Hatfield, Haggard and Wright the 47th; Messrs. Floyd, Wilson and Bowen the 48th; Messrs. Hughes, Towles and Wall the 49th; Messrs. Hughes, Wall, Towles and T. D. Brown the 50th and 51st; and Messrs. Culton, Moore and Smith the 54th.

Mr. Barlow moved the following resolutions, viz:

Resolved, That the committee on the Judiciary be instructed to enquire into the propriety of repealing the law allowing pay for slaves executed, and that they report by bill or otherwise.

Which being twice read was adopted.

On motion of Mr. Hughes leave was given to bring in a bill to fix the ratio and apportion the representation for the next four years.

Ordered, That Messrs Hughes, Bell, Barlow, Haggard, Allin, Speed, Combs, Moore, Newell and Cavan prepare and bring in the same.

And then the House adjourned.

TUESDAY, JANUARY 4, 1848.

1. Mr. Combs presented the petition of Silas Evans, praying the passage of a law allowing the establishment of a private passway for his use and benefit.

2. Mr. Haggard presented the petition of Mary Chrisman, praying to be divorced from her husband Richard Chrisman.

3. Also, the petition of sundry citizens of Wayne county, praying the establishment of an election precinct in said county.

4. Mr. J. Stevens presented the petition of John J. C. Woolf, praying to be divorced from his wife Sarah Ellen Woolf.

5. Mr. S. Young presented the petition of sundry citizens, praying an amendment to the laws for preventing the disturbance of religious worship.

6. Mr. J. Brown presented the petition of William D. Scott, praying that compensation be made him for taking care of Sarah Ann Scott an idiot.

7. Mr. Wood presented the petition of Charles R. Palmore, praying that compensation be made him for taking care of and raising Sally Ann Perryman, an infant of unsound mind.

8. Also, the petition of John Young, Keziah E. Young and Sarah Young, praying the passage of a law authorizing the sale of certain real estate owned by said Keziah E. and Sarah who are infants.

9. Mr. J. Field presented the petition of James T. Mercer an infant, praying the passage of a law authorizing him to sell and convey his real estate in the same manner as though he were of full age.
10. Mr. Barlow presented the petition of Jesse F. Jerrald, praying the to be divorced from his wife Nancy F. Jerrald.

11. Mr. Beard presented the petition of sundry citizens of this State, praying an amendment to the laws for preventing the disturbance of Religious Worship.

12. Mr. Collins presented the petition of sundry citizens of Mason county, praying the removal of the seat of justice of said county, from Washington to the city of Maysville.

13. Mr. Wilson presented the petition of Silas B. Yeager, praying the passage of a law authorizing the sale of certain real estate belonging to Margaret F. Broils an infant.

14. Mr. Williams presented the petition of James B. Stamper, praying that the names of George Henderson Robertson, James S. Robertson and Malinda Jones be changed to the name of Stamper.

15. Mr. Soery presented the petition of William C. Russell and others, praying the passage of a law authorizing the sale of part of a street in the town of Cadiz.

16. Mr. Wintersmith presented the petition of Lydia Allen, praying to be divorced from her husband, Simeon Allen.

17. Mr. S. Young presented the petition of Susannah Peters, praying to be divorced from her husband, Thomas Peters.

18. Mr. T. D. Brown presented the petition of James Crawford, praying to be divorced from his wife, Miriam Crawford.

19. Also, the remonstrance of Miriam Crawford against the granting a divorce to her husband, James Crawford.

20. Mr. Moore presented the petition of Amanda Sowder, praying to be divorced from her husband, Michael Sowder.

21. Mr. Lightfoot presented the petition of Crawford Lowry, Leland Early and Judith his wife, praying the passage of a law authorizing the sale of certain lands conveyed to said Lowry in trust.

22. Mr. T. D. Brown presented the petition of sundry citizens of West Point in Hardin county, praying the passage of a law incorporating said town.

23. Mr. Wintersmith presented the petition of sundry citizens of Hardin county, praying an appropriation to build a bridge across Salt river at its mouth.

24. Mr. S. Young presented the petition of John Culver and others in his behalf, praying that said Culver be allowed to retail spirits without obtaining a license.

25. Mr. Eaker presented the petition of sundry citizens of Graves county, praying that an additional Justice of the Peace be allowed said county.

Which were severally received, the reading dispensed with and referred; he 1st and 23d to the committee on Internal Improvement; the 2d, 4th,
5th, 10th, 11th, 16th, 17th, 18th, 19th and 20th to the committee on Religion; the 3d to the committee on Privileges and Elections; the 6th to the committee on Claims; the 7th to the committee on Ways and Means; the 8th, 9th, 13th, 14th and 21st to the committee on the Judiciary; the 12th, 15th and 24th to the committee on Propositions and Grievances; the 22d to Messrs. T. D. Brown, R. H. Field and Wintersmith; and the 25th to Messrs. Eaker, Wright and Bourland.

The Speaker laid before the House resolutions adopted by the National Medical Convention, held at Philadelphia, in relation to the registration of the Births, Marriages and Deaths occurring in this State.

The Speaker laid before the House the annual report of the Keeper of the Penitentiary, which is as follows, to-wit:

OFFICE KENTUCKY PENITENTIARY,

Frankfort, January 3, 1848.

Sir: Please lay before the House of Representatives the enclosed annual report. Very respectfully, yours, &c.,

N. CRAIG, A. & K. K. P.

To the Hon. JAMES F. BUCKNER,
Speaker of the House of Representatives.

[For Report—see Legislative Documents.]

Ordered, That the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

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

By Mr. Smith—1. A bill to incorporate the Franklin Institute in the town of Lancaster.

By Mr. Collins—2. A bill to remove the seat of justice of Mason county, from the town of Washington to the city of Maysville.

By Mr. Johnston—3. A bill to put the State road between Wardsboro and Mayfield under the control of the Marshall County Court.

By Mr. Eaker—4. A bill to enlarge the powers of the Board of Internal Improvement for Graves county.

By Mr. Culton—5. A bill regulating the manner of docketing causes in the Court of Appeals.

By Mr. Bell—6. A bill to legalize the proceedings of the Ohio County Court.


By Mr. Wilkins—8. A bill to change the name of Maria A. Peyton.

By Mr. Wright—9. A bill to modify the act of 1833, prohibiting the importation of slaves into this State.

By Mr. Boyd—10. A bill to change the name of Nancy J. Yates to that of Nancy J. Wilson, and for other purposes.
By Mr. Williams—11. A bill to improve the navigation of Licking river between Lot Adam's Mill and the mouth of Slate.


By Mr. Tewles—13. A bill to enlarge the jurisdiction of the Police Judge of the town of Henderson.

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

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 4th, 6th, 7th, 8th, 10th and 13th were ordered to be engrossed and read a third time; the 2d was referred to the committee on Propositions and Grievances; the 3d, 11th and 12th to the committee on Internal Improvement; the 5th to the committee on the Judiciary, and the 9th to the committee of the Whole for Thursday next.

The rule of the House, constitutional provision and third reading of the 1st, 4th, 6th, 7th, 8th, 10th and 13th 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 Public Printer forthwith print 150 copies of the 9th and 11th bills for the use of the members of the General Assembly.

Mr. Hardy moved the following resolutions, viz:

Resolved, That so much of the Governor's message as relates to revenue and Commissioner's of Tax in the several counties, be referred to the committee on Ways and Means.

Resolved, That so much of said message as relates to the Sinking Fund and outstanding bonds, be referred to the committee on the Sinking Fund.

Resolved, That so much of said message as relates to turnpike roads and navigation, be referred to the committee of Internal Improvement, with instructions to take into consideration and report the condition of the unfinished portions of the roads, with their opinion as to the most practicable mode of preserving them from ruin.

Resolved, That so much of said message as relates to electors of President and Vice President, be referred to the committee on Federal Relations.

Resolved, That so much of said message as relates to the Virginia and Ohio boundary lines, be referred to the committee on Federal Relations.

Resolved, That so much of said message as relates to resolutions of the several States, be referred to the committee on Federal Relations.

Resolved, That so much of said message as relates to Harvard University and the Public Documents of Kentucky, be referred to the committee on the Library.

Resolved, That so much of said message as relates to the Military Institute, be referred to the committee on Military Affairs.

Resolved, That so much of said message as relates to the accounts of the Board of Internal Improvement, be referred to the committee on the Expenditures of the Board of Internal Improvement.
Resolved, That so much of said message as relates to "prison discipline," be referred to a committee of five, and that said committee report by bill or otherwise.

Which being twice read, were adopted.

Whereupon, Messrs. Speed, Hardy, Grainger, Collins and Towles, were appointed a committee in pursuance of the last resolution.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That in consideration of the valuable services rendered by Gen. Zachary Taylor, in the Mexican war, that we tender to him our heart-felt thanks; and as a tribute of our respect, extend to him an invitation and request him to visit Kentucky during his retirement from the army.

The rule of the House requiring joint resolutions to lie one day on the table having been dispensed with, it was twice read and adopted.

Mr. Bowen moved a re-consideration of the vote of yesterday adopting the resolution proposed by Mr Bush.

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

The yea's and nay's being required thereon by Messrs. T. D. Brown and Hughes, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Allin, Ballingal, Bourland, Bowen, Christopher, Coleman, Eaker,

Field, J., Floyd, Gaines, Haggard, Headley, Johnston,

Judd, McKinney, Soery, Towles, Wilson, Wright—19.

These who voted in the negative, were—

Mr. Speaker, Messrs. Abell, Askins, Bailey, Barlow, Beard, Beeler, Berry, Bilderback, Banton, Boulware, Bowling, Boyd, Bozarth, Brown, J., Brown, T. D., Bullock, Bush,

Dohoney, Dougherty, Duncan, Field, R. H., Forde, Garnett, Grainger, Grubb, Grundy, Hamilton, Hanson, Hardy, Harrell, Harris, Hatfield, Hogg, Holmes, Hughes, Ireland,

Pearce, Price, Quarles, Railey, Shawhan, Short, Smith, Speed, Stephens, J. N., Stevens, J., Talbott, Thomas, Turner, Wall, Warren, White, D. P., White, M. E., Williams, Wilkins,
Leave was given to bring in the following bills, viz:

On motion of Mr. Garnett—1. A bill to amend an act, entitled, an act for the benefit of the heirs of S. H. Anderson, deceased.

On motion of Mr. Askins—2. A bill to revive and amend the charter of the Augusta, Cynthiana and Georgetown Turnpike Road Company.

On motion of same—3. A bill to provide for running the line between the counties of Bracken and Pendleton.

On motion of Mr. Talbutt—4. A bill to grade and McAdamize a turnpike road from Paris to Winchester, in Clarke county.

On motion of same—5. A bill to grade and McAdamize a turnpike road from Paris through North Middletown to Mount Sterling, in Montgomery county.

On motion of same—6. A bill to grade and McAdamize a turnpike road from Paris to Cynthiana, in Harrison county.


On motion of same—8. A bill to amend the charter of the Boone Turnpike Road Company.

On motion of Mr. Coleman—9. A bill to incorporate the Columbia Lead Mining Company.

On motion of same—10. A bill to incorporate the Stickney Lead Mining Company.

On motion of Mr. Cockrell—11. A bill for an appropriation to improve the navigation of the Kentucky river.

On motion of Mr. Smith—12. A bill to amend the law in relation to taking depositions in actions at law.

On motion of Mr. Towles—13. A bill to amend an act, entitled, an act to provide a summary mode for recovering debts, approved December 5, 1805.


On motion of Mr. Wood—15. A bill for the benefit of the Sheriff of Hart county.


On motion of Mr. Christopher—17. A bill to provide for the construction of additional Locks and Dams on the Kentucky river.
On motion of same—18. A bill to amend the law in relation to the manner of serving notices on defendants in cases of forcible entry and detainer.

On motion of Mr. Moore—19. A bill to define the powers and duties of County Courts in laying levies.


On motion of same—21. A bill to amend an act, entitled, an act to construct a road from Rochester, at the mouth of Muddy river, to Russellville, in Logan county.

On motion of Mr. Hughes—22. A bill for the benefit of the Clerks of the Union County and Circuit Courts.

On motion of Mr. Wilkins—23. A bill for the benefit of Southern College of Kentucky at Bowling green.

Ordered, That Messrs. Garnett, Smith and Moore prepare and bring in the 1st; the committee on Internal Improvement the 2d, 4th, 5th, 6th and 8th; the committee on Propositions and Grievances the 3d; the committee on the Judiciary the 7th, 13th, 18th and 19th; Messrs. Coleman, Hughes and Towles the 9th and 10th; Messrs. Cockrell, Moore and Combs the 11th; Messrs. Smith, Hughes and Hamilton the 12th; Messrs. Culton, Hamilton and Moore the 14th; Messrs. Wood, Hardy and Bowling the 15th; Messrs. Miller, Kerrick and Speed the 16th; Messrs. Christopher, Garnett, Combs, Boulware and Smith the 17th; Messrs. Bowling, Harrell, Wood, Wilkins and Boulland the 20th; Messrs. Bowling, Harrell and Chilton the 21st; Messrs. Hughes, Towles and Wall the 22d; and Messrs. Wilkins, Wood and Hardy the 23d.

And then the House adjourned.

WEDNESDAY, JANUARY 5, 1848.

Ordered, That a committee on Propositions and Grievances be appointed: and a committee was appointed, consisting of Messrs. Taliaferro, J. N. Stephens, Boulware, Quarles, Coleman, Garnett and Warren; who are to meet and adjourn from day to day, and take into 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 to this House; and said committee shall have power to send for persons, papers, and records, for their information.
Ordered, That a committee on Privileges and Elections be appointed: and a committee was appointed, consisting of Messrs. Bush, D. P. White, Wright, Wolford, Holmes, Grandy and Askins; 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, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

Ordered, That a committee on Claims be appointed: and a committee was appointed, consisting of Messrs. Bowling, Beard, Scory, Ireland, Short, Berry and Carlisle; who are to meet and adjourn from day to day, and take into consideration all Public Claims, and all other matters that 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 on the Judiciary be appointed: consisting of Messrs. Combs, Speed, Towles, Cavan, Moore, Hanson and Wood; who are to meet and adjourn from day to day, and take into consideration all matters relating to Courts of Justice, and such others as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee are 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, examine what laws have expired since the last session, and inspect such temporary laws as will expire with this, or are now expiring, and report the same to this House, with their opinion thereon which of them ought to be renewed and continued; and said committee shall have power to send for persons, papers, and records, for their information.

Ordered, That a committee on Religion be appointed: and a committee was appointed, consisting of Messrs. Asa Young, Bullock, Beeler, Williams, Shawhan, Judd and Harrel; who are to meet and adjourn from day to day, and take into consideration all matters and things relating to Religion and Morality, and such other things 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 on Ways and Means be appointed: and a committee was appointed, consisting of Messrs. T. D. Brown, Eaker, Conner, Harris, Bailey, Talbutt and Wilson; who are to meet and adjourn from day to day, and take into consideration the revenue laws of this Commonwealth, and all other matters relative to, or connected with the fiscal con
cerns thereof, and such other matters 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 on Internal Improvement be appointed: and a committee was appointed, consisting of Messrs. Collins, Newell, Winter-Smith, Forde, Blanton, Allin and Smith; who are to meet and adjourn from day to day, and take into consideration all matters and things relating to the improvement of the condition of the country, by roads and canals, and such others as may legally come before them, or be referred to them, reporting 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 on Education be appointed: and a committee was appointed, consisting of Messrs. Haggard, Miller, Hamilton, Price, McReynolds, Bourland and Kerrick; who are to meet and adjourn from day to day, and take into consideration all matters relating to Education, and the subjects connected therewith, and such others as may, from time to time, be referred to them, reporting 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 on Military Affairs be appointed: and a committee was appointed, consisting of Messrs. Pratt, Bell, Duncan, J. Field, J. Stevens, Bozarth and Woosley; who are to meet and adjourn from day to day, and take into consideration the militia laws of this State, and all other matters in relation to the militia, and such others as may, from time to time, be referred to them, reporting 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 on the Expenditures of the Board of Internal Improvement be appointed: and a committee was appointed, consisting of Messrs. Hughes, Gaines, Pearce, McKinney, Wall, Bowen, and Culton; who are to meet and adjourn from day to day, and take into consideration all matters relating to the expenditure of money by the Board of Internal Improvement, and such others 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 on the Penitentiary be appointed: and a committee was appointed, consisting of Messrs. Barlow, Johnston, Grainger, Boyd, Bilderback, Cockrell and Grubb; who are to meet and adjourn from day to day, and take into consideration all matters relating to the Peniten-
tiary, and such others as may, from time to time, be referred to them, and that they 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 on Agriculture and Manufactures be appointed; and a committee was appointed, consisting of Messrs. Newell, Bush, Abell, Milton E. White, Bailey, Hogg and Dougherty; who are to meet and adjourn from day to day, and take into consideration all matters and things in relation to Agriculture and Manufactures, and such others as may, from time to time, be referred to them, reporting 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 on the Sinking Fund be appointed; and a committee was appointed, consisting of Messrs. Hardy, S. Young, Hughes, Headley, Lightfoot, Hudson and Ballingal; who are to meet and adjourn from day to day, and take into consideration all matters and things in relation to the Sinking Fund, and such others 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 on Banks be appointed; and a committee was appointed, consisting of Messrs. Wilkins, Gaines, Turner, Chilton, Thomas and D. P. White; who are to meet and adjourn from day to day, and take into consideration all matters in relation to Banks, and examine, within the first thirty days of the session, the condition of all the Banks in the State; the amount of loans in the aggregate, and the proportion to the country, cities and towns, and the amount loaned to the Directors and their liabilities on bills of exchange; and the several amounts the fifty highest debtors owe in the cities; and enquire into, and report all facts necessary to a complete understanding of their management, and such other matters in relation thereto, 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 on the Library be appointed; and a committee was appointed, consisting of Messrs. R. H. Field, Hamilton, Bourland, Elliott and Lightfoot; who are to meet and adjourn from day to day, and take into consideration all matters relating to the Public Library, and such others 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 on Public Offices be appointed: and a committee was appointed, consisting of Messrs. Miller, Hatfield, Turner and Beard; who are to meet and adjourn from day to day, and take into consideration all matters and things relating to the Public Offices, examine into and report their situation and condition, with their proceedings and 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 on Printing be appointed: and a committee was appointed, consisting of Messrs. John Brown, Christopher, Kerrick, Dohoney and R. H. Field; whose duty it shall be to inquire into the manner in which the public printing is done, the accounts for printing particularly, and such other matters as may, from time to time, be referred to them by either House, and report as soon as practicable, what saving and improvement can be made conducive to the public interest; and they shall have power to send for persons, papers, and records, for their information.

Ordered, That a committee on Federal Relations be appointed: and a committee was appointed, consisting of Messrs. Wintersmith, Hardy, Wood, Dohoney, Cavan, Moore and Floyd; who are to meet and adjourn from day to day, and take into consideration all matters relating to Federal Relations, and such others as may, from time to time, be referred to them; and that they report their proceedings, with their opinion thereon, to this House; and that said committee shall have power to send for persons, papers, and records, for their information.

Ordered, That a committee on Enrollments be appointed: and a committee was appointed, consisting of Messrs. Wall, McKinney, Bowen, Bailey and Floyd.

Ordered, That Mr. Wall inform the Senate thereof.

1. Mr. Towles presented the petition of sundry citizens of Henderson county, praying a change of the place of voting in an election precinct in said county.

2. Mr. Combs presented the petition of Shackelford and Pullin, praying compensation for work done and materials furnished in repairing the Capitol.

3. Mr. Garnett presented the petition of Wm. C. Compton and wife, praying that a law be passed authorizing the Trustee of Mrs. Compton to invest a portion of the trust fund in slaves.

4. Mr. Thomas presented the petition of George M. Green praying permission to import into this State certain slaves.

5. Mr. Barlow presented the petition of Nathan B. Chism, praying to be divorced from his wife, Martha B. Chism.

6. Also, the petition of Rebecca Shields, praying to be divorced from her husband, John W. Shields.
7. Mr. Cavan presented the petition of sundry citizens of Fleming county, praying a change in the place of voting in the Milican precinct, in said county.

8. Mr. Warren presented the petition of sundry citizens of Bath county, praying a modification of the law imposing a tax on covering horses.

9. Mr. Abell presented the petition of the heirs of Jesse Abell, deceased, praying the passage of a law authorizing the sale of certain real estate of said deceased, to pay his debts.

10. Mr. Wall presented the petition of the heirs of Cynthia Riley, deceased, praying the passage of a law authorizing the sale of certain real estate of said deceased.

11. Mr. Wilson presented the petition of Lavenia Wilson, praying the passage of a law authorizing a sale of certain real estate belonging to her infant daughter.

12. Mr. Dohoney presented the petition of sundry citizens of Adair county, praying the passage of a law authorizing the County Court of said county, to levy a sum for the support of John H. Breeding and wife.

13. Mr. Hogg presented the petition of Sarah Ann Sexton, praying for a change of her name.

14. Also, the petition of Harrison Banks, John Robinson and Dougherty Robinson, praying for a change of their names.

15. Also, the petition of George W., Margaret and Thomas Banks, praying for a change of their names.

16. Also, the petition of Hiram Hogg, praying a change of the names of Rosa Roark and William Wesley Roark.

17. Mr. Wood presented the petition of sundry citizens of Hart county, praying an appropriation for building a bridge across Salt river at its mouth.

18. Mr. Judd presented the petition of sundry citizens of Russell county, praying the establishment of a town on the lands of James Muse, in said county.

Which were received, the reading dispensed with, and referred; the 1st, 7th and 8th to the committee on Propositions and Grievances; the 2d to the committee on Claims; the 3d, 4th, 9th, 10th and 11th to the committee on the Judiciary; the 5th and 6th to the committee on Religion; the 12th to Messrs. Dohoney, Barlow and T. D. Brown; the 13th, 14th, 15th and 16th to Messrs. Hogg, Combs and Culson; the 17th to the committee on Internal Improvement; and the 18th to Messrs. Judd, Moore, Quarles and Wolford.

A message was received from the Senate announcing the passage of a bill from this House, entitled, an act to change the name of John M. Hall.

And their concurrence in a resolution from the House in relation to the erection of a monument to the memory of the heroes of Buena Vista.
That they had passed bills of the following titles, viz:
An act for the benefit of Wm. B. Carlisle, sheriff of Green county.
An act to exempt certain property in the town of Flemingsburg from tax.
An act for the benefit of John Caruth, of Allen county.
An act to change the name of Elizabeth G. M. Douglas.
And had adopted a preamble and resolution complimentary to General Taylor, and inviting him to visit the Capital of Kentucky.
The said preamble and resolution were then taken up, twice read, and concurred in.

The Speaker laid before the House the annual report of the President of the Board of Internal Improvement, which is as follows, viz:

**Office of Board of Internal Improvement,**

*Frankfort, January 5, 1848.*

Sir: I have the honor to lay before you the annual report of the Board of Internal Improvement for the State of Kentucky; and to be with considerations of high respect,

Your obedient servant,

THOMAS METCALFE, P. B. I. I.

To the Hon. JAMES F. BUCKNER,
Speaker of the House of Representatives.

*For Report—see Legislative Documents.*

Ordered, That said report be referred to the committee on Internal Improvement, and that the Public Printer forthwith print 150 copies thereof for the use of the members of the General Assembly.

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

By Mr. Bowen—1. A bill to amend an act, entitled, an act to prevent the wanton destruction of Fish.

By Mr. Coleman—2. A bill to change the names of certain citizens of Crittenden county, and for other purposes.

By Mr. Garnett—3. A bill for the benefit of the heirs of S. H. Anderson, deceased.

By Mr. Thomas—4. A bill for the benefit of Frederick A. Kennon and Harriet L., his wife.

By Mr. Floyd—5. A bill to amend the road law in Trimble county.

By Mr. Hughes—6. A bill for the benefit of the clerks of the Union County and Circuit Courts.

By same—7. A bill to change the time of holding the April term of the Union County Court.

By Mr. Wilkins—8. A bill to change the names of E. H. Marrs, C. W. Marrs and W. O. B. Marrs.

By Mr. Price—9. A bill to abolish the militia system and to revive and permanently establish Common Schools.
By Mr. Wintersmith—10. A bill to incorporate the town of West Point, in Hardin county.

By Mr. Harris—11. A bill for the benefit of John H. Boorman.

By Mr. Hatfield—12. A bill for the benefit of Edward B. Gibson, of Simpson county.

By Mr. Culton—13. A bill to establish two additional election precincts in Knox county.

By Mr. Moore—14. A bill to legalize the proceedings of the November term of the Pulaski County Court, and for other purposes.

By Mr. Eaker—15. A bill to allow an additional Justice of the Peace to Graves county, and an additional Constable to Logan county.

By Mr. Wilkins—16. A bill for the benefit of Southern College.

By same—17. A bill to change the names of Joel R. Alcock and others.

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

The rule of the house, constitutional provision and second reading of said bills having been dispensed with, the 1st, 3d, 4th and 11th were referred to the committee on the Judiciary; the 2d, 6th, 7th, 8th, 10th, 12th, 13th, 14th, 15th, 16th and 17th were ordered to be engrossed and read a third time; the 5th to Messrs. Floyd, Bush and Wright; and the 9th to the committee on Education.

The rule of the House, constitutional provision and third reading of the 2d, 6th, 7th, 8th, 10th, 12th, 13th, 14th, 15th, 16th and 17th 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 Public Printer forthwith print 150 copies of the 9th bill for the use of the members of the General Assembly.

Mr. A. Young moved the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to enquire into the authority, extent and duration of the right, if any now exists, by which lotteries are made and lottery tickets vended in this State; also into the amount of funds so raised and the purposes to which they have been applied; and that they report as soon as practicable.

Which was adopted.

Mr. Wood moved the following resolution, viz:

Resolved, That the use of this Hall be granted to the Frankfort Athenaeum on Wednesday evening the 12th instant, for the purpose of hearing a lecture from Hon. Bellamy Storer, of Cincinnati.

Which was adopted.

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

On motion of Mr. Dohoney—1. A bill to apply all moneys collected on forfeited recognizances for manslaughter, to the extinguishment of the debts of the deceased, and for other purposes.
On motion of Mr. A. Young—2. A bill to re-enact the laws providing for the appointment of Commonwealth’s attorneys.

On motion of Mr. Hardy—3. A bill to amend the Militia laws.

On motion of same—4. A bill concerning the Jail and Poor house in Barren county.

On motion of Mr. Hanson—5. A bill for the benefit of Amanda Hutsenson and her children.

On motion of Mr. Garnett—6. A bill to incorporate the Cove Spring Academy, in Boyle county.

On motion of Mr. Chilton—7. A bill for the benefit of John S. Bledsoe.

On motion of Mr. Bush—8. A bill to amend the road law of Clarke county.

On motion of Mr. Haggard—9. A bill to amend in part and repeal in part an act, entitled, an act to further to protect the rights of married women.

On motion of Mr. Wall—10. A bill to allow an additional Justice of the Peace to Daviess county.

On motion of Mr. Smith—11. A bill to give an action of trespass to the widows and infant heirs of persons killed.


On motion of Mr. Moore—13. A bill for the benefit of John Friend, Sheriff of Floyd county.

On motion of Mr. Johnston—14. A bill to increase the jurisdiction of Justices of the Peace.

Ordered, That Messrs. Dohoney, Hardy and Barlow prepare and bring in the 1st; the committee on the Judiciary the 2d; Messrs. Hardy, Pratt and Collins the 3d; Messrs. Hardy, A. Young and Barlow the 4th; Messrs. Hanson, T. D. Brown and McReynolds the 5th; Messrs. Garnett, Christopher and Albin the 6th; Messrs. Chilton, Bowling and Wilkins the 7th; Messrs. Bush, A. Young and Kerrick the 8th; Messrs. Haggard, Barlow and Judd the 9th; Messrs. Wall, Short and Wood the 10th; Messrs. Smith, Hanson and Combs the 11th; Messrs. Wintersmith, T. D. Brown and S. Young the 12th; Messrs. Moore, Quarles and Wolford the 13th; and Messrs. Johnston, Hardy, Wilson, Eaker and Saery the 14th.

Mr. T. D. Brown, from the committee on Ways and Means, to whom was referred a bill to re-take the sense of the people of this State as to the propriety of calling a Convention, asked the further time until to-morrow, 12 o’clock, to report the same, which was granted.

Ordered, That the Public Printer forthwith print 150 copies of said bill for the use of the members of the General Assembly.

Bills from the Senate of the following titles, viz:
An act for the benefit of William B. Carlisle, Sheriff of Green county.

An act to exempt certain property in the town of Flemingburg from tax.

An act for the benefit of John Caruth, of Allen county.

An act to change the name of Elizabeth G. M. Douglas.

These acts were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with,

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

The House took up the resolution read and laid on the table on Monday last by Mr. Wall, which was adopted.

The House then took up the resolution, read and laid on the table by Mr. T. D. Brown, for a final adjournment of the General Assembly.

Mr. Haggard moved to amend said resolution by striking out the 10th, and inserting the 1st of February.

Mr. Chilton moved to lay said resolution and amendment 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. T. D. Brown and Barlow, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, Calton, Moore,
Messrs. Abell, Duncan, Newell,
Allin, Field, J. Pratt,
Askins, Floyd, Price,
Bailey, Garnett, Quarles,
Ballingal, Grainger, Smith,
Beard, Grubb, Savery,
Beel, Hanson, Speed,
Beeler, Harrel, Stevens, J.
Berry, Harris, Thomas,
Blanton, Hogg, Towles,
Bourland, Holmes, Wall,
Bowen, Hudson, White, M. E.
Brown, J. Hughes, Williams,
Bullock, Ireland, Wilkins,
Cavan, Judd, Wood,
Chilton, Kerrick, Woford,
Christopher, McKinney, Wright,
Cockrell, Miller, Young, A.—58.
Combs, 

Those who voted in the negative, were—

Messrs. Barlow, Field, R. H. Railey,
Bilderback, Forde, Shawha,
Boulware, Gaines, Short,
Mr. Pratt presented the petition of Joseph T. Thomason, praying that compensation be made him for materials furnished for repairs on the Lexington and Ohio railroad.

2. Mr. Johnston presented the petition of Rufus Rice, praying to be divorced from his wife, Eleanor Rice.

3. Also, the petition of Sarah Jane Acuff, praying to be divorced from her husband, Joseph Acuff.

4. Mr. T. D. Brown presented the petition of Robert Martin, praying a change of the dividing line between the counties of Hardin and Larue, so as to include him in Larue.

5. Mr. D. P. White presented the petition of John L. Jackson, praying to be divorced from his wife, Catharine Jackson.

6. Mr. Barlow presented the petition of William Andrews, praying permission to import into this State, a slave.

7. Mr. Blanton presented the petition of Eliza Turner, praying to be divorced from her husband, Samuel Turner.

8. Mr. Bowling presented the petition of Edward R. Sumpter and Elizabeth Sumpter, praying to be divorced from each other.

9. Mr. Judd presented the petition of John Leveridge, praying that permission be granted him to enclose certain lots in the town of Rowena.

10. Mr. Cavan presented the petition of Henry S. Logan and Benjamin Rabourne, praying a change of venue in a prosecution pending against them in the Fleming Circuit Court for a felony.

11. Mr. Chilton presented the petition of William H. Fortson, praying permission to import into this State, a slave.
12. Also, the memorial of the Grand Jury empanelled at the December term, 1847, of the Christian Circuit Court, praying a change in the time of holding said Court.

13. Also, the petition of Sarah F. Vaughan, praying the passage of a law authorizing the sale of certain real estate held by Robert Mitchell in trust for her use.

Which were received, the reading thereof dispensed with, and referred; the 1st to the committee on Claims; the 2d, 3d, 5th, 7th and 8th to the committee on Religion; the 4th, 6th and 9th to the committee on Propositions and Grievances; and the 10th, 11th, 12th and 13th to the committee on the Judiciary.

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 Franklin Institute, in the town of Lancaster.
- An act to enlarge the powers of the Board of Internal Improvement, for Graves county.
- An act for the benefit of E. T. White, deputy Sheriff of Daviess county.
- An act to change the name of Maria A. Peyton.
- An act to change the name of Nancy J. Yates to that of Nancy J. Wilson, and for other purposes.

That they had passed bills of the following titles, viz:

- An act directing proclamation to be made of the readiness of the State of Kentucky to redeem her unpaid six year bonds.
- An act for the benefit of Samuel Hogan, of Green county.
- An act for the benefit of William Wood, Surveyor of Clinton county, and for other purposes.

That they had adopted a resolution concerning newspaper postage.

And a resolution to fire a National Salute on the 8th of January.

Mr. William Conner, the member returned to serve in this House, from the county of Greenup, appeared and having produced a certificate of his election, and having taken the oath prescribed by the constitution of the United States and the State of Kentucky, took his seat.

Mr. Combs, from the committee on the Judiciary, to whom was referred a bill for the benefit of the Judge of the second Judicial District, reported the same without amendment.

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

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.

Mr. Floyd, from the committee to whom was referred a bill to amend the road law in the county of Trimble, reported the same with an amendment, which was concurred in.
Ordered, That said bill be engrossed and read a third time.

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 a foresaid.

Mr. Combs, from the committee on the Judiciary, to whom was referred the petition of James T. Mercer, the petition of Silas B. Yeager, and the petition of Rachel L. Jett, reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

On motion,

Ordered, That said petitions be withdrawn, and they were accordingly withdrawn.

Mr. Combs, from the same committee, to whom was referred the petition of Andrew Lovelace, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which 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 Propositions and Grievances—1. A bill to establish the county of Taylor.

By the committee on the Judiciary—2. A bill to authorize the taking of depositions of officers and soldiers on foreign service.

By same—3. A bill to amend an act, entitled, an act concerning the action of replevin, approved February 17th, 1842.

By same—4. A bill to amend the laws in relation to the town of Bowlinggreen.

By same—5. A bill for the benefit of James T. Pettus.

By same—6. A bill to change the name of George Henderson Robertson, and for other purposes.

By Mr. Hanson—7. A bill for the benefit of Amanda Hutcheson and her children.

By Mr. Smith—8. A bill giving an action of trespass to the widow and infant children of persons killed.

Which were read the first time and ordered to be read the second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st was made the special order for Saturday next; the 2d, 4th, 5th, 6th and 7th were severally ordered to be engrossed and read a third time; and the 3d and 8th were referred to the committee on the Judiciary.
The rule of the House, constitutional provision and third reading of the 2d, 4th, 5th, 6th and 7th 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 Public Printer forthwith print 150 copies of the 3d bill for the use of the members of the General Assembly.

Mr. Wintersmith, from the committee on Federal Relations, reported a bill concerning the election of Electors.

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

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Mr. Gaines moved to amend said bill by striking out of the first section the following provision, viz: Provided, however, That any person entitled and qualified to vote in this Commonwealth shall have the right to vote at any place of voting within the Commonwealth.

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

The yeas and nays being required thereon by Messrs. Wintersmith and T. D. Brown, were as follows, viz:

Those who voted in the affirmative, were—

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HOUSE OF REPRESENTATIVES.

Those who voted in the negative, were—

Messrs. Abell,
Ballingal,
Beeler,
Boulware,
Bozarth,
Bush,

Cavan,
Eaker,
Hamilton,
Hardy,
Hatfield,

Hudson,
Judd,
Wintersmith,
Wolford,
Weosley—16.

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

Mr. T. D. Brown, from the committee on Ways and Means, to whom was
referred a bill to re-take the sense of the people of this State as to the prop­
riety of calling a Convention, reported the same with amendments, which
were concurred in.
The said bill was further amended.

Ordered, That said bill, as amended, be engrossed and read a third time.
The rule of the House, constitutional provision and third reading of said
bill having been dispensed with, and the same being engrossed,
The question was then taken on the passage of said bill, and decided in
the affirmative.
The yeas and nays being required thereon by Messrs. Hanson and Bush
were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Abell,
Allin,
Askins,
Bailey,
Ballingal,
Barlow,
Beard,
Bell,
Beeler,
Berry,
Bilderback,
Blanton,
Bourland,
Boulware,
Bowen,
Bowling,
Boyd,
Bozarth,
Brown, T. D.
Bullock,
Bush,

Dohoney,
Dougherty,
Duncan,
Eaker,
Field, J.
Field, R. H.
Ployd,
Forde,
Gaines,
Garnett,
Grainger,
Grubb,
Grundy,
Haggard,
Hamilton,
Hanson,
Hardy,
Harrell,
Harris,
Hatfield,
Headley,
Hogg,

Miller,
Moore,
Newell,
Pearce,
Pratt,
Price,
Quarles,
Railey,
Shawhan,
Short,
Soery,
Speed,
Stephens, J. N.
Stevens, J.
Talbut,
Thomas,
Towles,
Turner,
Wall,
Warren,
White, D. P.
White, M. E.
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Resolved, That the the title thereof be as aforesaid.

The House took up the resolution from the Senate to fire a national salute on the 8th of January.

Mr. Combs moved to amend said resolution by adding the following, viz:

And that he be requested to fire a salute of one hundred guns on the 22d and 23d of February next, in honor of the birth day of Washington and of the great victory obtained on those days at Buena Vista, by Maj. Gen. Zachary Taylor, mainly with volunteer militia troops, over Gen. Santa Anna, President of Mexico, commanding four times the number of troops opposed to him.

And the question being taken on adopting the same, it was decided in the affirmative.

The said resolution, as amended, was twice read and concurred in.

On motion of Mr. Combs,

Ordered, That he be discharged from the committee appointed to bring in a bill to fix the ratio and apportion the representation for the next four years.

Ordered, That Mr. Hanson be appointed on said committee.

On motion of Mr. Haggard,

Resolved, That the ex-members of this House be allowed to enter within the bar of the House when invited by any member present.

And then the House adjourned.

FRIDAY, JANUARY 7, 1848.

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 officers and soldiers in the war with Mexico.

An act to change the names of certain citizens of Crittenden county, and for other purposes.
An act for the benefit of the Clerks of the Union County and Circuit Courts.
An act to change the time of holding the April Term of the Union County Court.
An act to legalize the proceedings of the November Term of the Pulaski County Court, and for other purposes.
An act for the benefit of Southern College.
An act to change the name of Joel R. Allcock, and others.
That they had concurred in a resolution from this House to appoint a committee to visit the Lunatic Asylum.
That they had passed bills of the following titles, viz:
An act to amend an act, entitled, an act authorizing the Auditor to correct certain mistakes and to issue warrants on the Treasury in certain cases, approved January 23, 1813.
An act to amend an act for the benefit of John U. Watson and Pemberton Cave, approved February 17, 1847.
An act to provide for a change of prosecution against Benjamin Ali.
An act for the benefit of Rice Maxey.
An act for the benefit of L. D. Berry, of Hickman county.
An act to exempt from militia duty the volunteers in the war with Mexico.
An act for the benefit of Mary C. Parker.
1. Mr. Culton presented the petition of sundry citizens of Knox county, praying that an additional Constable be allowed to said county.
2. Mr. Miller presented the petition of Achille Dubourg, praying to be divorced from his wife, Julia Ann Dubourg.
3. Mr. Speed presented the petition of Wilson D. Bennett, praying to be divorced from his wife, Salina Bennett.
4. Also, the petition of Marcus R. Hardin, praying to be divorced from his wife, Rebecca Hardin.
5. Also, the petition of Thomas J. Lowe, praying a change of his name.
6. Mr. Short presented the petition of sundry citizens of Muhlenburg county, praying that an additional Justice of the Peace be allowed to said county.
7. Mr. Carlisle presented the petition of sundry citizens of Covington, praying the passage of a law incorporating the German Roman Catholic Benefit Society.
8. Mr. Pratt presented the petition of John R. Pates, praying to be divorced from his wife, Mary Pates.
9. Mr. Bowen presented the petition of Elizabeth Voris, praying the passage of a law authorizing the sale of certain real estate belonging to her infant children.
10. Mr. Conner presented the petition of George Martin, praying a change of venue in the prosecution pending against him in the Greenup Circuit Court, for perjury and forgery.

Which were received, the reading dispensed with, and referred; the 1st to the committee on Propositions and Grievances; the 2d, 3d, 4th and 5th to the committee on Religion; and the 5th, 6th, 7th, 9th and 10th to the committee on the Judiciary.

Mr. J. N. Stephens, from the committee on Propositions and Grievances, to whom was referred the petition of sundry citizens of Bath county, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

On motion of Mr. S. Young, the committee on Propositions and Grievances were discharged from the further consideration of the petition of John Culver.

Ordered, That said petition be referred to the committee on the Sinking Fund.

The Speaker laid before the House the annual report of the Superintendent of Public Instruction, which is as follows, viz:

[For Report—see Legislative Documents.]

Ordered, That the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

Mr. Bush, from the committee on Privileges and Elections, to whom was referred the petition of sundry citizens of Wayne county, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Mr. Hudson moved to amend said resolution by striking out “be rejected” and inserting “is reasonable.”

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

Ordered, That the committee prepare and bring in a bill in accordance with the prayer of said petition.

Mr. Bowling, from the committee on Claims, to whom was referred the petition of William D. Scott, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

A message was received from the Senate announcing their concurrence in the amendment proposed by this House, to a resolution from the Senate, to fire a national salute on the 8th of January.

And that they had passed a bill limiting the jurisdiction of the General Court in certain cases.
The Speaker laid before the House a report from the Louisville Savings Institution, which is as follows, viz:

LOUISVILLE SAVINGS INSTITUTION,  
Saturday, March 6, 1847. 

To the General Assembly of the Commonwealth of Kentucky:

At a meeting of the Stockholders of the Louisville Savings Institution, on this day, at its office in Louisville, held according to due notice published in the Louisville Journal and the Louisville Daily Democrat, two legally authorized newspapers published in said city, for the election of nine Directors to serve for the ensuing twelve months; and, also, for the purpose of taking into consideration the expediency of adopting the amendment made to the charter of this Institution by an act passed at the last session of the Legislature of the State of Kentucky—when and where the following named Stockholders were present, either by themselves in person, or by their respective proxies, per power duly authenticated, to-wit:

Sidney Anderson, by Thomas Anderson, her Attorney.
Rhoda Anderson, by Thomas Anderson, her Attorney.
Paul Anderson, by Charles H. Lewis, his Attorney.
Thomas Anderson, Trustee for Lewis Jamison.
James D. Breckinridge.
Mary E. Breckinridge, by J. D. Breckinridge, her Guardian.
Nancy Frazer, by Thomas Anderson, her Attorney.
S. S. Goodwin, Trustee for Anna Godard.
S. S. Goodwin.
H. B. L. Goodwin, by S. S. Goodwin, her Husband.
Edmund H. Lewis.
Charles H. Lewis.
Leven Lawrence, deceased, by Robert Tyler, Executor.
George W. Meriwether.
Thomas T. Snare.
Levi Tyler.
John C. Wenzell.
Maria Maxey, by S. S. Goodwin, James Marshall, and G. W. Meriwether, her Attorneys.
Margaret Bustard, by S. S. Goodwin, James Marshall, and G. W. Meriwether, her Attorneys.
Hugh Ferguson, by S. S. Goodwin, James Marshall, and G. W. Meriwether, his Attorneys.
Maria L. Gwathmey, by S. S. Goodwin, James Marshall, and G. W. Meriwether, her Attorneys.
Gerrett Bate, by S. S. Goodwin, James Marshall, and G. W. Meriwether, his Attorneys.
David L. Batty.


Ranima Harbison, by S. S. Goodwin, James Marshall, and G. W. Meriwether, her Attorneys.


Virginia Bucklin, by S. S. Goodwin, James Marshall, and G. W. Meriwether, her Attorneys.


Sixty four names present and represented.

And upon the question of the adoption of the said amendment of the charter of this Institution, extending its corporate character for the term of twenty years after the expiration of the period of the present charter, there was a unanimous vote of sixty four Stockholders in favor of its adoption, which is a majority of the whole number of the Stockholders, (the number being ninety five,) which is ordered to be certified, according to said amended charter, to the next Legislature of this State.

The meeting then proceeded to elect nine Directors to serve for the ensuing twelve months, which resulted in the election of the following named persons, to-wit: George W. Meriwether, Simeon S. Goodwin, James Marshall, John Hulme, James W. Henning, Edward D. Hobbs, John C. Wenzell, Hugh Ferguson, David L. Beatty.

Given under our hands and seals this 6th day of March, 1847, being the day of the annual election.

T. T. SHreve, [Seal.]

D. L. BEATTY, [Seal.]

L. L. SHreve, [Seal.]

Judges of Election and Stockholders.

I, J. H. Rhorer, Treasurer of the Louisville Savings Institution, certify that the foregoing is a true copy of the record of the proceedings upon the occasion stated. Witness my hand this 23d of October, 1847.

J. H. RHORER, Treasurer.

Louisville Savings Institution,
Louisville, October 23d, 1847.

I, Jonas H. Rhorer, Treasurer of the Louisville Savings Institution, do hereby certify, that the foregoing three pages, contain a true and perfect copy of the proceedings adopted at a meeting of the Stockholders of the said Institution, which was its annual meeting next succeeding the passage
of the act of the General Assembly of Kentucky, entitled, "an act to amend the charter of the Louisville Savings Institution," approved January 9th, 1847. Witness my hand and the seal of the corporation the date above.

J. H. RHROR, Treasurer.

Mr. Combs, from the committee on the Judiciary, to whom was referred the petition of James T. Withers, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.
Which was concurred in.

Mr. Combs, from the same committee, to whom was referred the petition of William C. Compton and wife, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.
Which was concurred in.

Mr. Garnett asked leave to withdraw said petition, which was granted, and the same was withdrawn.

Mr. Moore, from the committee on the Judiciary, to whom was referred a bill for the benefit of the heirs of S. H. Anderson, deceased, reported the same without amendment.

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

Mr. Hanson, from the same committee, to whom was referred a bill for the benefit of Frederick A. Kennon and Harriet L., his wife, reported the same without amendment.

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

The Speaker laid before the House the annual receipts and disbursements of the Louisville and Shelbyville Turnpike Road Company, which is as follows, viz:

Annual statement of the receipts and disbursements of the Shelbyville and Louisville Turnpike Road Company, for the year ending 1st October, 1847, prepared under the provision of the charter, for the Legislature of the Commonwealth of Kentucky.

DEBITS.

1847.
March 27. Cash paid salaries of the President, and Treasurer, and Superintendent, and Gate Keepers, and repairs of the road; and incidental expenses for the year 1846, and in part for the year 1847, $5,858.55

Amount carried forward, $5,858.55

$11,717.10
Amount brought forward, $5,858.55

October 1. Cash paid salaries of officers, gate keepers, and labor, and repairs on the road in part for the year 1847, 4,948.94
October 1. Cash on hand, 3,721.53

Total, $14,529.02

CREDITS.

1846.
October 1. Cash on hand per last account, $695.82
October 1. Cash received of Mr. Leib for rent of old house at the Beargrass Bridge, to this date, August 15, 1847, 94.95
October 1. Cash received for tolls 1st gate, to 26th March, 1847, 2,479.00
October 1. Cash received for tolls 2nd gate, to 26th March, 1847, 1,294.00
October 1. Cash received for tolls 3rd gate, to 26th March, 1847, 989.00
October 1. Cash received for tolls 4th gate, to 26th March, 1847, 210.00
October 1. Cash received for tolls assessed, to 26th March, 1847, 1,714.00

October 1. Cash received for tolls 1st gate, till this date, 2,353.00
October 1. Cash received for tolls 2nd gate, till this date, 999.00
October 1. Cash received for tolls 3rd gate, till this date, 705.00
October 1. Cash received for tolls 4th gate, to this date, 639.00
October 1. Cash received for tolls assessed, to this date, 1,666.25

$14,529.02

October 1. Balance due and on hand, 3,721.53

E. E. G. W. MERIWETHER, Tr. S. & L. T. R. C.

Mr. A. Young, from the committee on Religion, to whom was referred the petition of Joy Babbitt, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.
Which 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 Propositions and Grievances—1. A bill authorizing the Trustees of the town of Cadiz, in Trigg county, to sell certain ground.
By the committee on the Judiciary—2. A bill for the relief of George M. Green.
By same—3. A bill continuing in force the law providing for the appointment of Commonwealth's attorneys.
By the committee on Religion—4. A bill to divorce William Wilkinson from his wife, Juliana Wilkinson.
By same—5. A bill for the benefit of Benjamin Collings.
By Mr. Moore—6. A bill for the improvement of the Crab Orchard and Cumberland Gap Turnpike Road.
Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 4th and 5th were severally ordered to be engrossed and read a third time, and the 6th was referred to the committee on Internal Improvement.
The rule of the House, constitutional provision and third reading of the 1st, 2d, 3d, 4th and 5th bills having been dispensed with, and the same being engrossed,

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

The yeas and nays being required on the passage of the 4th bill by Messrs. Boulware and Speed, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Wall, from the committee on Enrollments, reported that the committee had examined an enrolled resolution from the Senate to fire a National Salute on the 8th of January, and had found the same truly enrolled.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Wall inform the Senate thereof.

The Speaker appointed Messrs. Speed, Moore and Towles the managers on the part of this House, to conduct and prosecute before the Senate, the
articles of impeachment presented by this House against John A. Duff, surveyor of Perry county.

Ordered, That Mr. Speed inform the Senate thereof.

Bills from the Senate of the following titles, viz:

1. An act for the benefit of William Wood, surveyor of Clinton county, and for other purposes.
2. An act for the benefit of Samuel Hogan, of Green county.
3. An act directing proclamation to be made of the readiness of the State of Kentucky to redeem her unpaid six year State bonds.
4. An act to exempt from militia duty, the Volunteers in the war with Mexico.
5. An act for the benefit of L. D. Berry, of Hickman county.
6. An act for the benefit of Rice Maxey.
7. An act providing for a change of venue in the prosecution against Benjamin All.
8. An act to amend an act, entitled, an act to authorize the Auditor to correct certain mistakes, and to issue warrants on the Treasury in certain cases, approved January 23, 1813.
10. An act for the benefit of Mary C. Parker.
11. An act limiting the jurisdiction of the General Court, in certain cases.

Were read the first time and ordered to be read a second time:

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 3d, 5th, 6th and 9th were severally ordered to be read a third time; the 2d, was referred to the committee on Claims; the 4th, 7th and 11th to the committee on the Judiciary; the 8th to the committee on Ways and Means; and the 10th to the committee on Religion.

The rule of the House, constitutional provision and third reading of the 1st, 3d, 5th, 6th and 9th bills having been dispensed with.

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

The Speaker appointed Messrs. Combs, Pratt, Towle, Collins, Thomas, Ireland, Wright and Hamilton the committee on the part of this House, in pursuance of the resolution in relation to the erection of a monument to the memory of the Heroes of Buena Vista.

The resolutions from the Senate concerning newspaper postage, were taken up, twice read, and concurred in.

The House then according to order, resolved itself into a committee of the Whole, on the bill to modify the act of 1833, prohibiting the importation of slaves into this State, Mr. Hardy in the Chair; and after a short time
spent therein, the Speaker resumed the Chair, when Mr. Hardy 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.

On motion of Mr. Hardy,

Ordered, That leave of absence for five days be granted Mr. Newell.

On motion of Mr. Newell,

Ordered, That he be discharged from the committee appointed to prepare
and bring in the bill to fix the ratio and apportion the representation for the
next four years.

Ordered, That Mr. Shawhan be appointed on said committee.
And then the House adjourned.

SATURDAY, JANUARY 8, 1848.

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

An act for the benefit of the heirs of David Mize, deceased.
An act to change the name of William G. Musgrove.
An act for the benefit of the children of Thomas D. Helm, deceased.
1. Mr. Berry presented the petition of Joseph A. Peters, executor of
William Peters, deceased, praying the confirmation of a sale of certain real
estate of his testator made by him as executor.
2. Mr. Miller presented the memorial of Leonard Jones, upon the subject
of the elective franchise.
3. Mr. Collins presented the memorial of the President and Directors of
the Mayesville and Bracken Turnpike Road Company, praying an amend-
ment to their charter.
4. Mr. Beeler, presented the petition of sundry citizens of Larue county,
praying an appropriation to build a bridge across Salt river at its mouth.
5. Mr. Wood presented the petition of David W. Maxey, administrator,
and Tabitha Whitman, administratrix of Richard Whitman, deceased, praying
the passage of a law authorizing a sale of certain real estate belonging
to the estate of said deceased.
6. Mr. Speed presented the petition of Hiram Jones, praying that the
name of Michael Wilson Kinkaid be changed to that of George Wilson
Jones.
7. Mr. Judd presented the petition of John A. Leveridge, praying permission to retail spirits without obtaining tavern license.

8. Mr. Moore presented the petition of sundry citizens of Laurel county, praying the extension of the limits of Constable's district including the town of London.

9. Mr. Grubb presented the petition of Jacob Lockwood, Jr., praying to be divorced from his wife, Emily Lockwood.

10. Mr. Hogg presented the petition of Levi Johnson, praying compensation for supporting his idiot daughter.

11. Also, the petition of James Humble, praying that part of a lot in Whitesburg, in Letcher county, may be added to his property.

Which were received, the reading dispensed with, and referred; the 1st, 5th, 6th and 8th to the committee on the Judiciary; the 2d to the committee on Federal Relations; the 3d and 4th to the committee on Internal Improvement; the 7th and 11th to the committee on Propositions and Grievances; the 9th to the committee on Religion; and the 10th to the committee on Claims.

The Speaker appointed Messrs. Wall, S. Young, T. D. Brown, Soery and Kerrick, the committee on the part of this House to visit the Lunatic Asylum.

Mr. Haggard moved the following resolution, viz:

Resolved, That after the hour of 11 o'clock this day, the use of this Hall be tendered to the Democrats of Kentucky to hold their convention to nominate their candidates for Governor and Lieutenant Governor.

Which was adopted.

On motion of Mr. Haggard,

Resolved, That the reporter for the Louisville Rough and Ready, be permitted to take a seat on this floor to report the proceedings of this House.

The House then took up the bill to establish the county of Taylor.

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

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.

Mr. A. Young, from the committee on Religion, to whom was referred the petition of Henry Trunnel, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

On motion of Mr. R. H. Field leave was granted to withdraw said petition, and the same was withdrawn.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:
By Mr. Haggard—1. A bill giving the County Court of Russell power to sell a portion of lot No. —, on which the Jail is situated.

By Mr. Cockrell—2. A bill to improve the navigation of the Kentucky river.

By Mr. Hatfield—3. A bill for the benefit of William A. Butt.

By Mr. Pearce—4. A bill to incorporate the Flemingsburg and Poplar Plains Turnpike Road Company.

Which were read the first time and ordered to be read the second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st and 3d were ordered to be engrossed and read a third time, and the 2d and 4th were referred to the committee on Internal Improvement.

The rule of the House, constitutional provision and third reading of the 2d and 4th bills having been dispensed with, and the same being engrossed,

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

The Speaker laid before the House a communication from Robert Wickliffe, which is as follows, viz:

Frankfort, January 7th, 1848.

To the Honorable the Speaker of the House of Representatives of the State of Kentucky:

Sir: Shortly after the death of the Hon. Isaac Shelby, I was solicited by the then Speaker of the House of Representatives to donate to the State a portrait of that distinguished farmer, patriot, soldier, and statesman, he, the then Speaker, assuring me that the portrait should have its appropriate place in one of the chambers of the Legislature. The portrait is from the pencil of the late M. Jouett, Esq., and was, by that celebrated artist, presented to me as a token of his friendship for me, and as the friend and admirer of Governor Shelby, and of course I felt unwilling to part with it; but when I learnt that it was the only true likeness of Isaac Shelby in the State, and reflected that Jouett had died young, while his fame was only maturing, I believed that it was due to the memory of the most illustrious and first chief magistrate of Kentucky, and to that of her talented son, and to that distinguished artist, M. Jouett, that the painting should become the property of the State, and be placed in a position that, in all coming time, the Legislature, when assembled, by the likeness of the most extraordinary man of his age, and who first presided over the counsels of the State, should be reminded that their ancestors, when organizing this government, chose for their Governor a man in whom the excellent qualifications of a farmer, civilian and soldier were combined; nor would they fail to be reminded that, in the first age of the republic, Kentucky had reared among her sons an artist so eminent as M. Jouett. That the Senate and House of Representatives would concur with me, that behind the President of the Senate’s chair was the appropriate place for the likeness of Kentucky’s first Governor, who had, by his domestic and industrious habits, justly acquired the reputation of the first farmer in the State; and, by his sage counsel, had long and often assisted the Senate in providing the State with officers, civil and military, as
well as both Houses of the Legislature in maturing laws and regulations for
the well governing of the country; one who, as Governor and commander-
in-chief of the State, had, in the eve of his eventful life, rallied Kentucky's
gallant sons to arms, and on the battle field of the Thames, gloriously tri-
umphed over the British and Indians, and won for Kentucky undying fame.

In these views, however, the General Assembly do not concur. Is it then
asking too much of the House of Representatives, to return to me the paint-
ing upon my paying to the State such charges as that honorable body, over
which you preside, may deem proper to require. To me the painting is in-
valuable; to the State, as it is and has been used, it can be considered of but
little value. I, therefore, through you sir, respectfully ask that the portrait
be returned to me, if it is the pleasure of the House to do so.

With great respect,
ROBERT WICKLIFFE.

Ordered, That said communication be referred to the committee on the
Library.

And then the House adjourned.

MONDAY, JANUARY 10, 1848.

1. Mr. Allin presented the petition of sundry citizens of Mercer county,
praying an appropriation for constructing a turnpike road from Oregon to
the Franklin and Crab Orchard Turnpike.

2. Mr. Bowen presented the petition of Thomas Morris, praying to be
divorced from his wife, Elizabeth Morris.

3. Mr. Eaker presented the petition of William Gibson, praying to be di-
vorced from his wife, Jane Gibson.

4. Also, the remonstrance of Jane Gibson, against the granting of a di-
vorce to her husband, William Gibson.

5. Mr. Bourland presented the petition of Martha and William Webb,
administrators of Henry Webb, deceased, praying the passage of a law au-
thorizing the sale of certain real estate belonging to the estate of said de-
ceased.

6. Mr. Taliaferro presented the petition of Frederick Gosney, praying
that compensation be made him for taking care of and supporting Greenber-
ry Gosney, an idiot.

7. Mr. Johnston presented the petition of Elizabeth A. King, praying to
be divorced from her husband, Archibald B. King.

8. Mr. Speed presented the petition of Janette Sherwood, praying a
change of her name.
Which were received, the reading thereof dispensed with, (except the 3d and 4th, which were read,) and referred; the 1st to the committee on Internal Improvements; the 2d, 3d, 4th and 7th to the committee on Religion; the 5th and 8th to the committee on the Judiciary; and the 6th to the committee on Ways and Means.

The Speaker laid before the House the annual report of the President and Directors of the Louisville and Portland Canal Company, which is as follows, viz:

Twenty-third annual report of the President and Directors of the Louisville and Portland Canal Company.

The balance in the Treasury as shown by the last report, was appropriated in the purchase of shares, and 667 shares were taken, as authorized by a resolution of the stockholders, and the amount charged in the general account of the Company which is as follows:

Louisville and Portland Canal Company in General Account:

<table>
<thead>
<tr>
<th></th>
<th>Debits</th>
<th>Credits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Balance</td>
<td>$110,781 30</td>
<td>By 667 shares of the stock purchased and paid for, $124,062 00</td>
</tr>
<tr>
<td>Received</td>
<td></td>
<td>By expenses on canal, 21,278 57</td>
</tr>
<tr>
<td></td>
<td></td>
<td>By tax to the State of Kentucky, 1,500 00</td>
</tr>
<tr>
<td></td>
<td></td>
<td>By incidental expenses, of salaries, office charges, &amp;c., 1,502 50</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Balance of cash in Treasury, January 1st, 1848, 102,338 95</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>$250,682 02</td>
<td></td>
</tr>
</tbody>
</table>

The balance on hand will be immediately appropriated to the purchase of about 526 shares of stock, as authorized by act of Assembly, which, added to those purchased in the four previous years, will make 6,546 shares retired, leaving 3,454 shares to be hereafter liquidated.

The unusual high water during the spring and summer, making a loss of about three month's toll, and the disastrous flood of December, have reduced the amount of tolls below those of last year, some $10,000. The great deposit of mud left in the canal by the late flood, and the damage to its banks from the same cause, will account for the increase in the expenses on the canal.

The Board deems it cause of congratulation to the stockholders, that the late flood, so destructive generally to property on the Ohio, has done no more injury to the canal—the superintendent estimates that it can be cleared of its deposit of mud, and the banks repaired for about $10,000. The locks have already been sufficiently repaired to pass boats, and there is no other obstruction than a deficiency in the depth of water caused by the heavy deposit of mud, which every exertion is being used to remove.
It will be noticed by an item in the above account that the State of Kentucky has taxed the entire property and franchises of the canal, consequently no stockholder can be held to give in the amount of his stock for taxation and thus be subjected to a double tax.

The annexed table shows the number and tonnage of boats that have passed through the canal since its commencement.

Respectfully submitted,

JAMES MARSHALL, President.

J. H. RHORER, Secretary.

Abstract of 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>Amount received.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1831</td>
<td>406</td>
<td>421</td>
<td>76,323</td>
<td>$12,750 77</td>
</tr>
<tr>
<td>1832</td>
<td>453</td>
<td>710</td>
<td>70,169</td>
<td>25,755 12</td>
</tr>
<tr>
<td>1833</td>
<td>875</td>
<td>633</td>
<td>169,885</td>
<td>60,735 92</td>
</tr>
<tr>
<td>1834</td>
<td>938</td>
<td>355</td>
<td>162,000</td>
<td>61,848 17</td>
</tr>
<tr>
<td>1835</td>
<td>1,356</td>
<td>145</td>
<td>200,413</td>
<td>80,165 24</td>
</tr>
<tr>
<td>1836</td>
<td>1,182</td>
<td>260</td>
<td>162,330</td>
<td>68,343 23</td>
</tr>
<tr>
<td>1837</td>
<td>1,501</td>
<td>438</td>
<td>242,374</td>
<td>145,424 69</td>
</tr>
<tr>
<td>1838</td>
<td>1,958</td>
<td>578</td>
<td>301,750</td>
<td>121,167 16</td>
</tr>
<tr>
<td>1839</td>
<td>1,666</td>
<td>354</td>
<td>300,406</td>
<td>180,564 61</td>
</tr>
<tr>
<td>1840</td>
<td>1,231</td>
<td>392</td>
<td>224,811</td>
<td>134,904 55</td>
</tr>
<tr>
<td>1841</td>
<td>1,031</td>
<td>392</td>
<td>184,907</td>
<td>113,944 59</td>
</tr>
<tr>
<td>1842</td>
<td>988</td>
<td>123</td>
<td>172,755</td>
<td>95,063 19</td>
</tr>
<tr>
<td>1843</td>
<td>1,205</td>
<td>88</td>
<td>233,264</td>
<td>107,277 65</td>
</tr>
<tr>
<td>1844</td>
<td>1,476</td>
<td>168</td>
<td>304,394</td>
<td>140,369 97</td>
</tr>
<tr>
<td>1845</td>
<td>1,555</td>
<td>364</td>
<td>316,741</td>
<td>138,291 17</td>
</tr>
<tr>
<td>1846</td>
<td>1,626</td>
<td>283</td>
<td>341,605</td>
<td>149,401 64</td>
</tr>
<tr>
<td>1847</td>
<td>1,432</td>
<td>236</td>
<td>307,879</td>
<td>139,300 72</td>
</tr>
</tbody>
</table>

19,575 5,572 3,696,266 $1,795,608 90

At a meeting of the stockholders of the Louisville and Portland Canal Company, at their office in the city of Louisville, January 3, 1848, 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.

JOHN HULME,
J. CLEVES SHORT,
PETER HULME,
J. H. RHORER, Directors.

Whereas the individual stockholders in this Company have offered to sell and transfer to the Company, proportions of their stock, under the conditions of the amended charter of the Company, as adopted by the stockholders at their meeting on the 4th of July, 1842:

Resolved, That the Board of President and Directors proceed to purchase the number of shares that the net income of the Company will warrant, by
taking from each individual stockholder the number of shares he is entitled to sell under the arrangement adopted by the stockholders.  

C. W. SHORT, Chairman.

[Extract from the Minutes.]

J. H. RHORER, Secretary.

Mr. J. Brown asked leave to withdraw the petition of William D. Scott, which was granted, and the same was withdrawn.

Mr. J. N. Stephens, from the committee on Propositions and Grievances, to whom was referred the petition of Robert Martin, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Taliaferro asked to be discharged from serving on the committee on Propositions and Grievances, which was granted.

Ordered, That Mr. Pearce be added to said committee.

On the motion of Mr. Taliaferro, leave was given to bring in the following bills, viz:

1. A bill for the benefit of the mechanics of the town of Newport, in Campbell county.
2. A bill to amend the common school law of Campbell county.
3. A bill for the benefit of the Clerk of the Campbell Circuit Court.
4. A bill to amend the road law of Campbell county.
5. A bill to amend the charter of the Licking Bridge Company at Falmouth, in Pendleton county.
6. A bill to improve the navigation of Licking river from lock No. 1, to lock No. 5, by removing the obstructions placed there by the contractors on said locks.

Ordered, That Messrs. Taliaferro, Carlisle and J. N. Stephens prepare and bring in the 1st; Messrs. Taliaferro, Towles and Hanson the 2d; Messrs. Taliaferro, Askins and Dougherty the 3d; Messrs. Taliaferro, Ireland and Warren the 4th; Messrs. Taliaferro, Shawhan and Talbutt the 5th; and Messrs. Taliaferro, Dougherty and Carlisle the 6th.

Mr. A. Young, from the committee on Religion, to whom was referred the petition of Eliza Turner, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Mr. Blanton moved to amend said resolution by striking out “be rejected,” and inserting “is reasonable.”

Mr. Bush moved to lay said 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. Wright and Bush, were as follows, viz:


The question was then taken on the amendment: proposed by Mr. Blanton, and decided in the affirmative.

Ordered, That the committee prepare and bring in a bill in accordance with the prayer of said petition.

Mr. A. Young, from the same committee, to whom was referred a bill from the Senate, entitled, an act for the benefit of Mary C. Parker, reported the same without amendment.

Ordered, That said bill be read a third time.

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.

Mr. A. Young, from the same committee, to whom was referred the petition of Lydia Allen, reported the same with the following resolution, viz:
Resolved, That said petition be rejected.
Which was concurred in.

Mr. A. Young, from the same committee, to whom was referred the petition of Mildred Rascoe, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.
Which was concurred in.

On motion,

Ordered, That said petition be withdrawn, and the same was withdrawn.

Mr. Williams presented the petition of Jesse Day, praying a change of venue in the prosecution pending against him in the Morgan Circuit Court for perjury.

Which was received, the reading dispensed, and referred to the committee on the Judiciary.

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 for the benefit of William Andrews, of Monroe county.

By same—2. A bill providing for running the dividing line between Bracken and Pendleton.

By the committee on Ways and Means—3. A bill for the benefit of Martin Draper, late Sheriff of Grant county.

By Mr. Towles—4. A bill to incorporate the Stickney Mining Company, of Crittenden county.

By same—5. A bill incorporating the Columbia Mining Company, of Crittenden county.

By Mr. Chilton—6. A bill for the benefit of John S. Bledsoe.

By Mr. Wall—7. A bill allowing an additional Justice of the Peace to the county of Daviess.

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

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 6th and 7th were severally ordered to be engrossed and read a third time, and the 4th and 5th were referred to the committee on the Judiciary.

The rule of the House, constitutional provision and third reading of the 1st, 2d, 3d, 6th and 7th bills having been dispensed with, and the same being engrossed,

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

The House then resolved itself into a committee of the whole on the bill to modify the act of 1833, prohibiting the importation of slaves into this State; Mr. T. D. Brown in the Chair; and after some time spent therein
the Speaker resumed the Chair, when Mr. T. D. Brown reported that the committee had, according to order, had under consideration the bill afore-said, 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.

Bills from the Senate of the following titles, viz:
An act for the benefit of the heirs of David Mize, deceased.
An act for the benefit of the children of Thomas D. Helm, deceased.
Were read the first time and ordered to be read a second time.
The rule of the House, constitutional provision and second reading of said bills having been dispensed with, they were referred to the committee on the Judiciary.

A bill from the Senate entitled, an act to change the name of William G. Musgrove, was read the first time and ordered to be read a second time.
The rule of the House, constitutional provision and second reading of said bill having been dispensed with,
The said bill was then amended.
Ordered, That said bill, as amended, be read a third time.
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 amended to read as follows: an act to change the name of William G. Musgrove, and for other purposes.

Mr. T. D. Brown, from the committee appointed to prepare and bring in the same, reported a bill to amend an act, entitled, an act to reduce into one the several acts exempting property from execution, and for other purposes, approved February 7, 1845, which was read the first time as follows, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the passage of this act, there shall be allowed, exempt from execution, distress or attachment for debt to each bona fide house-keeper with a family, one work beast and one woman's saddle, in addition to the articles now specified and allowed by law.

Sec. 2. Be it further enacted, That any mechanic who is a bona fide house-keeper, shall be permitted to select, to the amount of fifty dollars in value, from such property as said mechanic may have and own, in addition to the articles now specified and allowed by law, which property, when selected and set apart, shall be allowed said mechanic, exempt from execution, distress or attachment for debt, in lieu of said additional work beast, allowed by the provisions of this act.

Sec. 3. Be it further enacted, That in all cases where any controversy shall arise between plaintiff and defendant, or officer and defendant, about the amount of property allowed to a mechanic by the provisions of this act, in lieu of said additional work beast, it shall be determined by two disinterested house-keepers, one to be chosen by the plaintiff, or officer; and the other by the defendant.
SEC. 4. Be it further enacted, That the provisions of this act shall not be so construed as to apply to any contracts or debts entered into or created prior to the passage of this act; and that the whole amount of property allowed by this act, and an act, entitled, "an act to reduce into one the several acts exempting property from execution, and for other purposes," approved February 7, 1845, shall not exceed in value the sum of three hundred dollars: Provided, also, that the whole amount of property allowed by the acts aforesaid shall remain subject to the payment of the revenue tax and county levy.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Mr. Haggard moved to amend said bill in the first section by striking out the words "one work beast."

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

The yeas and nays being required thereon by Messrs. T. D. Brown and Towles, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Grainger moved to refer said bill to the committee on the Judiciary. And the question being taken thereon, it was decided in the negative. The yeas and nays being required thereon by Messrs. T. D. Brown and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Abell,
Askins,
Bailey,
Barlow,
Bell,
Bilderback,
Bourland,
Bowen,
Bowling,
Brown, J.
Bullock,
Bush,
Carlisle,
Dohoney,
Dougherty,

Eaker,
Field, R. H.
Floyd,
Floyd,
Grainger,
Haggard,
Hanson,
Hardy,
Hatfield,
Hogg,
Hudson,
Johnston,
Judd,
Kerrick,
Miller,
Pearce,

Pratt,
Quarles,
Short,
Soery,
Speed,
Taliaferro,
Thomas,
Warren,
White, D. P.
Wilkins,
Wilson,
Wolford,
Woosley,
Wright,
Young, A.—46.

Those who voted in the negative, were—

Messrs. Allin,
Beard,
Beeler,
Berry,
Blanton,
Boulware,
Boyd,
Bozarth,
Brown, T. D.
Cavan,
Chilton,
Christopher,
Cockrell,
Coleman,
Collins,
Conner,

Culton,
Duncan,
Field, J.
Forde,
Garnett,
Grundy,
Hamilton,
Harrell,
Harris,
Headley,
Holmes,
Hughes,
Ireland,
Lightfoot,
McKinney,
Moore,

Price,
Railey,
Shawhan,
Smith,
Stephens, J. N.
Stevens, J.
Talbott,
Towles,
Turner,
Wall,
White, M. E.
Williams,
Wintersmith,
Wood,
Young, S.—47.

Ordered, That said bill be made the special order for Wednesday next, and that the Public Printer forthwith print 150 copies of said bill for the use of the members of the General Assembly.

And then the House adjourned.
TUESDAY, JANUARY 11, 1848.

A message was received from the Senate announcing the passage of bills from this House of the following titles, viz:

An act to enlarge the jurisdiction of the Police Judge of the town of Henderson.
An act to incorporate the town of West Point, in Hardin county.
An act for the benefit of Edward B. Gibson, of Simpson county.
An act for the benefit of Amanda Hutcheson and her children.
An act to re-take the sense of the people of this State as to the propriety of calling a convention.
An act to change the names of E. H. Marrs, C. W. Marrs, and W. O. B. Marrs.

With amendments to the two last named bills.

That they had passed bills of the following titles, viz:

An act for the benefit of Urath O. Hundley, and others.
An act to incorporate the Christian Church, at Stanford.
An act to appoint Trustees for the Ash Ridge Church and Burying Ground, in Fayette county.
An act to amend the charter of the Carlisle and Sharpsburg Turnpike Company.
An act for the benefit of Presley Steward, of Kenton county.

1. Mr. Hardy presented the petition of sundry citizens of Barren county, praying that said county be added to the 8th Judicial District.

2. Mr. Christopher presented the petition of John Livingston and others, praying the passage of a law authorizing a sale of certain real estate devised to them.

3. Mr. Cockrell presented the petition of sundry citizens of the town of Proctor, praying an amendment to the charter of said town.

4. Also, the petition of sundry citizens of Owsley county, praying an appropriation for the improvement of the navigation of the Kentucky river.

5. Mr. D. P. White presented the petition of the members of the Bar in Green county, praying a change of the 8th and 18th Judicial Districts.

6. Mr. Duncan presented the petition of sundry citizens of Bloomfield, praying that the title to a lot in said town be vested in the Trustees thereof for the purpose of enlarging the burying ground in said town.

7. Mr. Thomas presented the petition of Elizabeth Morris, praying to be divorced from her husband, Thomas Morris.

8. Mr. Conner presented the petition of Rebecca Loots, praying to be divorced from her husband, Greenberry Loots.
9. Mr. Ireland presented the petition of Mary Perkins, praying to be divorced from her husband, James Perkins.

10. Mr. Bowling presented the petition of Magdalen Burks, praying to be divorced from her husband, Nathaniel D. Burks.

11. Mr. Moore presented the petition of Samuel Jarvis, praying a change of venue in the prosecution pending against him in the Knox Circuit Court for murder.

12. Mr. Cavan presented the petition of William Goins, a free man of color, and others in his behalf, praying that he be permitted to become a citizen of this State.

13. Mr. Baker presented the petition of James G. Edens, Jailer of Graves county, praying that the sum of $25 paid by him for the apprehension of a fugitive from justice, be refunded him.

14. Mr. Combs presented the petition of sundry citizens of Fayette county, praying the passage of a law incorporating a public cemetery in said county.

15. Mr. Judd presented the petition of Kinman W. Henderson, praying to be divorced from his wife, Rebecca S. Henderson.

Which were received, the reading dispensed with, and referred; the 1st, 2d, 3d, 5th, 11th and 12th to the committee on the Judiciary; the 4th to the committee on Internal Improvement; the 6th, 7th, 8th, 9th, 10th and 15th to the committee on Religion; the 13th to the committee on Claims; and the 14th to the committee on Propositions and Grievances.

Mr. Wall, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills and resolutions originating in this House of the following titles, and had found the same truly enrolled, viz:

- An act for the benefit of the officers and soldiers in the war with Mexico.
- An act to change the names of Joel R. Allcock, and others.
- An act for the benefit of Southern College.
- An act to legalize the proceedings of the November Term of the Pulaski County Court, and for other purposes.
- An act for the benefit of the Clerks of the Union County and Circuit Courts.
- An act to change the time of holding the April Term of the Union County Court.
- An act to incorporate the Franklin Institute, in the town of Lancaster.
- An act to change the names of certain citizens of Crittenden county, and for other purposes.
- An act to change the name of John M. Hall.
- An act to legalize the proceedings of the Ohio County Court.
- An act to enlarge the powers of the Board of Internal Improvement, for Graves county.
An act to change the name of Nancy J. Yates to that of Nancy J. Wilson, and for other purposes.

An act to change the name of Maria A. Peyton.

An act for the benefit of E. T. White, deputy Sheriff of Daviess county.

Resolution to appoint a committee to visit the Lunatic Asylum.

Resolution in relation to the erection of a monument to the memory of the heroes of Buena Vista.

And enrolled bills and resolutions originating in the Senate of the following titles, viz:

An act for the benefit of Wm. B. Carlisle, sheriff of Green county.

An act to exempt certain property in the town of Flemingsburg from town tax.

An act for the benefit of John Caruth, of Allen county.

An act to change the name of Elizabeth G. M. Douglas.

An act directing proclamation to be made of the readiness of the State of Kentucky to redeem her unpaid six year bonds.

An act for the benefit of William Wood, Surveyor of Clinton county, and for other purposes.

An act to amend an act for the benefit of John U. Watson and Penberton Cave, approved February 17, 1847.

An act for the benefit of Rice Maxey.

An act for the benefit of L. D. Berry, of Hickman county.

Resolutions concerning newspaper postage.

A resolution to fire a National Salute on the 8th January.

Preamble and resolutions inviting General Taylor to visit the Capital of Kentucky.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Wall inform the Senate thereof.

Mr. Combs moved the following resolutions, viz:

Resolved, That the committee on the Penitentiary ascertain and report to this House, as soon as practicable—

1. What amount the State has lost by the burning of the prison in 1844, making their estimates upon the basis of the calculation made by the Commissioners, appointed by the Commissioners of the Sinking Fund, as far as it is applicable to the subject?

2. Whether the present Keeper, and his late partner, now deceased, have been released by act of Legislature, or otherwise, from their responsibilities, or any of them, to the State in consequence of said burning?

3. Whether any of the prisoners, required by law to be kept confined in their cells, were allowed to be at large in the prison on the night of said burning? How many prisoners have escaped, and how many been killed in attempting to escape, since the prison came under control of the present Keeper, and his late partner?

4. What amounts the said Keepers have paid to the State, or to the Commissioners of the Sinking Fund, either for interest on their bond for $25,000,
or upon their guarantee to the State of at least $5,000, per annum, of profits, and how paid—in money, property, or labor of the convicts?

5. What amounts, if any, in money or property, has been loaned or given to them, and on what account, by the State?

6. What amounts have been appropriated to the Keepers to aid them in building, or to the Commissioners of the Sinking Fund, to be thus applied?

7. What is the aggregate amount lost by burning, and expended by the State, for tools, machinery, implements of trade, building, and improvements, upon the prison during the present term of lease; and that they, also, report such other facts as may enable the House fully to understand the present situation of the said Penitentiary?

8. Resolved, That the said committee report how much said Institution has paid into the Treasury, and drawn from it, the last 20 years.

9. Resolved, That the committee inquire of the present Keeper the amount of capital invested by himself, and what his profits have been since he has had it under his management.

Which being twice read, were adopted.

Mr. Speed, from the committee on the Judiciary, to whom was referred leave to bring in a bill for the benefit of William D. Mitchell, Clerk of the Circuit and County Courts of Oldham county, asked to be discharged from the further consideration thereof, which was granted.

Ordered, That said leave be referred to the committee on Ways and Means.

Mr. Speed, from said committee, to whom was referred leave to bring in a bill to prohibit all officers of Courts including attorneys at law, from becoming security in bonds executed in the Courts of which they are officers, asked to be discharged from the further consideration thereof, which was granted.

Mr. Speed, from the same committee, to whom was referred the petition of the Bar and Clerk of Fulton county, asked to be discharged from the further consideration of the same, which was granted.

Ordered, That said petition be referred to the committee on Ways and Means.

Mr. Speed, from the same committee, to whom was referred the petition of Elizabeth Voris, the petition of Elizabeth Pearcy, and the petition of David W. Maxey and Tabitha Whitman, reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. Speed, from the same committee, to whom was referred a bill to amend an act, entitled, an act to prevent the wanton destruction of Fish, reported the same without amendment.

Ordered, That said bill be referred to the committee on Propositions and Grievances.
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 authorize the County Court of Knox to appoint a Constable in the district including the town of Barbourville.

By the committee on Claims—2. A bill for the benefit of James S. Smallwood.

By the committee on the Judiciary—3. A bill allowing two additional Justices of the Peace to Muhlenburgh county.


By same—5. A bill to amend an act, entitled, an act to regulate the administration and settlement of estates, approved February 20th, 1839.

By same—6. A bill for the benefit of the widow and heirs of John Duke, deceased.

By same—7. A bill for the benefit of Keziah E. Young and Sarah Young.

By Mr. Wood—8. A bill for the benefit of the Sheriff of Hart county.

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

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 4th, 6th, 7th and 8th were severally ordered to be engrossed and read a third time; the 5th was referred to the committee on the Judiciary.

The rule of the House, constitutional provision and third reading of the 1st, 2d, 3d, 4th, 6th, 7th and 8th 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 Public Printer forthwith print 150 copies of the 5th bill for the use of the members of the General Assembly.

The House resolved itself into a committee of the whole, on the bill to modify the act of 1833, prohibiting the importation of slaves into this State, Mr. T. D. Brown, in the Chair; and after a short time spent therein, the Speaker resumed the Chair, when Mr. T. D. Brown 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.

Ordered, That the further consideration of said bill be postponed until Wednesday the 19th instant.

The amendments proposed by the Senate to a bill from this House, entitled, an act to change the names of E. H. Marrs, C. W. Marrs, and W. O. B. Marrs.
Were taken up, twice read and concurred in.

Ordered, That the amendments proposed by the Senate to a bill from this House, entitled, an act to re-take the sense of the people of this State as to the propriety of calling a convention, be referred to the committee on the Judiciary.

Bills from the Senate of the following titles, viz:
An act for the benefit of Uriah O. Huadly, and others.
An act to incorporate the Christian Church at Stanford.
An act to appoint trustees for the Ash Ridge Church and Burying Ground, in Fayette county.
An act to amend the charter of the Carlisle and Sharpsburg Turnpike Company.
An act for the benefit of Presly Steward, of Kenton county.

Were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third reading of said bills having been dispensed with,

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

Mr. Wood, from the committee on the Judiciary, to whom was referred a bill from the Senate entitled, an act limiting the jurisdiction of the General Court in certain cases, reported the same without amendment.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative, and so the said bill was disagreed to.

Mr. Barlow moved the following resolution, viz:

Resolved, That the committee on Ways and Means be instructed to enquire into the propriety of passing a law allowing compensation to jurors attending trials in all cases before Justices of the Peace, and that they report by bill or otherwise.

Which was adopted.

On motion of Mr. Combs,

Ordered, That the committee on the Judiciary be discharged from the further consideration of a bill from the Senate, entitled, an act to exempt from militia duty the volunteers in the war with Mexico, and that said bill be referred to the committee on Military Affairs.

Leave was given to bring in the following bills, viz:
On motion of Mr. Wright—1. A bill for the benefit of Reese Bourland, of Ballard county.
On motion of Mr. Carlisle—2. A bill to incorporate the Trustees and Stockholders of the Dome and Gracy Fund, in the city of Covington.
On motion of same—3. A bill to authorize the city of Covington to levy a special tax.
On motion of same—4. A bill to incorporate the Trustees of the Covington Female College.
On motion of Mr. Culton—5. A bill for the benefit of Moses Kanwood, former Sheriff of Harlan county.

On motion of same—6. A bill to increase the pay on grown wolf scalps.

On motion of same—7. A bill to increase the pay of Grand Jurors.

On motion of Mr. Boyd—8. A bill the better to protect the estates of deceased persons.

On motion of same—9. A bill for the benefit of Thaddeus Franklin, alias Thaddeus Mortimer.

On motion of Mr. Harris—10. A bill for the benefit of Susan Combs, and others.

On motion of Mr. Allin—11. A bill to amend the act to establish a Female Academy in the town of Harrodsburg, approved February 9, 1828.


On motion of Mr. Hamilton—13. A bill to amend the law regulating the duties of guardians, administrators and executors.

On motion of Mr. Wilson—14. A bill supplemental to an act, entitled, an act further to protect the rights of married women, approved February 23, 1846.

On motion of Mr. Bell—15. A bill to change a certain Constable's district in the county of Ohio.

On motion of same—16. A bill for the benefit of the officers of the 49th Regiment of Kentucky Militia.

On motion of Mr. Quarles—17. A bill to authorize the Trustees of the Somerset Academy to sell to the Trustees of Common School District No. 1, a portion of lot No. 64.

On motion of same—18. A bill for an appropriation to build a bridge across Buck creek.

On motion of Mr. Judd—19. A bill to provide for running and marking the line between the counties of Russell, Casey and Pulaski.

On motion of Mr. Blanton—20. A bill to define the limits of the town of Monterey, in Owen county.

On motion of Mr. Williams—21. A bill allowing an additional Justice of the Peace to Morgan county.

On motion of Mr. Pratt—22. A bill to amend the charter of the Western Military Institute.

On motion of Mr. Bailey—23. A bill for the of William D. Dunlap, of Shelby county.


On motion of same—25. A bill to relinquish the title of the Commonwealth in certain real estate to Trustees for school purposes.
On motion of Mr. Floyd—26. A bill to amend the jury law.

On motion of same—27. A bill to incorporate the Trustees of Liberty School House, in Trimble county.

On motion of Mr. Hughes—28. A bill to amend the law in relation to the probate of wills.

On motion of same—29. A bill for the benefit of Benjamin Berry, Jr., of Union county.

On motion of Mr. Berry—30. A bill to amend the several acts to suppress dwelling.

On motion of same—31. A bill authorizing the Court of Assessment of the 106th Regiment Kentucky Militia to hold the annual Court of Assessment on the 1st Monday in April next.

On motion of same—32. A bill for the benefit of the Clifton Guards Company.

On motion of same—33. A bill to amend the law in relation to the service of process in civil cases.

On motion of Mr. Warren—34. A bill to compensate jurors in all cases where they are compelled to attend before any Justice of the Peace.

On motion of Mr. Hanson—35. A bill to amend the charter of the Paris Fire Company.

On motion of same—36. A bill to allow the Sheriff of Bourbon county further time to return his delinquent list of muster fines.

On motion of Mr. Chilton—37. A bill for the benefit of Drury W. Taylor.

On motion of same—38. A bill for the benefit of Thomas Green.

On motion of Mr. Hogg—39. A bill for an additional Justice of the Peace and Constable for Letcher county.

On motion of Mr. Haggard—40. A bill to regulate the tolls on turnpike roads.

On motion of same—41. A bill to change the time of the meeting of the General Assembly.

On motion of same—42. A bill to reduce the salaries of the Circuit Judges and other officers.

On motion of Mr. Price—43. A bill for the benefit of Edward Darnaby, and others.

On motion of Mr. Thomas—44. A bill for the benefit of M. R. Stealey.

On motion of Mr. Smith—45. A bill for the benefit of sundry citizens of Garrard county.

On motion of Mr. Conner—46. A bill to amend the road law in Greenup county.

On motion of Mr. Holmes—47. A bill taxing pills and all other medicines brought into this State and sold by pedlars or agents.

On motion of Mr. Wood—48. A bill for the benefit of Kendrick Jameson, of Hart county.
JAN. 12.] HOUSE OF REPRESENTATIVES.

On motion of same—49. A bill to establish the town of Priceville, in Hart county, and for other purposes.

Ordered, That the committee on the Judiciary prepare and bring in the 1st, 2d, 3d, 7th, 8th, 10th, 17th, 21st, 30th, 33d, 37th and 38th; the committee on Religion the 4th; the committee on Ways and Means the 5th, 6th and 41st; Messrs. Boyd, A. Young and Wilkins the 9th; Messrs. Allin, Gaines and Garnett the 11th; Messrs. Allin, Moore and Bowen the 12th; Messrs. Hamilton, Cavan and Wood the 13th; Messrs. Wilson, Johnston and Bowen the 14th; Messrs. Bell, Forde and Wright the 15th and 16th; the committee on Internal Improvement the 18th, 40th and 48th; Messrs. Judd, Wofford and Quarles the 19th; Messrs. Blanton, J. Field and Eaker the 20th; the committee on Military Affairs the 22d, 31st and 32d; Messrs. Bailey, J. Brown and Thomas the 23d, 24th and 25th; Messrs. Floyd, Barlow and Askins the 26th; Messrs. Floyd, Gaines and J. Stevens the 27th; Messrs. Hughes, Hanson and Towles the 28th; Messrs. Hughes, Towles and T. D. Brown the 29th; Messrs. Warren, Bilderback and Conner the 34th; Messrs. Hanson, Collins and Bush the 35th and 36th; Messrs. Hogg, Culon and Pearlce the 39th; Messrs. Haggard Barlow and Garnett the 42d; Messrs. Price, Hardy and Hughes the 43d; the committee on Claims the 44th and 45th; Messrs. Conner, Grubb and Warren the 46th; Messrs. Holmes, Bush and Kerrick the 47th; and Messrs. Wood, Cavan and Hamilton the 49th.

Mr. Wintersmith moved the following resolution, viz:

Resolved, That the committee on the Judiciary enquire into the expediency of amending the laws concerning infant's real estate, so as to provide for the sale of a part of their real estate without reference to a capacity of division, or partition of the whole estate of co-heirs or co-devisees, and making the decree dependent upon the situation of the particular property sought to be disposed of, without the expensive mode of enquiring into the situation of the whole estate, real and personal.

Which being twice read was adopted.

And then the House adjourned.

WEDNESDAY, JANUARY 12, 1848.

A message was received from the Senate announcing their concurrence in the amendment proposed by this House, to a bill from the Senate, entitled, an act to change the name of William G. Musgrove.

That they had disagreed to a bill from this House, entitled, an act to authorize the taking of depositions of officers and soldiers on foreign service.
That they had passed bills from this House of the following titles, viz:

An act for the benefit of the heirs of Simeon H. Anderson, deceased.

An act for the benefit of Frederick A. Kennon and Harriet L., his wife.

An act to allow an additional Justice of the Peace to Graves county, and an additional Constable to Logan county.

An act to amend the laws in relation to the town of Bowling Green.

An act for the benefit of James T. Pettus.

An act to change the name of George Henderson Robertson, and for other purposes.

An act to authorize the Trustees of the town of Cadiz, in Trigg county, to sell certain ground.

An act continuing in force the law providing for the appointment of Commonwealth's attorneys.

An act giving the County Court of Russell power to sell a portion of lot No. —, on which the Jail is situated.

That they had passed bills of the following titles, viz:

An act authorizing the County Court of Barren to purchase a lot on which to erect a Jail, and for other purposes.

An act for the benefit of Patrick Hickman.

An act for the benefit of William T. Long, of Clinton county.

An act authorizing certain County Courts to appoint Commissioners of tax at the December term, and prescribing the further duties of Commissioners of tax.

An act to equalize the compensation for the collection of the revenue tax.

An act to facilitate the construction of the Electric Telegraph.

1. Mr. Combs presented the petition of sundry citizens of the city of Lexington, praying the passage of a law incorporating the Lexington Female Institute.

2. Mr. Railey presented the petition of St. Clair Violett, praying that the name of Benjamin Franklin Gravit be changed to that of Benjamin Franklin Violett, and that he be made his legal heir.

3. Mr. Eaker presented the petition of Jonathan Pryor, of Graves county, praying permission to import into this State, a slave.

4. Mr. Gaines presented the petition of Susan F. Norrell, praying to be divorced from her husband, Alfred Norrell.

5. Mr. Wilson presented the petition of Elizabeth Huffaker, praying to be divorced from her husband, Henry Huffaker.

6. Mr. Haggard presented the petition of Leonard Shugart, praying to be divorced from his wife, Mary Shugart.

7. Mr. Quarles presented the petition of Elizabeth Pitman, praying to be divorced from her husband, Joseph Pitman.

8. Mr. Moore presented the petition of John Ross, of Whitley county, praying an amendment to the laws in relation to the burning of the woods.
9. Mr. Boulware presented the petition of the Justices of the Madison County Court, praying the passage of a law for the improvement of certain roads in said county.

Which were received, the reading dispensed with, and referred; the 1st to the committee on Education; the 2d to the committee on the Judiciary; the 3d to Messrs. Eaker, Johnston and Bourland; the 4th 5th, 6th and 7th to the committee on Religion; the 8th to the committee on Propositions and Grievances; and the 9th to the committee on Internal Improvement.

The Speaker laid before the House the annual report of the Trustees of the Deaf and Dumb Asylum at Danville, which is as follows, viz:

[For Report—see Legislative Documents.]

Ordered, That the Public Printer forthwith print 400 copies of said report for the use of the members of this House.

The Speaker laid before the House a communication from the 1st Auditor, which is as follows, viz:

AUDITOR'S OFFICE, January 11th, 1847.

SIR: I herewith enclose to you a copy of the list of State bonds and coupons, burned on the 30th December, 1847.

Respectfully,

H. I. BODLEY, Auditor.

To the Hon. JAMES F. BUCKNER,
Speaker of the House of Representatives.

[For Report—see Legislative Documents.]

Ordered, That the Public Printer forthwith print 150 copies of said communication for the use of the members of the General Assembly.

The Speaker laid before the House the annual report of the Commissioners of the Sinking Fund, which is as follows, viz:

AUDITOR'S OFFICE, January 12, 1848.

SIR: You will please lay before the House, over which you preside, the annual report of the Commissioners of the Sinking Fund.

Respectfully,

H. I. BODLEY,
Auditor and Secretary of the Board.

To the Hon. JAMES F. BUCKNER,
Speaker of the House of Representatives.

[For Report—see Legislative Documents.]

Ordered, That the Public Printer forthwith print 150 copies of said report for the use of members of the General Assembly.

Mr. A. Young, from the committee, to whom was referred the petition of Rufus Rice, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.
On motion of Mr. Johnston leave was granted to withdraw said petition, and the same was withdrawn.

Mr. A. Young, from the same committee, to whom was referred the petition of Sarah Jane Acuff, praying to be divorced, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Mr. Johnston moved to amend said resolution by striking out "be rejected," and inserting "is reasonable."

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


The said resolution was then concurred in.

On motion of Mr. Johnston leave was given to withdraw said petition, and the same was withdrawn.
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 for the benefit of James Hamble, and for other purposes.

By the committee on Privileges and Elections—2. A bill to establish an additional precinct in Wayne county.

By the committee on Religion—3. A bill to divorce Eliza Turner.

By same—4. A bill to divorce Susanna Peters and change her name.

By same—5. A bill for the benefit of Marcus R. Hardin.

By same—6. A bill for the benefit of Nelson D. Bennett.

By same—7. A bill for the benefit of Achille Dubourg.

Which were read the first time and ordered to be read the second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st 3d, 4th, 5th and 6th were severally ordered to be engrossed and read a third time; the 2d was referred to the committee on Privileges and Elections; and the 7th to the committee on Religion.

The rule of the House, constitutional provision and third reading of the 1st, 3d, 4th, 5th and 6th bills having been dispensed with, and the same being engrossed,

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

Mr. T. D. Brown, from the committee on Ways and Means, who were appointed to prepare and bring in the same, reported a bill to repeal an act, entitled, an act to amend the revenue laws, approved March 10th, 1843.

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

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Mr. T. D. Brown moved an amendment to said bill.

And after some discussion had thereon the hour of 12 o'clock arrived, and the House proceeded to the orders of the day.

The House then, according to order, took up the bill to amend an act, entitled, an act to reduce into one the several acts exempting property from execution, and for other purposes, approved February 7, 1845.

Mr. Eaker moved to amend said bill in the first section by striking out the words "distress or," and insert after the word "debt" the words, "or fee bills."

Mr. T. D. Brown moved a division of the question.

The question was then taken upon striking out, and decided in the negative.

The yeas and nays being required thereon by Messrs. Eaker and Wintersmith, were as follows, viz:
Those who voted in the affirmative, were—

Messrs. Allin, Conner, Headley,
Askins, Dohoney, Hudson,
Ballingal, Eaker, Johnston,
Bilderback, Field, J., Judd,
Blanton, Floyd, Pearce,
Bourland, Gaines, Pratt,
Bourland, Garnett, Wolford,
Bullock, Grubb, Woosley,
Bullock, Haggard, Wright,
Conner, Hardy, Young, A.—32.
Headley,

Those who voted in the negative, were—

Mr. Speaker, Dougherty, Shawhan,
Messrs. Abell, Duncan, Short,
Bailey, Field, R. H., Smith,
Barlow, Forde, Stephens, J. N.
Beard, Grainger, Stevens, J.,
Bell, Grundy, Talbott,
Beeler, Hamilton, Taliaferro,
Berry, Harris, Thomas,
Boulware, Hogg, Turner,
Boyd, Holmes, Wall,
Brown, J., Hughes, Warren,
Brown, T. D., Ireland, White, D. P.,
Bush, Kerrick, White, M. E.,
Carlisle, Lightfoot, Williams,
Cavan, McKinney, Wilkins,
Chilton, Miller, Wilson,
Christopher, Price, Wintersmith,
Cockrell, Quarles, Wood,
Combs, Railey, Young, S.—58.

Culton,

The said bill was then amended, and as amended, reads as follows, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the passage of this act, there shall be allowed, exempt from execution, distress or attachment for debt, to each bona fide house-keeper with a family, one work beast and one side saddle, in addition to the articles now specified and allowed by law.

Sec. 2. Be it further enacted, That any mechanic who is a bona fide house-keeper, or any other bona fide house-keeper with a family, shall be permitted to select, to the amount of fifty dollars in value, from such property as said mechanic or other bona fide house-keeper may have and own, in addition to the articles now specified and allowed by law; which property, when selected and set apart, shall be allowed said mechanic, or bona fide house-keeper, exempt from execution, distress, or attachment for debt, in lieu of said additional work beast, allowed by the provisions of this act.

Sec. 3. Be it further enacted, That in all cases where any controversy shall arise between plaintiff and defendant, or officer and defendant, about
the amount of property allowed to a mechanic, or bona fide house-keeper, by the provisions of this act, in lieu of said additional work beast, it shall be determined by two disinterested house-keepers, one to be chosen by the plaintiff, or officer, and the other by the defendant: Provided, however, That the articles specified in the foregoing sections of this act, shall not be considered assets in the hands of executors or administrators.

Sec. 4. Be it further enacted, That the provisions of this act shall not be so construed as to apply to any contracts or debts entered into or created prior to the passage of this act; and that the whole amount of property allowed by this act, and an act, entitled, "an act to reduce into one the several acts exempting property from execution, and for other purposes," approved February 7, 1845, shall not exceed in value the sum of three hundred dollars: Provided, also, that the whole amount of property allowed by the acts aforesaid shall remain subject to the payment of the revenue tax and county levy.

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

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

The question was then taken on the passage of said bill, and decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker,

Those who voted in the negative, were—

Messrs. Abell, Askins, Barlow, Bilderback, Dohoney, Eaker, Forde, Haggard, Pratt, Quarles, Warren, White, D. P.
Resolved, That the title thereof be as aforesaid.

Bills from the Senate of the following titles, viz:
1. An act to facilitate the construction of the Electric Telegraph.
2. An act to equalize the compensation for the collection of the revenue tax.
3. An act authorizing the County Court of Barren county to purchase a lot on which to erect a jail, and for other purposes.
4. An act for the benefit of Patrick Hickman.
5. An act for the benefit of William T. Long, of Clinton county.
6. An act authorizing certain County Courts to appoint Commissioners of Tax at the December Term, and prescribing the further duties of the Commissioners of Tax.

Were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st was referred to the committee on Internal Improvements; the 2d and 6th to the committee on Ways and Means; the 3d was ordered to be read a third time; and the 4th and 5th were referred to the committee on the Judiciary.

The rule of the house, constitutional provision and third reading of the 3d bill having been dispensed with,

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

Ordered, That the Public Printer forthwith print 150 copies copies of the first bill for the use of the members of the General Assembly.

And then the House adjourned.

THURSDAY, JANUARY 13, 1848.

1. Mr. Bush presented the petition of Elixna House, praying to be divorced from her husband, Henry C. House.
2. Mr. Hardy presented the petition of William W. Hinds, praying to be divorced from his wife, Nancy E. Hinds.
3. Mr. Bush presented the petition of John Judy, of Clarke county, praying that he be allowed to peddle goods without obtaining a license.

4. Mr. Collins presented the memorial of sundry citizens of Maysville, praying the passage of a law allowing the citizens thereof to vote upon the question of licensing coffee houses, &c.

5. Mr. Wood presented the petition of Lewis Barrett and Martha A. Monroe, the executor and widow of Gustavus L. Monroe, deceased, praying the passage of a law authorizing said executor to rescind certain contracts made by his testator without suit for that purpose.

6. Mr. Hughes presented the petition of Gustavus V. Jones and others, praying that certain monies paid for the entry of land, be refunded to them.

7. Mr. Bailey presented the petition of sundry citizens of Christiansburg Election Precinct, in Shelby county, praying a change of the place of voting in said precinct.

Which were received, the reading thereof dispensed with, and referred:

the 1st and 2d to the committee on Religion; the 3d and 4th to the committee on Ways and Means; the 5th to the committee on the Judiciary; the 6th to the committee on Claims; and the 7th to the committee on Privileges and Elections.

A message was received from the Senate announcing the passage of a bill from this House, entitled, an act establishing the county of Taylor.

That they had passed a bill, entitled, an act for the benefit of Roberson Brown, of Allen county.

A message was received from the Governor, by the Secretary of State, announcing that he had approved and signed enrolled bills and a resolution originating in this House, of the following titles, viz:

An act to change the name of Maria A. Peyton.

An act for the benefit of the officers and soldiers in the war with Mexico.

An act to change the names of certain citizens of Crittenden county, and for other purposes.

An act to change the name of Nancy J. Yates to that of Nancy J. Wilson, and for other purposes.

An act for the benefit of Southern College.

An act to change the time of holding the April Term of the Union County Court.

An act to change the name of John M. Hall.

An act to legalize the proceedings of the Ohio County Court.

Resolution to appoint a committee to visit the Lunatic Asylum.

Approved January 12, 1848.

Mr. J. Brown moved the following resolution, viz:

WHEREAS, by act of Assembly, approved 23d February, 1846, H. I. Bodley, Thos. D. Tilford and Thos. S. Page, were appointed Commissioners dur-
ing the year 1846, to audit and settle the accounts of the Board of Internal Improvement, which was not done; and whereas, by an act of Assembly, approved 30th January, 1847, the said Bodley, Tillord and Page were again appointed for the same purpose, during the year 1847, still the settlement has not been made; and as it seems by the letters from said Commissioners, communicated to the General Assembly, through his Excellency, the Governor, stating in substance, that said settlement has not been made, because the reports have not been prepared by the Board for the examination of the Commissioners appointed aforesaid. Therefore—

Be it resolved, That the Board of Internal Improvement report to this House, forthwith, the reason why said report has not been made out and submitted to the Commissioners appointed as aforesaid, for settlement.

Which being twice read was adopted,

On motion of Mr. Wintersmith,

Resolved, That the use of this Hall be tendered to Mr. J. H. Green on Friday evening next, for the purpose of delivering a lecture on the evils and frauds of professional gambling.

The House again resumed the consideration of the bill to repeal an act, entitled, an act to amend the revenue laws, approved March 10th, 1843, and the amendment proposed by Mr. T. D. Brown.

On motion of Mr. Collins,

Ordered, That said bill and amendment be referred to a committee of the whole for Saturday next.

Mr. T. D. Brown, from the committee on Ways and Means, to whom was referred the resolution instructing them to inquire into the propriety of allowing compensation to jurors attending trials before Justices of the Peace, asked to be discharged from the further consideration of the same, which was granted.

Mr. T. D. Brown, from the same committee, to whom was referred the petition of Charles R. Palmore, asked to be discharged from the further consideration of the same, which was granted.

Ordered, That said petition be referred to the committee on Claims.

Mr. T. D. Brown, from the same committee, to whom was referred a bill from the Senate, entitled, an act to amend an act, entitled, an act to authorize the Auditor to correct certain mistakes and to issue warrants on the Treasury in certain cases, approved January 23, 1813, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

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

Mr. McKinney, from the committee on Enrollments, reported that the committee had examined an enrolled bill, entitled, an act to establish the county of Taylor, and had found the same truly enrolled.
Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. McKinney inform the Senate thereof.

A message was received from the Senate, announcing that they had passed a bill, entitled, an act for the benefit of John Wright and Elizabeth, his wife.

And a resolution concerning the committee on Banks.

Mr. Harris, from the committee on Ways and Means, reported a bill authorizing the 2d Auditor to offer premiums for the best Commissioners' books returned to his office, which was read the first time as follows, viz:

SEC. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of $100, yearly, is hereby appropriated for premiums to be awarded to the Clerks of the County Courts, for the best Commissioners' books of taxable property, to be yearly returned to the 2d Auditor's office; and the 2d Auditor is hereby authorized to issue his warrant on the Treasury for the same, to be expended by said Auditor in suitable premiums for the purpose aforesaid, by and with the consent and approbation of the Governor for the time being.

SEC. 2. The Governor, Secretary of State, First Auditor, Treasurer, and Register of the Land Office, and their successors in office, are hereby appointed a committee to examine said Commissioners' books and award the premiums aforesaid, and it shall be the duty of the 2d Auditor, as soon as the books are calculated and examined at his office, to give notice to the committee hereby appointed, who shall take into consideration the size and neatness of the book, the handwriting, and the correctness of the calculations, before making out their awards.

Mr. Wright moved to lay said bill on the table.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, Grainger, Talbutt,
Messrs. Allin, Harris, Taliaferro,
Bailey, Lightfoot, Thomas,
Brown, J., McReynolds, Wintersmith,
Brown, T. D., Smith, Wood,
Conner, Speed, Young, A.—19.
Eaker,

Mr. Collins, from the committee on Internal Improvement, to whom was referred the bill to improve the navigation of Licking river between Lot Adams' Mill and the mouth of Slate, reported the same with an amendment.

Which was concurred in.

 Ordered, That said be referred to a committee of the whole House for Tuesday next.

Bills from the Senate of the following titles, viz:
1. An act for the benefit of Roberson Brown, of Allen county.
2. An act for the benefit of John Wright and Elizabeth, his wife.

Were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st was ordered to be read a third time, and the 2d was referred to the committee on Religion.

The rule of the House, constitutional provision and third reading of the 1st bill having been dispensed with,

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

A message was received from the Governor by Mr. Reed, Secretary of State, announcing that he had on this day, approved and signed an enrolled bill which originated in this House, entitled, an act to establish the county of Taylor.

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— 1. A bill allowing additional compensation to commissioners of tax.

By same— 2. A bill for the benefit of the Clerk of the Fulton County Court.
By same—3. A bill for the benefit of Moses Canwood, late Sheriff of Harlan county.

By the committee on Internal Improvement—4. A bill authorizing the construction of a turnpike road from the town of Oregon, on the Kentucky river, to the Louisville and Crab Orchard road.

By same—5. A bill to authorize Thomas Bratcher to raise his mill dam, on Caney Creek, in Grayson county.

By the committee on Education—6. A bill for the benefit of certain Common School districts.

By the committee on Military Affairs—7. A bill for the benefit of the Clifton Guards, in Woodford county.

By same—8. A bill authorizing the Court of Assessment, for the 106th Regiment of Kentucky Militia, to hold a court on the first Monday in April.

By same—9. A bill to amend an act, entitled, an act to incorporate the Faculty of the Western Military Institute.

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

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st was referred to the committee on Ways and Means; the 2d, 3d, 5th, 6th, 7th, 8th and 9th were severally ordered to be engrossed and read a third time, and the 4th was referred to a committee of the whole House, and made the special order of the day for Tuesday next.

The rule of the House, constitutional provision and third reading of the 2d, 3d, 5th, 6th, 7th, 8th and 9th 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 Public Printer forthwith print 150 copies of the 1st bill for the use of the members of the General Assembly.

Mr. Hughes, from the committee on the Sinking Fund, reported a bill for the benefit of John Culver, of Nelson county, which was read the first time.

And the question being taken on ordering said bill to be read a second time, it was decided in the negative, and so the said bill was rejected.

And then the House adjourned.
FRIDAY, JANUARY 14, 1848.

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 Martin Draper, late Sheriff of Grant county.
An act for the benefit of the widow and heirs of John Duke, deceased.
An act for the benefit of Keziah E. Young and Sarah Young.
An act for the benefit of the Sheriff of Hart county.

That they had passed bills of the following titles, viz:

An act to incorporate the Richmond Cemetery Company.
An act authorizing the Secretary of State to furnish the State of Florida with certain reports of the appellate court.
An act to amend the charter of the Covington and Lexington Turnpike Road Company.

An act to amend an act, entitled, an act to incorporate the Dry Run and Covington Turnpike Road Company.
An act to add an additional term to the Allen Circuit Court.
An act to change the law on filing bills of revivor in chancery.
An act for the benefit of Joseph Hinkle, of Muhlenburg county.
An act for the benefit of the Common School Commissioners in Mercer county.

That they had received official information from the Governor that he had approved and signed enrolled bills originating in the Senate of the following titles, viz:

Resolutions concerning newspaper postage.
An act for the benefit of John Caruth, of Allen county.
An act for the benefit of L. D. Berry, of Hickman county.
A resolution to fire a National Salute on the 8th January.
An act to amend an act for the benefit of John U. Watson and Pemberton Cave, approved February 17, 1847.
An act to change the name of Elizabeth G. M. Douglas.
An act directing proclamation to be made of the readiness of the State of Kentucky to redeem her unpaid six year bonds.

Preamble and resolutions inviting General Taylor to visit the Capital of Kentucky. Approved January 13, 1848.

1. Mr. Berry presented the petition of sundry citizens of the town of Clifton, in Woodford county, praying that said town be incorporated.
2. Mr. Coleman presented the petition of sundry citizens of Crittenden county, praying that an additional Justice be allowed to said county.
3. Mr. Chilton presented the petition of William Forston, praying that permission be given him to import into this State a slave.
4. Mr. Grundy presented the petition of sundry citizens of Washington county, praying the passage of a law incorporating a Turnpike Road Company, for the construction of a turnpike road from Springfield to Danville.

5. Mr. Duncan presented the petition of John Atkinson, praying that certain taxes paid by him upon the lot and premises belonging to the Bardstown Female Seminary, may be refunded to him.

6. Mr. J. N. Stephens presented the petition of sundry citizens of Boone county, praying a revision of the patrol laws.

7. Mr. S. Young presented the petition of Maria M. Gillis, praying to be divorced from her husband, John Gillis.

8. Mr. Garnett presented the petition of John Ferman, praying the passage of a law re-investing him with the title to certain lands conveyed by him in trust, for the use of his wife, or authorizing a sale thereof.

9. Mr. Haggard presented the petition of the Cumberland County Court, praying that the expenses incurred in employing guards, in guarding a criminal confined in the Jail of said county, may be paid out of the Treasury.

Which were received, the reading thereof dispensed with, and referred; the 1st, 3d, 6th, 8th and 9th to the committee on the Judiciary; the 2d to the committee on Propositions and Grievances; the 4th to the committee on Internal Improvement; the 5th to the committee on Claims; and the 7th to the committee on Religion.

The Speaker laid before the House the annual report of the Trustees of the Cumberland Hospital, which is as follows, viz:

Report of the Trustees of the Cumberland Hospital, to the General Assembly of Kentucky, January 1, 1848.

CUMBERLAND HOSPITAL, Cr.
By Legislative appropriation for 1847, $1,800 00
By cash from the United States Treasury, 880 00
By cash from deceased persons, 13 55

$2,693 55

CUMBERLAND HOSPITAL, Dr.
To balance due last report, $ 276 96
To this sum paid Thomas McCormick, for 289 4-7 weeks board, and attendance on patients admitted, at $3 50 per week, 1,011 50
To same, for 13 burials, at $6 per burial, 78 00
To same, for washing 176½ dozen, at 50 cents, 88 13
To same, for taking care of 2 men, and furnishing private hospital, with the small-pox, 99 days at $2 per day, 198 00
To same, for white-washing Hospital buildings, 10 00

$1,662 59 $2,693 55
Amounts brought forward, $1,662.59
To same for suet and funnel, 60
To D. B. Sanders, M. D., for his services for 1847, 300.00
To Rupert & Lindenberger for medicines got in 1846, 178.64
To same, for medicines in 1847, 131.02
To same, paid for a complete set of fixtures for curing broken limbs, 25.00
To W. Gordon, his account, 17.50
To J. W. Mills, for wine, oil, &c., 14.71
To W. Smedley & Co's bill, 3.25
To H. F. Given & Co's bill, 18.45

$2,351.76
$341.79

It will be seen from the foregoing statement, that there is left in the hands of the Trustees, the sum of $341.79 of the funds of the Institution unexpended.

The usual annual appropriation of $1,500, with the sum on hand, and that expected from the Treasury of the United States, it is presumed will be sufficient to defray the necessary expenses of the Institution for the present year.

There have been received into the Hospital seventy-eight patients, of whom thirteen have died and four are now remaining, and the others have been discharged cured.

Respectfully submitted,

WM. GORDON,
H. F. GIVEN,
H. C. HODGE,
WM. SMEDLEY,
Trustees of Cumberland Hospital.

Ordered, That said report be referred to the committee on Claims.

Mr. Bush moved the following resolutions, viz:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of enacting a general law in relation to divorces, providing for all manner of cases that may arise, and investing the judicial tribunals with jurisdiction to grant the proper relief, and make proper degrees and orders in relation to the custody of the children.

That the said committee be further instructed to inquire into the expediency of enacting a law to divorce either party, where the other has been heretofore divorced.

That the said committee be further instructed to inquire into the expediency of enacting a general law, investing the judicial tribunals with jurisdiction to change the names of all persons divorced, also to change the names and legitimate any child or children born out of lawful wedlock.

Which being twice read, were adopted.

Mr. Wintersmith, from the committee on Federal Relations, to whom was referred the petition of Leonard Jones, asked to be discharged from the further consideration of the same, which was granted.
Mr. J. N. Stephens, from the committee on Propositions and Grievances, to whom was referred a bill to remove the seat of Justice of Mason county, from the town of Washington to the city of Maysville, reported the same without amendment.

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

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.

Mr. Combs, from the committee on the Judiciary, to whom was referred the amendment proposed by the Senate to a bill from this House, entitled, an act to re-take the sense of the people of this State, as to the propriety of calling a Convention, reported the same without amendment.

Ordered, That said amendment, proposed by the Senate, be concurred in.

Mr. Combs, from the same committee, to whom was referred bills from the Senate of the following titles, viz:

An act for the benefit of the heirs of David Mize, deceased.
An act for the benefit of the children of Thomas D. Helm, deceased.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

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

Mr. Combs, from the committee on the Judiciary, to whom was referred the petition of John Livingston, the petition of Lavinia Wilson, and the petition of the heirs of Cynthia Riley, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

On motion of Mr. Christopher leave was granted to withdraw the petition of John Livingston, and the same was withdrawn.

Mr. Combs, from the same committee, to whom was referred a resolution instructing them to inquire into the propriety of repealing the law allowing pay for slaves executed, asked to be discharged from the further consideration of the same, which was granted.

Mr. Towles, from the committee on the Judiciary, to whom was referred the following bills, viz:

A bill to incorporate the Stickney Mining Company, of Crittenden county.
A bill to incorporate the Columbian Mining Company, of Crittenden county.

Reported the same without amendment.
Ordered, That said bills be engrossed and read a third time.

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.

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 for the benefit of the Sheriff of Floyd county.

By the committee on the Judiciary—2. A bill to amend the law incorporating the town of Proctor in the county of Owsley.

By same—3. A bill to authorize the city of Covington to levy a special tax.

By same—4. A bill for the benefit of Jannette Cornell.

By same—5. A bill directing a change of venue to Henry S. Logan and Benjamin Raburn.

By same—6. A bill to amend the several acts to suppress duelling.

By same—7. A bill more effectually to suppress gambling.

By same—8. A bill to increase the compensation of Grand Jurors.

Were read the first time and ordered to be read a second time:

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 4th, 5th and 6th were severally ordered to be engrossed and read a third time; the 7th was referred to the committee on the Judiciary; and the 8th to the committee on Ways and Means.

The rule of the House, constitutional provision and third reading of the 1st, 2d, 3d, 4th, 5th, and 6th 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 Public Printer forthwith print 150 copies of the 7th bill for the use of the members of the General Assembly.

Mr. Cavan, from the committee on the Judiciary, reported a bill for the benefit of William Goins, a free man of color.

Which was read the first time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That William Goins, a free man of color, now residing in the State of Virginia, who owns lands in Morgan county, in this State, shall be allowed to remove to and reside in this State, without incurring the penalty of any law prohibiting the migration of free persons of color to this State.

Mr. Gaines moved to lay said bill on the table.

And the question being taken thereon it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Gaines and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell, Askins, Bailey, Ballingal, Barlow, Beard, Bell, Beeler, Berry, Bilderback, Blanton, Bourland, Bouware, Bowen, Boyd, Brown, J. Brown, T. D. Bullock, Bush, Carlisle, Chilton, Christopher, Cockrell, Coleman, Conner, Doboney,

Dougherty, Eaker, Field, J., Field, R. H., Floyd, Forde, Gaines, Garnett, Grainger, Grubb, Grundy, Haggard, Hamilton, Hardy, Hatfield, Headley, Holmes, Hudson, Hughes, Ireland, Johnston, Judd, Kerrick, Lightfoot, McKinney, Miller,


Those who voted in the negative, were—

Mr. Speaker, Messrs. Cavan, Collins, Duncan, Hogg, McReynolds, Pearce, Pratt,

Towles, Wood, Young, S.—11.

The House then took up the resolution from the Senate concerning the committee on Banks.

The said resolution was then amended.

On motion of Mr. Chilton,

Ordered, That said resolution be laid on the table.

Bills from the Senate of the following titles, viz:

1. An act to incorporate the Richmond Cemetery Company.
2. An act authorizing the Secretary of State to furnish the State of Florida with certain reports of the Appellate Court.
3. An act to amend the charter of the Covington and Lexington Turnpike Road Company.
4. An act to amend an act, entitled, an act to incorporate the Dry Run and Covington Turnpike Road Company.
5. An act to add an additional term to the Allen Circuit Court.
6. An act to change the law on filing bills of revivor in chancery.
7. An act for the benefit of Joseph Hinkle, of Muhlenburg county.
8. An act for the benefit of the Common School Commissioners in Mercer county.

Were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 5th and 6th were referred to the committee on the Judiciary; the 2d was ordered to be read a third time; the 3d and 4th were referred to the committee on Internal Improvement; the 7th to the committee on Claims; and the 8th to the committee on Education.

The rule of the House, constitutional provision and third reading of the 2d bill having been dispensed with,

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

Mr. Speed, from the committee on the Judiciary, reported a bill to change the time of holding the Christian Circuit and County Courts.

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

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Ordered, That said bill be referred to a committee of the whole House for this day.

Whereupon, the House resolved itself into a committee of the whole on said bill; Mr. T. D. Brown in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. T. D. Brown reported that the committee had, according to order, had the said bill under consideration, and had instructed him to report the same to the House without amendment.

Ordered, That the said bill be referred to the committee on the Judiciary.

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

On motion of Mr. Haggard—1. A bill further to suppress the practice of duelling.

On motion of Mr. Forde—2. A bill to remove obstructions to the navigation of Barren river, above Martinsville, in Warren county.

On motion of Mr. Hughes—3. A bill to create one Grand and nine Subordinate Boards of Physicians, and for other purposes.

On motion of Mr. Cockrell—4. A bill concerning the 10th and 11th Judicial Districts.

Ordered, That Messrs. Haggard, Barlow and Bell prepare and bring in the 1st; the committee on Internal Improvement the 2d; Messrs. Hughes, T. D. Brown, Hanson and Collins the 3d; and the committee on the Judiciary the 4th.

And then the House adjourned.
A message was received from the Senate announcing their disagreement to a bill from this House, entitled, an act to divorce Susanna Peters and change her name.

That they had passed bills from this House of the following titles, viz:
- An act to amend the road law in the county of Trimble.
- An act for the benefit of Benjamin Collins.
- An act to divorce Eliza Turner.
- An act for the benefit of James S. Smallwood.
- With an amendment to the last named bill.

That they had passed bills of the following titles, viz:
- An act authorizing certain deed books of the Logan County Court to be transcribed.
- An act for the benefit of Benjamin W. Burge, of Warren county.

1. Mr. Holmes presented the petition of sundry citizens of Hancock and Breckinridge counties, praying a change in the time of holding the Hancock Circuit Court.

2. Mr. Dougherty presented the petition of Eliza Cowen, praying to be divorced from her husband, John Cowen.

3. Mr. Hardy presented the petition of Thomas H. Hord and Elizabeth his wife, praying that the said Elizabeth, who is under age, be made capable of joining her husband in the conveyance of a tract of land.

4. Mr. Johnston presented the petition of Thomas A. Frizzell, of Marshall county, praying the passage of a law authorizing a change in a State road passing through his land.

5. Mr. Bowen presented the petition of Volney Bedford and Rachael his wife, praying to be divorced from each other.

6. Mr. Judd presented the petition of Franklin Darnell, praying to be divorced from his wife, Keziah A. Darnell.

7. Mr. Taliaferro presented the petition of Mary D. Mosby, praying to be divorced from her husband, Daniel B. Mosby.

8. Mr. Price presented the petition of William B. Price, Ann Price, and Eliza Ellis, praying the passage of a law authorizing the sale of certain real estate belonging to said Ann, who is an infant.

Which were severally received, the reading dispensed with, and referred; the 1st, 3d and 8th to the committee on the Judiciary; the 2d, 5th, 6th and 7th to the committee on Religion; and the 4th to the committee on Internal Improvement.
Mr. John M. Elliott, the member returned to serve in this House from the counties of Floyd, Pike and Johnston, appeared, produced a certificate of his election, and having taken the oath required by the Constitution of the United States, and the Constitution and Laws of this State, took his seat.

Mr. McKinney, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act to amend an act, entitled, an act authorizing the Auditor to correct certain mistakes and to issue warrants on the Treasury in certain cases, approved January 23, 1813.

An act for the benefit of Uriah O. Hantly, and others.

An act to incorporate the Christian Church at Stanford.

An act to appoint trustees for the Ash Ridge Church and Burying Ground, in Fayette county.

An act for the benefit of Mary C. Parker.

An act to change the name of William G. Musgrove, and for other purposes.

An act to amend the charter of the Carlisle and Sharpsburg Turnpike Company.

An act for the benefit of Presley Steward, of Kenton county.

An act authorizing the County Court of Barren to purchase a lot on which to erect a Jail, and for other purposes.

An act for the benefit of Roberson Brown, of Allen county.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. McKinney inform the Senate thereof.

On motion of Mr. Combs,

Resolved, That this Chamber be tendered to Gen. Cary on next Monday evening, to deliver a lecture on temperance and the general traffic in spirituous liquors.

The Speaker laid before the House a report from the Secretary of State, which is as follows, viz:

SECRETARY’S OFFICE,  
Frankfort, January 15th, 1847.

To the Speaker of the House of Representatives:

Sir—In compliance with the 7th section of an act of the last session of the General Assembly, providing for taking the sense of the people of Kentucky on the propriety of calling a Convention to amend the State Constitution—and in compliance with the resolutions of the House of the 3d inst., I have the honor to report the lists of all citizens of Kentucky entitled to vote for Representatives; and also a table showing, in parallel columns, the aggregate number of qualified voters in the State, and the aggregate number who voted in favor of calling a Convention, at the last August elections.

Very respectfully,

W. D. REED, Secretary.
Aggregate number of voters in each county in Kentucky, entitled to vote for Representatives; and, also, the aggregate number of all the citizens who voted, at the last August election, for calling a Convention to amend the State Constitution.

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Respectfully submitted,

SECRETARY'S OFFICE, January 15th, 1848.

W. D. REED, Secretary.

A message was received from the Senate, by Mr. Slaughter, asking leave to withdraw their report announcing their disagreement to a bill from this House, entitled, an act to divorce Susannah Peters and change her name, which was granted, and the same was withdrawn.

Mr. Wall, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in this House of the following titles, and had found the same truly enrolled, viz:
An act for the benefit of Edward B. Gibson, of Simpson county.
An act to allow an additional Justice of the Peace to Graves county, and an additional Constable to Logan county.
An act to change the names of E. H. Marrs, C. W. Marrs, and W. O. B. Marrs, and others.
An act to incorporate the town of West Point, in Hardin county.
An act for the benefit of the heirs of Simeon H. Anderson, deceased.
An act to change the names of E. H. Marrs, C. W. Marrs, and W. O. B. Marrs, and others.
An act to incorporate the town of West Point, in Hardin county.
An act to allow an additional Justice of the Peace to Graves county, and an additional Constable to Logan county.
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An act for the benefit of Simeon H. Anderson, deceased.
An act to change the names of E. H. Marrs, C. W. Marrs, and W. O. B. Marrs, and others.
An act to incorporate the town of West Point, in Hardin county.
An act to allow an additional Justice of the Peace to Graves county, and an additional Constable to Logan county.
An act to change the names of E. H. Marrs, C. W. Marrs, and W. O. B. Marrs, and others.
An act to incorporate the town of West Point, in Hardin county.
An act for the benefit of Edward B. Gibson, of Simpson county.
By Mr. Bailey—13. A bill relinquishing the title of the Commonwealth to certain real estate to trustees for school purposes.

By Mr. Haggaard—14. A bill to repeal in part and amend in part, an act, entitled, an act further to protect the rights of married women.

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

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 3d, 7th, 8th, 9th, 10th and 12th were severally ordered to be engrossed and read a third time; the 2d, 4th, 5th, 6th and 11th was referred to the committee on the Judiciary; the 13th to the committee on Ways and Means; and the 14th was made the special order for Thursday next.

The rule of the House, constitutional provision and third reading of the 1st, 3d, 7th, 8th, 9th, 10th and 12th 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 Public Printer forthwith print 150 copies of the 14th bill for the use of the members of the General Assembly.

Mr. Hughes, from the committee appointed to prepare and bring in the same, reported a bill for the benefit of Benjamin Berry, Jr., of Union county, which was read the first time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall and may be lawful for Benjamin Berry, Jr., of Union county, to purchase and import into this Commonwealth ten negro slaves, without incurring any of the pains and penalties of the laws now in force: Provided, however, that said Berry shall, within sixty days after said slaves shall be imported, make oath before a Justice of the Peace of Union county, that said slaves have been imported into this Commonwealth for his own use and not for sale as merchandise, which certificate shall be recorded in the Union County Court Clerk's Office.

Ordered, That said bill be read a second time.

The rule of the house, constitutional provision and second reading of said bill having been dispensed with,

Mr. Beard moved to lay said bill on the table.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, Messrs. Bailey, Ballingal, Beard, Beeleer, Berry, Combs, Culion, Dougherty, Floyd, Garnett, Grainger, Pearce, Pratt, Price, Bailey, Shawhan, Speed,
JAN. 15.]

HOUSE OF REPRESENTATIVES.

Stephens, J. N.
Talbutt,
Thomas,
Turner,
Warren,
Wood,
Wolford—39.

Those who voted in the negative, were—

Messrs. Abell,
Barlow,
Bell,
Blanton,
Bourland,
Bowen,
Bowling,
Brown, T. D.
Chilton,
Cockrell,
Coleman,
Collins,
Conner,
Dohoney,
Duncan,
Eaker,
Elliott,
Elliott,
Field, J.
Field, R. H.
Forde,
Gaines,
Grundy,
Haggard,
Haifeild,
Headley,
Hogg,
Holmes,
Hudson,
Hughes,
Ireland,
Lightfoot,
McKinney,
Moore,
Quarles,
Field, J.
Field, R. H.
Forde,
Gaines,
Grundy,
Haggard,
Haifeild,
Headley,
Hogg,
Holmes,
Hudson,
Hughes,
Ireland,
Lightfoot,
McKinney,
Moore,
Quarles,

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

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

The question was then taken on the passage of said bill, and decided in the negative, and so the said bill was rejected.

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

Those who voted in the affirmative, were—

Messrs. Abell,
Barlow,
Bell,
Blanton,
Bourland,
Bowen,
Boyd,
Brown, T. D.
Chilton,
Cockrell,
Coleman,
Conner,
Dohoney,
Duncan,
Eaker,
Those who voted in the negative, were—

Mr. Speaker, Combs, Price,
Mesrs. Askins, Culton, Railey,
Bailey, Dougherty, Shawhan,
Ballingal, Floyd, Speed,
Beard, Garnett, Stephens, J. N.
Beeler, Grainger, Talbutt,
Berry, Grubb, Thomas,
Bilderback, Hamilton, Turner,
Boulware, Hardy, Warren,
Bowling, Johnston, White, M. E.
Brown, J. Kerrick, Wilkins,
Bullock, McReynolds, Wintersmith,
Bush, Miller, Wood,
Carlisle,Pearce, Wolford,
Cavan, Pratt, Young, A.—46,
Collins,

And then the House adjourned.

MONDAY, JANUARY 17, 1848.

A message was received from the Senate, announcing the passage of bills from this House, of the following titles, viz:

An act to divorce Susannah Peters and change her name.
An act for the benefit of Marcus R. Hardin.
An act for the benefit of certain Common School Districts.
An act to amend an act, entitled, an act to incorporate the Faculty of the Western Military Institute.
That they had passed bills of the following titles, viz:
An act to incorporate the Lexington and Newtown Turnpike Road Company.
An act to incorporate the Trustees of the Bethlehem Cumberland Presbyterian Church, in Caldwell county.
An act for the benefit of Calvin and Mary Johnson, of Clinton county, and Elizabeth Ann Deacon, of Bullitt county.
1. Mr. Judd presented the petition of Ira H. George and William George, praying a change of venue in the prosecution against them in the Russell Circuit Court for murder.
2. Mr. Dougherty presented the petition of sundry citizens of Pendleton county, praying the establishment of a State road from the residence of Thomas Dance to Knoxville in said county.
3. Mr. Wolford presented the petition of Joel Sweeney, Clerk of the Casey County Court, praying that he be released from the payment of a sum of money omitted to be collected by him for a pedlar's license.

4. Mr. Barlow presented the petition of Radford Maxey, guardian of J. B. Embree, praying the passage of a law authorizing a sale of real estate belonging to his ward.

5. Mr. Williams presented the petition of William Lykins, praying that compensation be made him for taking care of an idiot.

6. Mr. Dohoney presented the petition of sundry citizens of Adair county, praying for an appropriation to build a bridge across Salt river at its mouth.

7. Mr. T. D. Brown presented the petition of sundry citizens of Hardin county, praying a change in the place of voting in an election precinct in said county.

Which were received, the reading thereof dispensed with, and referred; the 1st, 3d and 4th to the committee on the Judiciary; the 2d and 6th to the committee on Internal Improvement; the 5th to the committee on Claims; and the 7th to the committee on Privileges and Elections.

A message was received from the Governor, by Mr. Reed, 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 change the name of George Henderson Robertson, and for other purposes.
An act for the benefit of James T. Pettus.
An act to change the names of E. H. Marrs, C. W. Marrs, and W. O. B. Marrs, and others.
An act to amend the laws in relation to the town of Bowling Green.
An act for the benefit of the heirs of Simeon H. Anderson, deceased.
An act authorizing the Trustees of the town of Cadiz, in Trigg county, to sell certain ground.
An act to allow an additional Justice of the Peace to Graves county, and an additional Constable to Logan county.
An act for the benefit of Frederick A. Kennon and Harriet L., his wife.
An act continuing in force the law providing for the appointment of Commonwealth's Attorneys.
An act giving the County Court of Russell power to sell a portion of lot No. —, on which the Jail is situated.

Approved January 15, 1848.

Mr. Hanson asked to be discharged from serving on the committee of the Judiciary, which was granted.
The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Smith—1. A bill to provide for the construction of an additional Lock and Dam on the Kentucky river.

By Mr. Taliaferro—2. A bill to improve the navigation of Licking river from Lock No. 1 to Lock No. 5, &c.

By Mr. Bailey—3. A bill for the benefit of William B. Dunlap, of Shelby county.

By Mr. Taliaferro—4. A bill for the benefit of the Clerk of the Campbell Circuit Court.

By Mr. Miller—5. A bill for the benefit of the Church of Christ, on Chenowith's run, in Jefferson county.

By Mr. Bowen—6. A bill to extend Canal street, in the town of Harrodsburg.

By Mr. Dohoney—7. A bill for the benefit of John H. Breeding and wife, and for other purposes.

By Mr. Dougherty—8. A bill to amend the road law of Pendleton county.

By Mr. Bell—9. A bill to enlarge the Constable's district including the town of Hartford, in Ohio county.

By Mr. Hardy—10. A bill to amend the militia laws.

By Mr. Blanton—11. A bill to legalize the laying off and surveying the town of Monterey, and to change the place of voting.

By Mr. Floyd—12. A bill to incorporate the Trustees of Liberty School House, in Trimble county.

By Mr. Smith—13. A bill to amend the law in relation to taking depositions in actions at law.


By Mr. Price—15. A bill for the benefit of Edward Darnaby.

By Mr. Speed—16. A bill to amend the charter of the Louisville Turnpike Company, and the Shelbyville Turnpike Road Company.

By Mr. Bowling—17. A bill to amend an act, entitled, an act to construct a road from Rochester, at the mouth of Muddy river, in Butler county, to Russellville, in Logan county.

By Mr. Boyd—18. A bill to change the name of Thaddeus Franklin to that of Thaddeus Mortimer.

By Mr. Holmes—19. A bill to increase the revenue.

By Mr. Hogg—20. A bill to change the names of certain persons.

By same—21. A bill allowing the county of Letcher an additional Justice of the Peace and Constable, and for other purposes.

By Mr. Hughes—22. A bill for the benefit of Julia Ann Dickson Thomas-son.
By same—23. A bill for the benefit of George W. Riddle and William Harman.

By same—24. A bill to amend the law in relation to the probate of wills.

By the committee on the Judiciary—25. A bill for the benefit of the mechanics of Fayette, Hart, Henderson and Anderson counties.

By same—26. A bill for the benefit of Samuel Jarvis.

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

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 2d, 16th and 17th were referred to the committee on Internal Improvement; the 3d, 6th, 7th, 8th, 9th, 11th, 12th, 14th, 15th, 20th, 21st, 22d, 25th and 26th were severally ordered to be engrossed and read a third time; the 4th and 23d were referred to the committee on Claims; the 5th, 13th, 15th and 24th to the committee on the Judiciary; the 10th to the committee on Military Affairs; the 19th to the committee on Ways and Means.

The rule of the House, constitutional provision and third reading of the 3d, 6th, 7th, 8th, 9th, 11th, 12th, 14th, 15th, 20th, 21st, 22d, 25th and 26th bills having been dispensed with, and the same being engrossed,

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

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

On the motion of Mr. Hughes—1. A bill for the benefit of the Christian Church at Morganfield.

On the motion of Mr. Hardy—2. A bill to amend the laws concerning processioning lands, and to perpetuate evidences of land boundaries.

On the motion of Mr. Pratt—3. A bill to charter a company to construct a turnpike road from the Stamping Ground to the Frankfort and Georgetown road.

Ordered, That Messrs. Hughes, Towles and T. D. Brown prepare and bring in the 1st; the committee on the Judiciary the 2d; and the committee on Internal Improvement the 3d.

Mr. Combs, from the committee on the Judiciary, to whom was referred the petition of sundry citizens of Barren county, and the petition of the Bar of Green Circuit Court, praying a change of the 8th and 18th judicial districts, reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. Combs, from the same committee, to whom was referred a bill giving an action of trespass to the widow and infant children of persons killed, reported the same without amendment.

The said bill was then amended.

Ordered, That the further consideration of said bill be postponed until Thursday next, and that it be made the special order for that day, and
that the Public Printer forthwith print 150 copies of said bill for the use of the members of the General Assembly.

Mr. Chilton moved a reconsideration of the vote laying on the table a resolution from the Senate concerning the committee on Banks.

And the question being taken thereon it was decided in the affirmative. The said resolution as amended reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the joint committee on Banks be directed to visit, in person, the several Banks in Louisville and Lexington, if in the discharge of their duties they shall deem it necessary.

The question was then taken on concurring in said resolution as amended, and decided in the affirmative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—

The Speaker laid before the House a communication from A. W. Dudley, which is as follows, viz:

FRANKFORT, January 17, 1848.

THE HON. JAMES F. BUCKNER,
Speaker of the House of Representatives.

SIR: On the 20th of July last, the remains of the gallant officers and soldiers of Kentucky, who fell at the memorable battle of Buena Vista, were interred, with appropriate honors, in the Cemetery at this place. As nearly as could be estimated, 20,000 citizens assembled from various parts of the State, and united, on that day, to pay this last tribute of respect, and to consign to the bosom of their beloved Kentucky the remains of those who had so bravely sustained her banner in the field, and sealed their patriotism with their blood.

The enclosed preamble and resolutions were unanimously adopted by the citizens then assembled; and, in discharge of my duty as "Chief Marshal" of the day, I have the honor, herewith, to enclose them to you, that they may thus be laid before the honorable body over which you preside.

I have the honor to be,
Most respectfully
Your obedient servant,
A. W. DUDLEY.

WHEREAS, The people of Kentucky, feeling just pride in being among the first at all times to maintain the honor, and to defend the rights of our common country, responded promptly to her call for that purpose so soon as it was known she was engaged in a war with Mexico.

While engaged in that war, and on the battle field of the memorable Buena Vista, where victory crowned the national arms with success, many of the patriotic volunteers of this State, after having aided to add another laurel to our State chaplet, and while in the discharge of their patriotic duty fell, to rise no more.

It is truly the boast of a free people and grateful country, that they are ever ready to do honor to the memory of all who die in their defence, and we rejoice that Kentucky has set the example of gathering from the battle fields of our enemies, the remains of all those whose lives have been given in defence of the national flag, with a view of having them brought back to the land of their nativity and the home of their friends, to be deposited in a burial place belonging to the State and devoted to such purposes.

We, the people here assembled, are present to testify our respect for the valor of our departed countrymen while living, to mingle our sorrows with the friends of the honored dead, and to unite in paying the last earthly tribute of respect to their memories, by this public demonstration of our regret for their fall. To carry out this proper manifestation of public regard, we believe a monument and appropriate cenotaph to perpetuate their names and heroic deeds, should be erected by the State over their graves. Therefore,

Resolved, That this mass meeting of the people of Kentucky, assembled for the purposes and objects stated in the foregoing preamble, do respectfully recommend to the next Legislature of this State, to make a suitable but libe-
eral appropriation to procure the erection of a monument over the remains of all the officers and soldiers who may be buried in the State grounds of the Frankfort Cemetery.

Ordered, That said communication be referred to the committee appointed on the resolution in relation to the erection of a monument to the heroes of Buena Vista, and that the Public Printer forthwith print 150 copies of said communication for the use of the members of the General Assembly.

The Speaker laid before the House the response of the President of the Board of Internal Improvement to a resolution from this House of the 13th instant, which is as follows, viz:

Office of the Board of Internal Improvement. January 17th, 1848.

To the Hon. James F. Buckner,
Speaker of the House of Representatives.

Sir:—In obedience to the resolution of the House of Representatives of the 13th inst., calling upon the Board of Internal Improvement for the reason of their failure to settle with the Commissioners appointed for that purpose, I have the honor respectfully to state: That the member and Secretary of the Board, upon whom the labor devolved of making out the accounts, received an injury early in the summer of 1846, by the falling of some bridge timbers, which confined him for nearly a year, and from which he has not yet entirely recovered; but sufficiently so to have enabled him to commence and progress with the accounts, if not to a close, at least further than he has done during the past season, had he been fully aware of the difficulty of the task, and amount of labor required at the outset.

With one exception, they were finished in November, and since that time he has been busily engaged in endeavoring to arrange and classify them at the end of each year, (say since 1835,) as required by the act. This has been a much more difficult task than was expected. Take the turnpike roads for instance—after making out the account showing the aggregate sum paid for their construction, it has to be divided into some thirty parts, corresponding with the number of companies, and each of these again divided, so as to show the amount paid to each, for every separate year during the progress of construction. These three accounts must agree, as they are composed of the same items. The first is a long continuous one—the next is divided into some thirty parts, and the last into between two hundred and three hundred. If they had been commenced earlier in the season, and more time devoted to them, they could have been finished, and would have been, if the great difficulty of arrangement and classification had been foreseen.

They are all now nearly completed, and will be finished during this, or the ensuing week, at the most. In the mean time, the Board will be happy to give such further, or more minute information to your honorable committee, or to any member of the House, that may desire it.

I have the honor to be,

With great respect,
Your obedient servant,

Thomas Metcalfe, P. B. I. I.
The House then, according to order, resolved itself into a committee of the whole, on the bill to repeal an act, entitled, an act to amend the revenue laws, approved March 10th, 1843, Mr. Collins in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Collins 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. Wilkins read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Superintendent of the Lunatic Asylum of this State, be and he is hereby respectfully requested, to give to the present General Assembly his views and opinions, in writing, at as early a day as practicable, upon the propriety and expediency of establishing another Lunatic Asylum.

The rule of the House requiring joint resolutions to lie one day on the table having been dispensed with, it was twice read and adopted.

And then the House adjourned.
An act to amend an act, entitled, an act to incorporate the Georgetown and Paris Turnpike Road Company, approved March 13, 1847.

An act providing for a change of venue in the prosecution against William B. Whitaker.

An act for the benefit of the widow and heirs of Samuel W. Brice, deceased.

An act to establish an additional election precinct in Caldwell county.

And had adopted a resolution fixing a day for the election of public officers.

That they had received official information from the Governor that he had approved and signed enrolled bills originating in the Senate of the following titles, viz:

An act authorizing the County Court of Barren county to purchase a lot on which to erect a jail, and for other purposes.

An act to amend the charter of the Carlisle and Sharpsburg Turnpike Company.

An act to amend an act, entitled, an act authorizing the Auditor to correct certain mistakes and to issue warrants on the Treasury in certain cases, approved January 23, 1813.

An act to incorporate the Christian Church, at Stanford.

An act for the benefit of Roberson Brown, of Allen county.

An act for the benefit of Urath O. Hundly, and others.

An act to appoint trustees for the Ash Ridge Church and Burying Ground, in Fayette county.

An act to change the name of William G. Musgrove, and for other purposes.

An act for the benefit of Presley Steward, of Kenton county.

An act for the benefit of Mary C. Parker.

Approved January 15, 1848.

1. Mr. Collins presented the petition of sundry citizens of Dover in Mason county, praying the establishment of an election precinct in said town.

2. Also, the petition of sundry citizens of the town of Dover, praying an extension of the town limits thereof.

3. Mr. Wall presented the petition of sundry citizens of Daviess county, praying the abolishment of two election precincts and the establishment of another election precinct in said county.

4. Mr. Cockrell presented the petition of sundry citizens of Owsley county, praying the passage of a law authorizing the County Court of said county, to appropriate the funds belonging to the Road and Bridge Company, to the lessening the county levy.

5. Also, the petition of sundry citizens of Owsley county, praying the appointment of Trustees for, and the extension of the limits of the town of Boonville.
6. Mr. Bell presented the petition of Samuel H. Crow, praying to be divorced from his wife, Massella Crow.

7. Mr. Williams presented the petition of John Rose and Elijah Chambers, praying that compensation be made them for apprehending a fugitive from justice.

8. Mr. Hatfield presented the petition of William W. Millikin and Nancy Millikin, his wife, praying to be divorced from each other.

9. Mr. Ballingal presented the petition of John Orr, late Sheriff of Nicholas county, praying that further time be allowed him to return his delinquent list for the year 1846.

Which were received, the reading dispensed with and referred; the 1st to the committee on Privileges and Elections; the 2d to the committee on Propositions and Grievances; the 3d, 4th and 5th to the committee on the Judiciary; the 6th and 8th to the committee on Religion; and the 7th and 9th to the committee on Claims.

On motion of Mr. A. Young,

Resolved, That the use of this Hall be tendered to John A. McClung on Thursday evening next, to deliver an address to the Colonization Society.

Mr. McKinney, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to re-take the sense of the people of this State as to the propriety of calling a convention.

An act to divorce Eliza Turner.

An act for the benefit of Benjamin Collins.

An act for the benefit of the Sheriff of Hart county.

An act for the benefit of Martin Draper, late Sheriff of Grant county.

An act for the benefit of Keziah E. Young and Sarah Young.

An act for the benefit of the widow and heirs of John Duke, deceased.

An act to amend the road law in the county of Trimble.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. McKinney inform the Senate thereof.

On motion of Mr. R. H. Field leave of absence for five days was granted to Mr. Beard.

Mr. Combs, from the committee on the Judiciary, to whom was referred the petition of W. B. Price, Anna Price and Eliza Ellis, and the petition of Sarah F. Vaughan, reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. Combs, from the committee on the Judiciary, 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.
And the question being taken on reading said bill a third time it was decided in the negative, and so the bill was disagreed to.

Mr. Combs, from the same committee, to whom was referred a bill to increase the jurisdiction of Justices of the Peace, reported the same without amendment.

Ordered, That said bill be referred to Messrs. Johnston, Towles, Collins, Newell and Wright.

Mr. Towles, from the same committee, to whom was referred a bill from the Senate, entitled, an act for the benefit of Patrick Hickman, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

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

Mr. Wood, from the same committee, to whom was referred a bill for the benefit of John H. Boarman, reported the same with an amendment as a substitute for said bill, which was concurred in.

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

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.

The following bills were reported by the committee on the Judiciary, viz:

A bill for the benefit of Benjamin Franklin Violett.
A bill for the benefit of Thomas Green, of Christian county.
A bill for the benefit of William Fortson.
A bill to incorporate the town of Clifton, in Woodford county.
A bill to enlarge the Constable's district including the town of London.
A bill for the benefit of Reese Bourland, of Ballard county.

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

The rule of the House, constitutional provision and second 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.

The House again resolved itself into a committee of the whole, on the bill to repeal an act, entitled, an act to amend the revenue laws, approved March 10th, 1843, Mr. Collins in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Collins 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. Wintersmith moved a re-consideration of the vote rejecting the bill for the benefit of Benjamin Berry, Jr., of Union county.

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

Ordered, That said bill be referred to Messrs. Hughes, Wintersmith and Collins.

And then the House adjourned.

WEDNESDAY, JANUARY 19, 1848.

A message was received from the Senate announcing their concurrence in the amendment proposed by this House, to a resolution from the Senate concerning the committee on Banks.

That they had concurred in a resolution from this House in relation to the establishment of another Lunatic Asylum.

That they had passed bills from this House of the following titles, viz:

An act to remove the Seat of Justice of Mason county from the town of Washington to the city of Maysville.

An act for the benefit of Nelson D. Bennett.

An act to amend the road law in Greenup county.

An act to amend the act to establish a Female Academy in the town of Harrodsburg, approved February 9, 1829.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

An act for the benefit of George T. Edwards, of Logan county.

An act for the benefit of William Rowlett, of Owen county.

An act to prevent the sales of spirituous liquors to slaves.
An act for the benefit of the widow and heirs of John Turley, deceased.

An act for the benefit of William G. Pierce, of Trimble county.

1. Mr. Ford presented the petition of Robert Harris, praying to be divorced from his wife, Anna Harris.

2. Mr. Wright presented the petition of sundry citizens of Fulton county, praying the passage of a law authorizing the erection of a bridge across Bayou de Chien, in said county.

3. Mr. Woosley presented the petition of sundry citizens of Edmonson county, praying a change in the place of voting in an election precinct in said county.

4. Mr. Barlow presented the petition of Hugh Kirkpatrick and Rebecca Kirkpatrick, praying to be divorced from each other.

5. Mr. Smith presented the petition of Joseph Decreet, of Clarke county, praying a change of his name.

6. Mr. Smith presented the petition of the heirs of Margaret Fauntleroy, deceased, praying the passage of a law authorizing the sale of certain real estate belonging to them.

7. Mr. Taliaferro presented the petition of the Licking Bridge Company, praying an amendment to their charter.

Which were received, the reading thereof dispensed with, and referred; the 1st and 4th to the committee on Religion; the 2d to the committee on Internal Improvement; the 3d to the committee on Privileges and Elections; and the 5th, 6th and 7th to the committee on the Judiciary.

On motion of Mr. Johnston,

Ordered, That the Report of the President of the Board of Internal Improvement, laid before the House on yesterday by the Speaker, be referred to the committee on Internal Improvement, and that the Public Printer forthwith print 500 copies of said report for the use of the members of this House.

On motion of Mr. Hughes,

Resolved, That for the remainder of the session, after petitions are presented on every Saturday, reports from select committees shall be called for, and then motions.

A message was received from the Governor, by Mr. Reed, 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 enlarge the jurisdiction of the Police Judge of the town of Henderson.

An act to incorporate the town of West Point, in Hardin county.

An act for the benefit of Edward B. Gibson, of Simpson county.

An act for the benefit of Amanda Hutcheson and her children.

Approved January 15, 1848.
An act for the benefit of the Sheriff of Hart county.
An act for the benefit of Martin Draper, late Sheriff of Grant county.
An act to amend the road law in the county of Trimble.
An act for the benefit of Benjamin Collins.
An act to divorce Eliza Turner.
An act to re-take the sense of the people of this State as to the propriety of calling a Convention.
An act for the benefit of Keziah E. Young and Sarah Young.
An act for the benefit of the widow and heirs of John Duke, deceased.  

Approved January 18, 1848.

Mr. McKinney, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in this House of the following titles, and had found the same truly enrolled, viz:

An act to authorize the County Court of Knox to appoint a Constable in the district including the town of Barbourville.
An act for the benefit of Janette Cornell.
An act to authorize the city of Covington to levy a special tax.
An act to amend an act, entitled, an act to incorporate the Faculty of the Western Military Institute.
An act for the benefit of the Clifton Guards in Woodford county.
An act for the benefit of certain Common School Districts.
An act for the benefit of Moses Cawood, late Sheriff of Harlan county.
An act for the benefit of Marcus R. Hardin.
An act to divorce Susannah Peters and change her name.
An act allowing two additional Justices of the Peace to Muhlenburg county.
An act allowing an additional Justice of the Peace to the county of Daviess.
An act for the benefit of William A. Butt.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. McKinney inform the Senate thereof.

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

On motion of Mr. Ireland—1. A bill for the benefit of the Sheriff of Grant county.

On motion of Mr. J. N. Stephens—2. A bill for the benefit of Keepers of public ferrys.

On motion of Mr. Cockrell—3. A bill to run and mark the county line between the counties of Estill and Owsley.

Ordered, That the committee on Ways and Means prepare and bring in the 1st; the committee on Military Affairs the 2d; and Messrs. Cockrell, McKinney and Boulware the 3d.
Mr. Speed, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act to incorporate the Richmond Cemetery Company, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

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

Mr. Speed, from the same committee, to whom was referred the petition of sundry citizens of Boone county, asked to be discharged from the further consideration of the same, which was granted.

Ordered, That said petition be referred to the committee on Federal Relations.

Mr. Combs moved a re-consideration of the vote concurring in the resolution rejecting the petition of W. B. Price, Anna Price, and Eliza Ellis.

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

Ordered, That said petition be referred to the committee on the Judiciary.

Mr. Speed, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act to change the law on filing bills of re-vivor in chancery, reported the same without amendment.

The question was then taken on reading said bill a third time, and decided in the negative, and so the said bill was disagreed to.

Mr. Speed, from the same committee, to whom was referred a bill more effectually to suppress gambling, reported the same with amendments.

Which were concurred in.

Mr. T. D. Brown moved an amendment to said bill.

Ordered, That said bill and amendment be made the special order of the day for Friday next, and that the Public Printer forthwith print 150 copies of said bill and amendment for the use of the members of the General Assembly.

Mr. A. Young, from the committee on Religion, to whom was referred a bill for the benefit of Achille Dubourg, reported the same with an amendment as a substitute for said bill.

Which was concurred in.

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

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.

Mr. A. Young, from the same committee, to whom was referred a bill from the Senate, entitled, an act for the benefit of John Wright and Elizabeth, his wife, reported the same without amendment.
Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

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

Mr. T. D. Brown, from the committee on Ways and Means, to whom was referred a bill from the Senate, entitled, an act authorizing certain County Courts to appoint commissioners of tax at the December term, and prescribing the further duties of the commissioners of tax, reported the same without amendment.

Mr. Haggard moved an amendment to said bill.

Ordered, That said bill and amendment be referred to the committee on Agriculture and Manufactures.

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

By the committee on the Judiciary—1. A bill for the benefit of Thomas H. Hord and wife.

By same—2. A bill to amend the law regulating chancery proceedings.

By same—3. A bill to change the time of holding the Hancock Circuit Courts, and to limit the terms of the Breckinridge Circuit Court.

By same—4. A bill for the benefit of George Martin, of Greenup county.

By the committee on Religion—5. A bill for the benefit of Nathan B. Chism.

By same—6. A bill to divorce Evaline House, and for other purposes.

By same—7. A bill for the benefit of Maria M. Gillis, and for other purposes.

By same—8. A bill for the benefit of Elizabeth Huffaker.

By same—9. A bill for the benefit of Mary D. Mosby.

Which were read the first time and ordered to be read the second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 3d, 4th, 5th, 6th, 7th, 8th and 9th bills were severally ordered to be engrossed and read a third time, and the 2d was referred to the committee on the Judiciary.

The rule of the House, constitutional provision and third reading of the 1st, 3d, 4th, 5th, 6th, 7th, 8th and 9th 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 Public Printer forthwith print 150 copies of said bill for the use of the members of the General Assembly.

Mr. T. D. Brown, from the committee on Ways and Means, to whom was referred a bill from the Senate, entitled, an act to equalize the compensa-
tion for collection of the revenue tax, reported the same without amendment.
And after some discussion had thereon the hour of 12 o'clock arrived, and
the House proceeded to the orders of the day.

The House again resolved itself into a committee of the whole, on the
bill to repeal an act, entitled, an act to amend the revenue laws, approved
March 10th, 1843, Mr. Collins in the Chair; and after some time spent
therein, the Speaker resumed the Chair, when Mr. Collins 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. Wall, from the committee on Enrollments, reported that the com-
mittee had examined an enrolled bill and a resolution from the Senate, of
the following titles, and had found the same truly enrolled, viz:
An act for the benefit of John Wright and Elizabeth, his wife.
A resolution concerning the committee on Banks.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Wall inform the Senate thereof.

At half past one o'clock, P. M., Mr. Wright moved an adjournment.
And the question being taken thereon it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. T. D. Brown and
Wright, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Abell,
    Allin,
    Askins,
    Bailey,
    Bell,
    Beeler,
    Berry,
    Blanton,
    Bowling,
    Brown, J.
    Bullock,
    Bush,
    Cavan,
    Christopher,
    Conner,
    Conklin,
    Duncan,
    Eaker,
    Field, J.
    Field, R. H.
    Floyd,
    Garrett,
    Grainger,
    Grubb,
    Haggard,
    Hanson,
    Harris,
    Hatfield,
    Hogg,
    Hogg,
    Ireland,
    Johnston,
    Kerrick,
    McKinney,
    McReynolds,
    Miller,
    Moore,
   Pearce,
    Pratt,
    Smith,
    Soery,
    Speed,
    Stevens, J.
    Talbott,
    Taliaferro,
    Turner,
    Williams,
    Wilkins,
    Wintersmith,
    Wood,
    Wofford,
    Wright,
    Young, A.—55.

Those who voted in the negative, were—

Messrs. Ballingal,
    Coleman,
    Collins,
    Quarles,
    Railey,
A message was received from the Senate announcing their disagreement to a bill from this House, entitled, an act for the benefit of the Mechanics of Fayette, Hart, Henderson and Anderson counties.

That they had passed bills from this House of the following titles, viz:

An act to incorporate the Columbian Mining Company, of Crittenden county.

An act for the benefit of John S. Bledsoe.

An act for the benefit of the Clerk of the Fulton County Court.

An act to amend the law incorporating the town of Proctor in the county of Owsley.

An act directing a change of venue to Henry S. Logan and Benjamin Raburn.

An act regulating the jurisdiction of the Police Judge of the town of Shelbyville.

An act to establish the town of Priceville in Hart county.

An act for the benefit of William B. Dunlap, of Shelby county.

An act to legalize the laying off and and surveying the town of Monterey, and change the place of voting.

An act for the benefit of James Hambel, and for other purposes.

With an amendment to the last named bill.

1. Mr. R. H. Field presented the petition of sundry citizens of Bullitt county, praying a change in the place of voting in an election precinct in said county.

2. Mr. Bush presented the petition of James T. Lachrance, praying permission to import into this State certain slaves.

3. Mr. McReynolds presented the petition of William Grady, praying to be divorced from his wife, Sarah A. Grady.
4. Mr. Bourland presented the petition of George Dun, jailor of McCracken county, praying that compensation be made him for supporting and taking care of a runaway slave confined in the jail of said county.

5. Mr. Wright presented the petition of sundry citizens of Hickman and Fulton counties, praying the passage of a law authorizing the erection of a bridge across Bayou de Chein, in Fulton county.

6. Mr. Soery presented the petition of sundry citizens of Trigg county, praying the establishment of an additional election precinct in said county.

7. Also, the petition of sundry citizens of Cadiz, in Trigg county, praying the extension of the limits of said town, so as to include John L. Miller and Sidsey Hopkins.

Which were severally received, the reading dispensed with, and referred; the 1st and 6th to the committee on Privileges and Elections; the 2d to the committee on the Judgeship; the 3d to the committee on Religion; the 4th to the committee on Claims; the 5th to the committee on Internal Improvement; and the 7th to the committee on Propositions and Grievances.

The House again resumed the consideration of the bill from the Senate, entitled, an act to equalize the compensation for the collection of the revenue tax.

Mr. Speed moved to re-commit said bill to the committee on Ways and Means.

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

The yeas and nays being required thereon by Messrs. T. D. Brown and Gaines, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

The question was then taken on the passage of said bill, and decided in the affirmative.

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

Those who voted in the affirmative, were—

Those who voted in the negative, were—

Mr. Speaker, Combs, Speed,
Messrs. Bailey, Grainger, Stephens, J. N.
Brown, J. Kerrick, Talbott,
Bullock, Miller, Taliaferro,
Bush, Moore, Thomas,
Carlisle, Price, Turner,
Christopher, Shawhan, Young, A.—21.

Resolved, That the title thereof be as aforesaid.

A message was received from the Governor, by Mr. Reed, Secretary of State, announcing that he had approved and signed enrolled bills which originated in this House, of the following titles, viz:

An act for the benefit of certain Common School Districts.
An act to amend an act, entitled, an act to incorporate the Faculty of the Western Military Institute.
An act for the benefit of the Chilton Guards in Woodford county.
An act for the benefit of William A. Butt.
An act to authorize the city of Covington to levy a special tax.
An act for the benefit of Janette Cornell.
An act allowing two additional Justices of the Peace to Muhlenburg county.
An act for the benefit of Moses Cawood, late Sheriff of Harlan county.
An act allowing an additional Justice of the Peace to the county of Daviess.
An act to authorize the County Court of Knox to appoint a Constable in the district including the town of Barbourville.
An act to divorce Susannah Peters and change her name.
An act for the benefit of Marcus R. Hardin.

Approved January 19, 1848.

Mr. T. D. Brown, from the committee on Ways and Means, to whom was referred a bill relinquishing the title of the Commonwealth to certain real estate to trustees for school purposes, reported the same without amendment.

And the hour of 12 o'clock having arrived the House proceeded to the orders of the day.

The House again resolved itself into a committee of the whole, on the bill to repeal an act, entitled, an act to amend the revenue laws, approved March 10th, 1842, Mr. Collins in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Collins reported that the committee had, according to order, had under consideration the bill aforesaid, and the amendment proposed by Mr. T. D. Brown, and had instructed him to report said bill and amendment to the House without amendment.

Mr. T. D. Brown then withdrew his amendment.
The said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the 1st day of January, 1849, that the act, entitled, an act to amend the revenue laws, approved March 10th, 1843, imposing a specific tax upon pleasure carriages, gold and silver watches, spectacles, &c., be and the same is hereby repealed: Provided, however, that nothing herein contained shall be so construed as to exempt those articles from an ad valorem taxation.

Mr. Hughes 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. Towles and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, Conner, Judd, Messrs. Allin, Culton, Lightfoot, Askins, Dohoney, McKinney, Ballingal, Dougherty, Moore, Barlow, Elliott, Newell, Bell, Field, J., Quazles, Beeler, Field, R. H., Shawman, Berry, Floyd, Soory, Billyerback, Forde, Stevens, J., Blanton, Grubb, Taliaferro, Boulware, Hardy, Wall, Bozarth, Hatfield, Warren, Brown, T. D., Headley, White, M. E., Carlisle, Haggard, Williams, Cavan, Hardy, Wintersmith, Cockrell, Hatfield, Wolford, Coleman, Headley, Woosley—53., Combs, Hogg, Hughes, Those who voted in the negative, were—

On motion of Mr. Collins,
Resolved, That after this week this House will meet at half past nine each day.

Leave was given to bring in the following bills, viz:
On motion of Mr. Turner—1. A bill to incorporate the Richmond and Lancaster Turnpike Road Company.
On motion of Mr. J. Field—2. A bill increasing the jurisdiction of the Trustees of the town of Carrollton.
On motion of Mr. Wilson—4. A bill to amend an act, entitled, an act to incorporate the town of Lagrange, approved January 23, 1840.
On motion of Mr. Elliott—5. A bill allowing an additional Constable to the county of Johnson.
On motion of Mr. Moore—6. A bill to establish a Police Court in the town of Mount Vernon.
On motion of Mr. Elliott—7. A bill declaring Middle Creek, in the county of Floyd, navigable from its mouth to its first fork, at Spradlin's store.
On motion of same—8. A bill making an additional precinct in the county of Floyd.
On motion of Mr. Smith—9. A bill to incorporate the Lancaster and Mount Vernon Turnpike Road Company.
On motion of Mr. Elliott—10. A bill allowing an additional Justice of the Peace to the county of Floyd.

Ordered, That the committee on Internal Improvement prepare and bring in the 1st and 9th; Messrs. J. Field, Blanton and Johnston the 2d; Messrs. Blanton, J. Field and Johnston the 3d; Messrs. Wilson, Allin and Gaines the 4th; Messrs. Elliott, Hamilton and Williams the 5th, 7th, 8th and 10th; and the committee on the Judiciary the 6th.

And then the House adjourned.

FRIDAY, JANUARY 21, 1848.

A message was received from the Senate announcing their disagreement to a bill from this House, entitled, an act for the benefit of the Mechanics of Union county.

That they had passed bills from this House of the following titles, viz:
An act for the benefit of Jonathan Pryor.
An act to enlarge the Constable's district including the town of Hartford, in Ohio county.

An act to change the name of Thaddeus Franklin to that of Thaddeus Mortimer.

An act allowing the county of Letcher an additional Justice of the Peace and Constable, and for other purposes.

An act to incorporate the Muddy river Navigation and Manufacturing Company.

With amendments to the last named bill.

That they had passed bills of the following titles, viz:

An act for the benefit of the children of William Arnett and others.

An act to incorporate the Hopkinsville and Cumberland River Rail Road Company.

An act regulating the taxation of costs in suits brought by administrators and executors.

An act to amend the charter of the town of Paducah, and for other purposes.

An act to divorce Isabella Snelling, and for other purposes.

An act for the benefit of Evaline Adams.

That they had adopted a resolution concerning the Lexington and Ohio Rail Road.

That they had received official information from the Governor that he had approved and signed an enrolled bill and a resolution which originated in the Senate of the following titles, viz:

An act for the benefit of John Wright and Elizabeth, his wife.

A resolution concerning the committee on Banks.

Approved January 19, 1848.

1. Mr. Hardy presented the memorial of a committee of the General Association of the United Baptists of Kentucky, praying an amendment to the charter of the Baptist Theological Institute located in Covington.

2. Also, the petition of sundry citizens of Barren county, praying that an additional Justice of the Peace be allowed to said county.

3. Also, the petition of sundry citizens of the town of Edmonton, praying the passage of a law incorporating said town.

4. Mr. Johnston presented the petition of N. E. Wright, praying that certain moneys paid by him into the State Treasury, be refunded to him.

5. Mr. Cavan presented the petition of sundry citizens of Fleming county, praying that an additional Justice of the Peace be allowed to said county.

6. Mr. Hanson presented the petition of sundry citizens of Bourbon county, praying a charter for a turnpike road from Paris to Combs' ferry, by way of Clintonville, Savary's store and Colbyville.
7. Mr. Boyd presented the petition of sundry citizens of Livingston county, praying a change in the line dividing said county and the county of Crittenden.

8. Mr. Speed presented the petition of the congregation of Adas Israel, in the city of Louisville, praying an amendment to the act incorporating said congregation.

9. Also, the petition of William R. Woolsey, praying the passage of a law authorizing the sale of certain property held by George Hancock as his trustee.

Which were received, the reading thereof dispensed with, and referred; the 1st to Messrs. Hardy, Wilkins, A. Young, Christopher, Taliaferro, Bush and Carlisle; the 2d, 5th and 7th to the committee on Propositions and Grievances; the 3d to Messrs. Hardy, A. Young and Wood; the 4th to the committee on Claims; the 6th to the committee on Internal Improvement; and the 8th and 9th to the committee on the Judiciary.

Mr. McKinney, from the joint committee on Enrollments, reported that the committee had examined enrolled bills and a resolution which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to remove the Seat of Justice of Mason county from the town of Washington to the city of Maysville.

An act to establish the town of Priceville in Hart county.

An act for the benefit of William B. Dunlap, of Shelby county.

An act for the benefit of Nelson D. Bennett.

An act directing a change of venue to Henry S. Logan and Benjamin Raborn.

An act to amend the law incorporating the town of Proctor, in the county of Owsley.

An act for the benefit of the Clerk of the Fulton County Court.

An act for the benefit of John S. Bledsoe.

An act to legalize the laying off and surveying the town of Monterey, and change the place of voting.

An act regulating the jurisdiction of the Police Judge of the town of Shelbyville.

Resolution in relation to the establishment of another Lunatic Asylum.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. McKinney inform the Senate thereof.

Mr. Towles moved the following resolution, viz:

WHEREAS, The House of Representatives has been informed that Capt. Frank Chambers, late of the 2d Regiment of Kentucky Infantry, departed this life in this city on Thursday, the 20th instant, of a painful and lingering disease, brought on by the exposure and hardships encountered in the campaign under General Zachary Taylor, which terminated with the glori-
ous victory of Buena Vista, in which Capt. Chambers, although suffering with disease, refused to keep his tent, but led his command until overcome by disease and debility, he fainted and was carried from the field.

Therefore, in order to testify the proper respect for his memory, and admiration for his character and services,

Resolved, That the House will adjourn to attend his funeral to-day, at one o'clock, P. M.

Resolved, That the Representatives of the people of Kentucky, deeply sympathise with the widowed mother and afflicted relatives of Capt. Chambers.

Which being twice read was unanimously adopted.

The Speaker re-appointed Mr. Hanson on the committee on the Judiciary.

The House resumed the consideration of the bill relinquishing the right of the Commonwealth to certain real estate to trustees for school purposes.

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

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.

Mr. A. Young, from the committee on Religion, to whom was referred the petition of Rebecca Shields, and the petition of Jesse Fitzgerald, reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Mr. Barlow moved to amend said resolution by striking out "be rejected," and inserting "is reasonable."

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

Ordered, That said committee prepare and bring in a bill in accordance with the prayer of said petitions.

Mr. A. Young, from the same committee, to whom was referred the petition of Susan F. Norrel, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Mr. Gaines moved to amend said resolution by striking out "be rejected," and inserting "is reasonable."

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

Ordered, That said committee prepare and bring in a bill in accordance with the prayer of said petition.

Mr. A. Young, from the same committee, to whom was referred the petition of Thomas Morris, and the petition of Elizabeth Morris, praying to be divorced from each other, reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

On motion of Mr. Bowen,

Ordered, That said petitions be re-committed to said committee, with instructions to hear the testimony on the case, and report to this House on the merits of said petitions.
Mr. A. Young, from the same committee, to whom was referred the petition of Kinmon Henderson, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.
Which was concurred in.

A message was received from the Senate, announcing that they had passed a bill, entitled, an act to incorporate the book concern of the Methodist Episcopal Church South.

The said bill was read the first time and ordered to be read a second time.
The rule of the House, constitutional provision and second reading of said bill having been dispensed with, it was referred to the committee on the Judiciary.

Mr. T. D. Brown, from the committee on Ways and Means, to whom was referred a bill to increase the pay of Grand Jurors, reported the same without amendment.

The said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Grand Jurors shall, from and after the passage of this act, receive one dollar per diem, for each and every day any Grand Juror may serve, under the existing laws.

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

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

Mr. Hardy moved to re-commit said bill to the committee on Ways and Means with the following instructions, viz:

To enquire into the expediency of so amending the Jury laws, and Jury fund, as to guard against impositions upon the Treasury, and report what saving may be made upon the Jury fund, and what additional cost will attend the bill. Also, to amend the bill so as to limit the number of Grand Jurors.

Mr. Bush moved to lay said bill and instructions on the table.

And the question being taken thereon it was decided in the negative.
The yeas and nays being required thereon by Messrs. Haggard and Dohoney, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Speaker, Messrs. Abell, Allin, Askins, Floyd, Gaines, Grainger, Grubb, Bailey, Shawhan, Short, Smith,
Mr. J. Brown moved to amend said bill by adding the following clause by way of rider, viz:

Provided, That in all cases where Grand Jurors continue in session longer than two days, their compensation shall be reduced to fifty cents per day, for every day they may continue thereafter.

Mr. Haggard moved the previous question.

The question was then taken shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the engrossed rider be adopted? and it was decided in the affirmative.

The main question was then taken, shall the bill as amended pass? and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker, 
Messrs. Abell, 
Allin, 
Askins, 
Bailey, 
Barlow, 
Bell, 
Bilderback, 
Bourland, 
Boulware, 
Bowen, 
Field, J. 
Field, R. H. 
Grundy, 
Haggard, 
Hamilton, 
Hanson, 
Hardy, 
Headley, 
Hogg, 
Holmes, 
Hudson, 
Hughes, 
Ireland, 
Johnston, 
Judd, 
Kerrick, 
Lightfoot, 
McKinney, 
McReynolds, 
Moore, 
Newell, 
Price, 
Quarles, 
Soery, 
Speed, 
Stephens, J. N. 
Stevens, J. 
Talbott, 
Taliaferro, 
Thomas, 
Towles, 
Turner, 
Wall, 
Warren, 
White, D. P. 
White, M. E. 
Williams, 
Wilkins, 
Wilson, 
Wood, 
Wolforde, 
Woosley, 
Wright, 
Young, A.—76.
Boyd,  Hattfield,  Towles,  
Bozarth,  Headley,  Turner, 
Brown, J.  Hogg,  Wall,  
Brown, T. D.  Holmes,  Warren,  
Carlisle,  Hudson,  White, D. P.  
Chilton,  Hughes,  White, M. E.  
Cockrell,  Ireland,  Williams,  
Coleman,  Johnston,  Williams,  
Combs,  Judd,  Wilson,  
Conner,  Kerrick,  Wintersmith,  
Culton,  Lightfoot,  Wolford,  
Dougherty,  McKinney,  Woosley,  
Duncan,  McReynolds,  Wright,  
Esker,  Moore,  Young, A.  
Elliott,  Newell.  Young, S.  

Those who voted in the negative, were—

Messrs. Ballingal,  Christopher,  Pearce,  
Berry,  Collins,  Pratt,  
Bowling,  Dohoney,  Speed,  
Bullock,  Garnett,  Wood,  
Bush,  Hardy,  Young, S.  
Cavan,  Miller,  

Resolved, That the title thereof be as aforesaid.

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

By the committee on Religion—A bill for the benefit of Franklin Darnell.

By same—A bill for the benefit of Rebecca Shields.

By same—A bill for the divorce of Jesse Fitzgerald.

By same—A bill to divorce Susan F. Norrell, and for other purposes.

By the committee on Ways and Means—A bill to amend the charter of the city of Maysville, and for other purposes.

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

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.

Mr. T. D. Brown, from the committee on Ways and Means, to whom was referred a bill to increase the revenue, reported the same without amendment.

The said bill was then amended.

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

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.

And then the House adjourned.

SATURDAY, JANUARY 22, 1848.

A message was received from the Senate announcing the passage of bills from this House of the following titles, viz:
An act to divorce William Wilkerson from his wife, Juliana Wilkerson.
An act for the benefit of William Andrews, of Monroe county.
An act to extend Canal street, in the town of Harrodsburg.
An act to incorporate the Trustees of Liberty School House, in Trimble county.
An act for the benefit of Major General Robert Martin.
An act for the benefit of Thomas Green, of Christian county.
An act for the benefit of William Fortson.
An act for the benefit of Reese Bourland, of Ballard county.
An act for the benefit of Elizabeth Huffaker.
An act for the benefit of Benjamin Franklin Violett.
An act to change the names of certain persons, and for other purposes.
With amendments to the two last named bills.
That they had passed bills of the following titles, viz:
An act extending the limits of the town of Pleasureville, in Henry county.
An act for the benefit of Moses Kirkpatrick, of Monroe county.
An act allowing an additional Constable to Larue county.
An act for the benefit of Pleasant H. Williams, of Clinton county.
An act for the benefit of Major and Elizabeth Ann Weatherspoon, of Allen county.
An act to divorce Sarah Lane, and others.
An act to amend the act to incorporate the Paris Cemetery Company.
An act to incorporate the Cave Hill Cemetery Company, of Louisville.
An act to incorporate the Cumberland River, Fairview and Green River Road.
1. Mr. R. H. Field presented the remonstrance of sundry citizens of Bullitt county, against the change of the place of voting in an election precinct in said county.
2. Mr. J. N. Stephens presented the petition of W. J. Sanford, Sheriff of Boone county, praying that further time be allowed him to return his delinquent list.
3. Mr. Hardy presented the memorial of Rebecca Kirkpatrick, in relation to the application of her husband for a divorce.

4. Mr. Grubb presented the petition of the Carter County Court, praying the passage of a law legalizing a sale of a certain lot made by them, and authorizing them to convey the same.

Which were received, the reading thereof dispensed with, and referred; the 1st to the committee on Privileges and Elections; the 2d to the committee on Ways and Means; the 3d to the committee on Religion; the 4th to the committee on the Judiciary.

Mr. Combs, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act to incorporate the Book Concern of the Methodist Episcopal Church South, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

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

A message was received from the Senate, by Mr. Bradley, asking leave to withdraw their report concerning the passage of a bill from this House, entitled, an act incorporating the Columbian Mining Company, of Crittenden county.

Which was granted and the bill was withdrawn.

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

By Mr. J. N. Stephens—1. A bill to amend the road law in the county of Boone.

By Mr. Collins—2. A bill for the benefit of the Dover and Minerva turnpike, and the Maysville and Germantown turnpike.

By Mr. Hughes—3. A bill to incorporate the Christian Church at Morganfield.

By Mr. Cockerell—4. A bill to run and mark the line between the counties of Estill and Owsley, and Owsley and Montgomery counties.

By Mr. Wilson—5. A bill to amend the act incorporating the town of Lagrange, approved January 23, 1840.

By Mr. Elliott—6. A bill establishing additional precincts in Floyd and Rockcastle counties.

By Mr. Hardy—7. A bill to amend the charter of the Western Baptist Theological Institute located at Covington Kentucky.

By Mr. Elliott—8. A bill declaring Middle Creek, in Floyd county, navigable from its mouth to its first lock, at Spradlin's store.

By Mr. Hamilton—9. A bill for the benefit of the Maysville and Mount Sterling turnpike road.
By Mr. Elliott—10. A bill allowing an additional Constable to the county of Johnson.

By Mr. Warren—11. A bill allowing an additional Constable to Bath county.

By Mr. Elliott—12. A bill allowing an additional Justice of the Peace to the county of Floyd.

Which were read the first time and ordered to be read the second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 5th, 6th, 7th, 8th, 10th, 11th and 12th bills were severally ordered to be engrossed and read a third time; the 4th was referred to the committee on Propositions and Grievances, and the 9th to the committee on Internal Improvement.

The rule of the House, constitutional provision and third reading of the 1st, 2d, 3d, 5th, 6th, 7th, 8th, 10th, 11th and 12th bills having been dispensed with, and the same being engrossed,

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

Mr. Hughes, from the committee, to whom was referred a bill for the benefit of Benjamin Berry, Jr., of Union county, reported the same with an amendment as a substitute for said bill.

Which was concurred in.

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

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.

Mr. Gaines read and laid on the table the following preamble and resolutions, viz:

Whereas, His Excellency, the Governor of the Commonwealth of Kentucky, has caused to be sent to both branches of the General Assembly, certain resolutions of several legislative bodies of our sister States. We likewise, as a component part of this great confederacy, solicitous that our position may be clearly defined, and the action of our beloved State, upon the great questions now being agitated in our republic, through us, its legal representatives, be clearly and explicitly avowed—we offer the following resolutions:

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That with deep regret we have read the resolutions of the Legislatures of the States of Connecticut and Vermont. We see in those resolutions a determination, on their part, to sustain, by their legislative resolves, the Wilmot proviso, which passed the House of Representatives, in the Congress of the United States.

2. Resolved, That in our opinion the passage of said proviso would be a direct infringement on the rights of the slaveholding States—a flagrant violation of the compromise of the Constitution of the United States, which we hold most sacred, as well as an usurpation of power by the federal government, of a truly dangerous and alarming character.
3. Resolved, That the Constitution of the United States is a charter of
definite and limited powers, and Congress transcends its legitimate functions
whenever it interferes with the internal organization or domestic policy of
any sovereign State or States of this confederacy.

4. Resolved, That all territory now or hereafter to be acquired by the
United States, belongs to the several States, as their joint and common prop-
erty, and as such, each and all having an equal right thereto, any enactment
by the Federal Government which would, by its effects, prevent citizens of
any of the States from emigrating to such territory with their property,
whatever may be its description, would be in violation of the Constitution,
a vital stab at our institutions and our dearest rights, and would have a ten-
dercy to subvert the Union.

5. Resolved, That in our judgment the present war with Mexico was
founded in imperative necessity on our part, and could not have been avoid-
ed without hazarding the honor of the nation; and that, according to the
usages of nations, we stand justified before the civilized world, and we be-
vie it to be the duty of every patriot to sustain the government in pros-
ecuting this war, which was brought on by the acts and doings of Mexico,
to a reasonable termination and an honorable peace.

6. Resolved, That our Senators be instructed, and our Representatives in
Congress be requested, to use their undivided exertions in sustaining the
Government in accordance with the spirit and meaning of the foregoing
preamble and resolutions.

7. Resolved, That His Excellency, the Governor of this Commonwealth,
be and he is hereby requested to transmit a copy of these resolutions to the
Executive of each State in the Union, with a request that they be laid be-
fore their respective Legislatures, and a like copy to the Senators and mem-
bers of the House of Representatives from this State, in the Congress of the
United States.

Mr. Johnston moved the following resolution, viz:

Resolved, That the committee on Religion be instructed to in-
vestigate all applications for divorce, and report to this House according to their merits.

And the question being taken on the adoption of the same, it was decided
in the affirmative.

The yeas and nays being required thereon by Messrs. Bush and John-
ston, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell, Eaker, McReynolds,
Allin, Field, R. H. Miller,
Askins, Floyd, Newell,
Ballingal, Forde, Quarles,
Barlow, Gaines, Soery,
Bilderback, Grundy, Stephens, J. N.
Bourland, Haggard, Stevens, J.
Bowen, Hatfield, Taliaferro,
Bowling, Hogg, Towles,
Carlisle, Holmes, Warren,
Chilton, Hudson, Williams,
Christopher, Ireland, Wilson,
Those who voted in the negative, were—

Mr. Speaker,

Mr. Wintersmith moved the following resolution, viz:

Resolved, That the committee on the Judiciary enquire into the expediency of so amending the laws, as to costs in appeals from Justices of the Peace, to the Circuit Court, as to give defendants, on their appeals, their costs in cases in which the judgment of the Justice is diminished by the judgment of the Circuit Court, and to release their securities upon appeal bonds in similar cases, and that they report by bill or otherwise.

Which was concurred in.

Mr. Towles read and laid on the table the following preamble and resolutions, viz:

Whereas, It is represented to the present General Assembly, that General John Caldwell, a meritorious officer of the Revolution and an active and efficient officer in the Indian Wars of the West, who departed this life on the 19th of November, 1804, while presiding over the Senate as Lieutenant Governor of Kentucky, is buried at the base of the hill near the Penitentiary, and that the monument erected to his memory by the Commonwealth of Kentucky, in pursuance of an act of the General Assembly, approved January 19th, 1831, has been much broken and mutilated by wanton and mischievous persons, and by the sliding down of earth and stone from the hill upon his grave; and whereas, the Commonwealth of Kentucky has, at all times honored and testified her gratitude to the illustrious dead who die in her service and preserved their graves from desecration. Therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That His Excellency, the Governor, be and he is requested to have the remains of General John Caldwell removed and interred in the State's portion of the Frankfort Cemetery, together with the monument herefore erected by the State, and to have the said monument and the inscriptions thereon suitably repaired and restored.
Resolved further, That the Governor be authorized to draw upon the Agent and Keeper of the Penitentiary for any labor or materials necessary for the purposes above mentioned; and by his warrant such sums as may be necessary to carry the foregoing resolutions into effect.

The rule of the House requiring joint resolutions to lie one day on the table having been dispensed with, they were twice read and adopted.

Mr. McKinney moved the following resolution, viz:

Resolved, That the committee on the Judiciary enquire into the expediency of repealing the first section of an act relative to the appointment of Constables, approved March 2d, 1844, and that they report by bill or otherwise.

Which was adopted.

Mr. Collins moved the following resolution, viz:

Resolved, That the committee on the Library be and they are instructed to enquire into the propriety of purchasing, for the use of the Library, copies of Collins' history of Kentucky.

Which was adopted.

Mr. S. Young moved the following resolution, viz:

Resolved by the House of Representatives, That any proposition before the House for the appropriation of the public money, for purposes of Internal Improvement, be referred together to the committee on Internal Improvement, with instructions to report a bill in relation to such cases as may seem to deserve appropriations, having regard to the respective merit of each proposition.

On motion of Mr. Collins,

Ordered, That said resolution be laid on the table.

Mr. S. Young moved the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of so amending the law regulating chancery proceedings as to permit the parties to chancery suits to take the depositions of non-resident witnesses, after due notice, without de dimus, as is now provided in common law cases. That they also be instructed to enquire into the expediency of so amending said law, as to permit the parties to chancery suits to take depositions of co-defendants, to be read subject to legal exceptions, without first obtaining leave of Court, as is now required by law.

Which was adopted.

Mr. J. Brown moved the following resolution, viz:

Resolved, That the committee on the Library be instructed to enquire into the propriety of passing a law, instructing the Secretary of State, to transmit annually, to the Governors of each of the States of this Union, a copy of the laws and public documents of this State, with a request that the Governors of the several States, have the same placed in the Public Libraries, and that they report by bill or otherwise.

Which was adopted.

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

On the motion of Mr. Forde—1. A bill to complete the unfinished portions of the turnpike road from Louisville to Bardstown, and to the State line in the direction to Nashville.
On the motion of same—2. A bill to pay to the President and Directors of the turnpike road from Glasgow to the State line, the balance of an appropriation heretofore made to said road.

On the motion of same—3. A bill for the benefit of the farmers of Allen county.

On the motion of same—4. A bill to protect and encourage the raising of sheep.

On the motion of same—5. A bill further to prescribe the duties of Constables.


On the motion of same—7. A bill for the benefit of the Sheriff of Ballard county.

On the motion of Mr. J. N. Stephens—8. A bill to amend the Militia law.

On the motion of Mr. Garnett—9. A bill to complete the road from Danville to Springfield.

On the motion of Mr. Chilton—10. A bill to authorize the trustees of the Reform Church, on Little River, to sell a lot of ground.


On the motion of Mr. Haggard—12. A bill for the benefit of Joseph Riddle.


On the motion of Mr. Price—14. A bill to change the time of holding the Court of Appeals.

On the motion of Mr. Elliott—15. A bill to appropriate —- dollars to improve the downward navigation of Big Sandy River.

On the motion of same—16. A bill granting appeals from Justices of the Peace to the County Court in cases of equity under five pounds.

On the motion of same—17. A bill incorporating Piketon in Pike county, and for other purposes.

On the motion of Mr. Thomas—18. A bill to amend an act, entitled, an act to reduce into one the several acts concerning mill dams and other obstructions in water courses, approved February 22, 1797.

On the motion Mr. Smith—19. A bill for the benefit of Lafayette Dunlap.

On the motion of same—20. A bill to incorporate the Sanhedrim of Kentucky of the Hunters of Nimrod.

On the motion of Mr. Ireland—21. A bill for the benefit of the Covington and Lexington Turnpike Road Company.


On the motion of Mr. Wintersmith—24. A bill to provide for finishing the turnpike road from Louisville, to the Tennessee line, by way of West Point, Elizabethtown, Munfordsville, Bowlinggreen and Franklin.

On the motion of Mr. Wood—25. A bill to amend the laws regulating pleadings in actions at law.

On the motion of Mr. Towles—26. A bill for the benefit of James D. Hatchett, of Henderson county.

On the motion of same—27. A bill to amend the charter of the Henderson Hotel and Warehouse Company.

On the motion of Mr. Wright—28. A bill to amend the law in relation to county levies.

On the motion of Mr. Kerrick—29. A bill to amend the charter of the Louisville and Elizabethtown turnpike road.

On the motion of same—30. A bill to amend the road law of Jefferson county.

On the motion of Mr. Miller—31. A bill for the benefit of Mahala McCawley.

On the motion of same—32. A bill to amend the charter of the Oakland turnpike company.

On the motion of Mr. Carlisle—33. A bill to amend an act, entitled, an act for the benefit of the Mechanics of the towns of Covington and Newport, approved February 22, 1834.

On the motion of Mr. Culton—34. A bill to amend the road law of Knox county.

On the motion of same—35. A bill for the benefit of the citizens of Harlan county.


On the motion of Mr. Bowling—37. A bill for the benefit of the Trustees of the town of Russellville.

On the motion of Mr. Speed—38. A bill to incorporate the Chesnut street Presbyterian Church in Louisville.


On the motion of Mr. Collins—40. A bill for the benefit of John B. Embee, of Monroe county.

On the motion of Mr. Hamilton—41. A bill for the benefit of Clement Conner, late Sheriff of Montgomery county.

On the motion of same—42. A bill to incorporate a Turnpike Road Company from Winchester to Mount Sterling, and from Mount Sterling to Owingsville.
On the motion of same—43. A bill to incorporate a Rail Road Company from the city of Lexington to the mouth of Big Sandy river.

On the motion of Mr. Quaries—44. A bill to establish a town upon the land of Obed Denham, of Pulaski county.

On the motion of Mr. Judd—45. A bill regulating and defining the duties of Justices of the Peace in certain cases.

On the motion of same—46. A bill allowing an additional Constable to Russell county.

On the motion of Mr. Bailey—47. A bill for the benefit of the Masonic Lodge, of Simpsonville.

On the motion of same—48. A bill to incorporate the Phi mu Society, of Shelby College.

On the motion of same—49. A bill for the benefit of the widow and heirs of Samuel Tevis, deceased.

On the motion of same—50. A bill to reduce the number of Grand Jurymen.

On the motion of Mr. Soery—51. A bill to change the State road from Canton to Gray's Ferry, on the Tennessee river.

On the motion of Mr. Hughes—52. A bill to amend the charter of the Union White Sulphur Springs Company.

On the motion of same—53. A bill to amend an act, incorporating the town of Uniontown, in Union county.

On the motion of same—54. A bill to amend the act incorporating the Henry Clay Institute, in Union county.

On the motion of same—55. A bill to amend an act, entitled, an act to increase the powers and jurisdiction of the Trustees of the town of Morganfield.

On the motion of Mr. Berry—56. A bill for the benefit of the Pisgah Church, in the county of Woodford.

On the motion of same—57. A bill authorizing the President and Directors of the Versailles and Anderson Turnpike Road Company, to erect an additional toll gate.

On the motion of same—58. A bill authorizing the County Court of Woodford to lay an additional levy on slaves, for the purpose of paying an efficient patrol, in said county.

On the motion of same—59. A bill to amend the laws in relation to the town of Midway.

Ordered, That the committee on Internal Improvement prepare and bring in the 1st, 2d, 15th, 21st, 24th, 29th, 30th, 32d, 42d, 43d and 57th; the committee on Agriculture and Manufactures the 3d and 4th; the committee on the Judiciary the 5th, 6th, 11th, 16th, 18th, 19th, 20th, 25th, 27th, 31st, 33d, 34th, 38th, 45th, 47th, 49th and 59th; the committee on Ways and Means the 7th and 26th; the committee on Military Affairs the 8th; Messrs.
MONDAY, JANUARY 24, 1848.

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 Achille Dubourg.
An act for the benefit of the Sheriff of Floyd county.
An act to incorporate the town of Clifton, in Woodford county.
An act to enlarge the Constable's district including the town of London.
An act for the benefit of Thomas H. Hord and wife.
An act to change the time of holding the Hancock Circuit Court, and to limit the terms of the Breckinridge Circuit Court.

An act for the benefit of George Martin of Greenup county.

An act for the benefit of Nathan B. Chism.

An act to divorce Elvina House, and for other purposes.

An act for the benefit of Maria M. Gillis, and for other purposes.

An act to authorize Thomas Bratcher to raise his mill dam on Caney Creek, in Grayson county.

An act for the benefit of Mary D. Mosby.

With amendments to the two last named bills.

That they had passed bills of the following titles, viz:

An act for the benefit of Richard Neil and Elizabeth E. Neil, his wife.

An act to enlarge the powers of the Trustees of the town of Louisa.

An act for the benefit of Henry Trunnell.

An act to amend an act, entitled, an act to establish the Fontaine’s Ferry Turnpike Road Company.

An act for the benefit of Conrad Havens, and for other purposes.

An act for the benefit of Rebecca Claypool, a Lunatic.

An act for the benefit of Hiram Begley, of Perry county, and for other purposes.

An act for the benefit of Mary Terhoune, of Fleming county.

1. Mr. Bowen presented the petition of sundry citizens, praying the establishment of a State road from Springfield, in Washington county, to Covington, in Kenton county.

2. Also, the remonstrance of sundry citizens against the establishment of a State road from Springfield, in Washington county, to Covington, in Kenton county.

3. Mr. Combs presented the memorial of Jesse Bayles in relation to the Kentucky Penitentiary.

4. Mr. Haggard presented the petition of John A. Claywell, praying that a change of venue be granted him in the prosecution now pending against him in the Clinton Circuit Court, for larceny.

5. Also, the petition of Julia A. Williams, praying to be divorced from her husband, John W. Williams.

6. Mr. Wall presented the petition of sundry citizens of Christian county, praying that a State road, in said county, may be placed under the control of the County Court of said county.

7. Mr. Haggard presented the petition of sundry citizens of Cumberland county, praying the privilege of erecting a gate across a public road, in said county.

8. Mr. Beard presented the petition of Solomon Pierce, praying to be divorced from his wife, Betsey Pierce.
9. Mr. Williams presented the petition of Jesse Cassity and Joseph Tompkins, late Sheriffs of Morgan county, praying that further time be allowed them to collect the arrearages of taxes and fee bills due them.

10. Mr. Quarles presented the petition of sundry citizens of Pulaski county, praying a change in the place of voting in an election precinct, in said county.

11. Mr. Wright presented the petition of William Humphreys, praying to be divorced from his wife, Brittania Humphreys.

12. Mr. Hamilton presented the petition of James F. Hickerson and others, praying the passage of a law authorizing them to sell certain real estate belonging to them, in the county of Fleming.

13. Mr. J. Field presented the petition of Helen Plasters, praying to be divorced from her husband, John M. Plasters.

14. Mr. Collins presented the petition of Davis Carpenter, Washington Carpenter and Nancy Carpenter, administrators of William Carpenter, deceased, praying to be authorized to specifically execute a parol contract made by the deceased with George W. Garrison.

15. Mr. Speed presented the petition of William H. Oldrid, praying that a change of venue be granted him in the prosecution now pending against him in the Jefferson Circuit Court, for house breaking.

16. Mr. Hudson presented the petition of the Common School Commissioners of Wayne county, praying the passage of an act for the benefit of Common Schools, in said county.

17. Mr. Conner presented the petition of the Carter County Court, praying the passage of a law legalizing the sale of a certain lot made by said court.

18. Also, the remonstrance of D. K. Weis, against the legalizing of a sale of a certain lot made by the County Court of Carter.

19. Mr. M. E. White presented the petition of Thomas Adkins, Jr., praying the passage of an act, authorizing him to retail spirits without obtaining a license.

20. Mr. Christopher presented the petition of H. Daniel, late Sheriff of Jessamine county, praying that further time be allowed him to collect fees, &c., due him.

Which were severally received, the reading thereof dispensed with, (except the 3d which was read,) and referred; the 1st, 2d and 6th to the committee on Internal improvement; the 3d to the committee on the Penitentiary; the 4th, 5th, 12th, 14th, 15th, 17th, 18th and 20th to the committee on the Judiciary; the 7th to the committee on Propositions and Grievances; the 8th, 11th and 13th to the committee on Religion; the 9th and 19th to the committee on Ways and Means; the 10th to the committee on Privileges and Elections; the 16th to Messrs. Hudson, Moore and Quarles.
The Speaker laid before the House a memorial from the convention of Tobacco Planters, held at Bowlinggreen, in relation to the inspection and sale of tobacco.

Ordered, That said memorial be referred to Messrs. Towles, Bowling, Hardy, Johnston, Wilkins, Abell and Wall, and that the Public Printer forthwith print 150 copies of said memorial for the use of the members of the General Assembly.

Mr. Bush asked leave to withdraw the petition of James T. Lochland. Which was granted and the same was withdrawn.

Mr. McKinney, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

1. An act to change the name of Thaddeus Franklin to that of Thaddeus Mortimer.
2. An act to enlarge the Constable’s district including the town of Hartford, in Ohio county.
3. An act allowing the county of Letcher an additional Justice of the Peace and Constable, and for other purposes.
5. An act for the benefit of William Fortson.
6. An act for the benefit of Thomas Green, of Christian county.
7. An act for the benefit of Reese Bourland, of Ballard county.
8. An act to incorporate the Trustees of Liberty School House, in Trimble county.
10. An act for the benefit of Major General Robert Martin.
11. An act for the benefit of Elizabeth Huffaker.
13. An act to divorce William Wilkerson from his wife, Juliana Wilkerson. Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. McKinney inform the Senate thereof.

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

Resolved, That when this House adjourns on the 21st of February, it will adjourn sine die.

Mr. Bailey moved the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of abolishing the 18th Judicial District, and adding the counties composing the said district to the adjacent districts, whereby a saving of fifteen hundred dollars per annum, in the salary of the Judge and Commonwealth’s Attorney may be effected, and no inadequate labor imposed on the Judges of the adjoining districts.

Which was adopted.
Mr. Collins, from the committee on Internal Improvement, to whom was referred bills of the following titles, viz:

A bill to incorporate the Flemingsburg and Poplar Plains Turnpike Road Company.

A bill to amend the charter of the Louisville Turnpike Company and the Shelbyville Turnpike Company.

Reported the same without amendment.

Ordered, That said bills be engrossed and read a third time.

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.

Mr. Collins, from the same committee, to whom was referred bills from the Senate of the following titles, viz:

An act to amend the charter of the Covington and Lexington Turnpike Road Company.

An act to amend an act, entitled, an act to incorporate the Dry Run and Covington Turnpike Road Company.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

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

Mr. Collins, from the same committee, to whom was referred a bill to put the State road between Waidsboro and Mayfield under the control of the Marshall County Court, 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.

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

By Mr. Eaker—A bill for the benefit of William P. Ligon.

By the committee on Internal Improvement—A bill to change a part of the State road in Marshall county, between Gray's Ferry and Paducah.

By same—A bill to amend an act, entitled, an act to incorporate the Boone Turnpike Road Company, and for other purposes.

By same—A bill to incorporate the Paris, Winchester and Kentucky River Turnpike Road Company, and the North Middletown Turnpike Road Company.

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

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.
A message was received from the Governor by the Secretary of State, which is as follows, viz:

_Gentlemen of the Senate and House of Representatives:_

I herewith transmit, for your consideration, a resolution of the General Assembly of the State of Tennessee, together with a letter from the Governor of that State, which were received by me this morning.

WM. OWSLEY.

Resolutions directory to the Governor of Tennessee.

By an act of the General Assembly of Tennessee, passed the 20th of January, 1844, making it the duty of the Governor of Tennessee to appoint two Commissioners, to meet two Commissioners on the part of Kentucky, to run and re-mark the State line between Tennessee and Kentucky. Said Commissioners performed the duty assigned to them, and made their report to the last General Assembly of this State, then in session, which report was concurred in, but Kentucky has taken no action thereupon. Therefore,

_Be it resolved by the General Assembly of the State of Tennessee, That the Governor of Tennessee be requested to correspond with the Governor of Kentucky, asking action on the part of Kentucky, upon said report, and the communication thereof to the Governor of Tennessee, so that the same may be laid before this General Assembly._

F. BUCHANAN,

_Speaker of the House of Representatives._

J. M. ANDERSON,

_Speaker of the Senate._

Adopted January 11th, 1848.

STATE DEPARTMENT,

Nashville, January 20th, 1848.

I, William B. A. Ranney, Secretary of State for the State of Tennessee, do hereby certify the foregoing to be a full and true copy of a resolution adopted by the General Assembly of said State, as appears from the original now on file in my office.

W. B. A. RANNEY,

_Secretary of State._

EXECUTIVE DEPARTMENT,

Nashville, January 20th, 1848.

_Sir: I have the honor to enclose to you, the annexed resolution of our present General Assembly; and your earliest attention is respectfully solicited to the subject herein referred to. Our General Assembly will probably close its session by the first of February, and desire the information sought, if possible, before the adjournment._

_Very respectfully,_

His Excellency, WILLIAM OWSLEY.

Ordered, That said message be referred to the committee on Federal Relations.
Ordered, That Messrs. Haggard, McReynolds, Bourland and Holmes be added to the committee appointed to visit the Lunatic Asylum.

Mr. Collins, from the committee on Internal Improvement, reported a bill in addition to the act for the benefit of Robert Williams, approved March 1, 1847.

Which was read the first time and ordered to be read a second time. The rule of the House, constitutional provision and second reading of said said bill having been dispensed with.

The question was then taken on engrossing and reading said bill a third time.

And after some discussion had thereon, the hour of 12 o'clock arrived, when the House proceeded to the orders of the day. The amendments proposed by the Senate to bills from this House of the following titles, viz:

An act for the benefit of James S. Smallwood.
An act for the benefit of Thomas St. Clair Lowe and George Wilson Jones.
An act authorizing the Court of Assessment for the 106th regiment of Kentucky Militia, to hold the Court on the first Monday in April.
An act to amend the act to establish a Female Academy in the town of Harrodsburg, approved February 9, 1829.
An act for the benefit of James Hambel, and for other purposes.
An act to incorporate the Muddy river Navigation and Manufacturing Company.
An act for the benefit of Benjamin Franklin Violett.
An act to change the names of certain persons, and for other purposes.
An act to authorize Thomas Bratcher to raise his mill dam on Caney creek, in Grayson county.
An act for the benefit of Mary D. Mosby.
Were taken up, twice read and concurred in.

Bills from the Senate of the following titles, viz:

1. An act authorizing certain deed books of the Logan County Court to be transcribed.
3. An act to incorporate the Lexington and Newtown Turnpike Road Company.
4. An act to incorporate the Trustees of the Bethlehem Cumberland Presbyterian Church, in Caldwell county.
5. An act for the benefit of Calvin and Mary Johnson, of Clinton county, and Elizabeth Ann Deacon, of Bullitt county.
6. An act to amend an act, entitled, an act to incorporate the Georgetown and Paris Turnpike Road Company, approved March 13, 1847.
7. An act providing for a change of venue in the prosecution against William B. Whitaker.
8. An act for the benefit of the widow and heirs of Samuel W. Brice, deceased.
9. An act to establish an additional election precinct in Caldwell county.
10. An act for the benefit of George T. Edwards, of Logan county.
12. An act to prevent the sales of spirituous liquors to slaves.
13. An act for the benefit of the widow and heirs of John Turley, deceased.
15. An act for the benefit of the children of William Arnett and others.
16. An act to incorporate the Hopkinsville and Cumberland River Rail Road Company.
17. An act regulating the taxation of costs in suits brought by administrators and executors.
18. An act to amend the charter of the town of Paducah, and for other purposes.
19. An act to divorce Isabella Snelling, and for other purposes.
20. An act for the benefit of Eveline Adams.
22. An act for the benefit of Moses Kirkpatrick, of Monroe county.
23. An act allowing an additional Constable to Larue county.
25. An act for the benefit of Major and Elizabeth Ann Weatherspoon, of Allen county.
26. An act to divorce Sarah Lane, and others.
27. An act to amend the act to incorporate the Paris Cemetery Company.
28. An act to incorporate the Cave Hill Cemetery, of Louisville.
29. An act to establish the Cumberland River, Fairview and Green River Road.
31. An act to enlarge the powers of the Trustees of the town of Louisa.
32. An act for the benefit of Henry Trunnell.
33. An act to amend an act, entitled, an act to establish the Fontaine's Ferry Turnpike Road Company.
34. An act for the benefit of Conrad Havens, and for other purposes.
35. An act for the benefit of Rebecca Claypoole, a Lunatic.
36. An act for the benefit of Hiram Begley, of Perry county, and for other purposes.
37. An act for the benefit of Mary Terhune, of Fleming county.

Were read the first time and ordered to be read the second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 2d, 4th, 7th, 8th, 10th, 12th, 13th, 14th, 15th, 17th, 18th, 24th, 27th, 28th, 30th, 31st and 36th were referred to the committee on the Judiciary; the 3d, 6th, 16th, 29th and 33d to the committee on Internal Improvement; the 5th, 19th, 20th, 25th, 26th and 32d to the committee on Religion; the 9th, 21st, 22d, 23d and 37th were severally ordered to be read a third time; and the 11th, 34th and 35th to the committee on Claims.

The rule of the House, constitutional provision and third reading of the 9th, 21st, 22d, 23d and 37th bills having been dispensed with,

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

The House took up the resolution from the Senate fixing a day for the election of Public Officers.

Ordered, That said resolution be referred to the committee on Public Officers.

The resolution from the Senate concerning the Lexington and Ohio Rail Road, was taken up, twice read and concurred in.

And then the House adjourned.

TUESDAY, JANUARY 25, 1848.

A message was received from the Senate announcing that they had passed bills from this House, of the following titles, viz:

An act establishing additional precincts in Floyd and Rockcastle counties.

An act to amend the road law of the county of Boone.

That they had passed bills of the following titles, viz:

An act to incorporate the Lebanon, New Market and Springfield Turnpike Road Company.

An act appropriating the proceeds of the sale of vacant lands, in Nicholas county, to purposes of Internal Improvement within said county.

An act to amend the act incorporating the town of Greensburg.

1. Mr. Woosley presented the petition of Susan Holmes, praying to be divorced from her husband, William Holmes.
2. Mr. Wilson presented the petition of sundry citizens of the town of Lagrange, praying the repeal of the act to prevent the sale of spirituous liquor in said town, or in one mile therefrom, approved January 29, 1846.

3. Mr. Conner presented the petition of sundry citizens of Greenup county, praying the passage of a law to prevent fishing with seins in Big Sandy river.

4. Also, the petition of sundry citizens of Greenup county, praying the passage of a law empowering the Clerk of the Greenup Circuit Court to grant injunctions, &c.

5. Mr. Hamilton presented the petition of Joel W. Gordon, praying to be exempted from the performance of militia duty.

6. Mr. Blanton presented the petition of sundry citizens of Owen county, praying an amendment of the laws for preventing the disturbance of religious worship.

7. Mr. Warren presented the petition of Richard Stamper, praying to be divorced from his wife, Margaret Stamper.

8. Mr. Moore presented the petition of John Williams, praying the passage of a law releasing him from keeping in repair, a bridge across Laurel Run.

9. Also, the petition of Nelly S. Craig, praying that her name be changed.

10. Mr. Bowen presented the petition of Theodore Hopwood, praying the passage of a law permitting him to peddle goods without license.

11. Mr. Lightfoot presented the petition of Isham Nichols, praying to be divorced from his wife, Delilah Nichols.

12. Mr. Carlisle presented the petition of the Bank Lick Turnpike Road Company, praying an amendment to their charter.

Which were received, the reading thereof dispensed with, and referred; the 1st, 6th, 7th and 11th to the committee on Religion; the 2d and 3d to the committee on Propositions and Grievances; the 4th, 8th and 9th to the committee on the Judiciary; the 5th to the committee on Military Affairs; the 10th to the committee on Ways and Means; and the 12th to the committee on Internal Improvement.

Mr. Eaker moved the following resolution, viz:

Resolved, That the Representative Hall be tendered to Mr. J. H. Green on Wednesday evening next, who the citizens of Frankfort and others desire shall deliver a lecture upon the baneful effects of Gambling.

Which was adopted.

Mr. Bowen asked leave to withdraw the petition of Elizabeth Voris.

Which was granted and the same was withdrawn.

The House resumed the consideration of the bill in addition to the act for the benefit of Robert Williams, approved March 1, 1847.

Ordered, That said bill be re-committed to the committee on Internal Improvement.
Mr. McKinney, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in this House of the following titles, and had found the same truly enrolled, viz:

An act to incorporate the town of Clifton, in Woodford county.
An act for the benefit of Thomas H. Hord and wife.
An act for the benefit of Maria M. Gillis, and for other purposes.
An act to change the time of holding the Hancock Circuit Court, and to limit the terms of the Breckinridge Circuit Court.
An act for the benefit of George Martin, of Greenup county.
An act for the benefit of Nathan B. Chism.
An act to divorce Eveline House, and for other purposes.
A bill to enlarge the Constable's district including the town of London.
An act for the benefit of Achille Dubourg.
An act for the benefit of the Sheriff of Floyd county.

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

An act to equalize the compensation for the collection of the revenue tax.
An act to allow an additional Constable to Larue county.
An act extending the limits of the town of Pleasureville, in Henry county.
An act to incorporate the Book Concern of the Methodist Episcopal Church South.
An act to incorporate the Richmond Cemetery Company.
An act authorizing the Secretary of State to furnish the State of Florida with certain reports of the Appellate Court.
An act for the benefit of Patrick Hickman.
An act for the benefit of the children of Thomas D. Helm, deceased.
An act for the benefit of the heirs of David Mize, deceased.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. McKinney inform the Senate thereof.

Mr. Price, from the committee on Education, to whom was referred a bill to abolish the Militia System, and to review and permanently establish Common Schools, reported the same with an amendment.

Ordered, That said bill and amendment be referred to a committee of the whole House, for Wednesday, the 2d day of February next.

A message was received from the Governor by Mr. Reed, Secretary of State, announcing that he had approved and signed sundry enrolled bills and a resolution, which originated in this House, of the following titles, viz:

An act for the benefit of William B. Dunlap, of Shelby county.
An act to establish the town of Priceville, in Hart county.
An act to legalize the laying off and surveying the town of Monterey, and change the place of voting.
An act regulating the jurisdiction of the Police Judge of the town of Shelbyville.

An act directing a change of venue to Henry S. Logan and Benjamin Raburn.

An act to amend the law incorporating the town of Proctor in the county of Owsley.

An act to amend the road law in Greenup county.

An act to remove the Seat of Justice of Mason county, from the town of Washington to the city of Maysville.

An act for the benefit of John S. Bledsoe.

An act for the benefit of the Clerk of the Fulton County Court.

Resolution in relation to the establishment of another Lunatic Asylum.

An act for the benefit of Nelson D. Bennett.

Approved January 22, 1848.

An act for the benefit of Elizabeth Huffaker.

An act to divorce William Wilkerson from his wife, Juliana Wilkerson.

An act for the benefit of Major General Robert Martin.

An act to extend Canal street, in the town of Harrodsburg.

An act for the benefit of William Andrews, of Monroe county.

An act for the benefit of Thomas Green, of Christian county.

An act to incorporate the Trustees of Liberty School House, in Trimble county.

An act for the benefit of Reese Bourland, of Ballard county.

An act for the benefit of William Fortson.

An act allowing the county of Letcher an additional Justice of the Peace and Constable, and for other purposes.

An act for the benefit of Jonathan Pryor.

An act to enlarge the Constable's district including the town of Hartford, in Ohio county.

An act to change the name of Thaddeus Franklin to that of Thaddeus Mortimer.

Approved January 24, 1848.

Mr. Price, from the committee on Education, to whom was referred the bill to incorporate the Cove Spring Academy, in the county of Boyle,

Reported the same without amendment.

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

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.

Mr. Duncan, from the committee on Military Affairs, to whom was referred a bill from the Senate, entitled, an act to exempt from militia duty the volunteers in the war with Mexico,

Reported the same without amendment.
The said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That each and every officer, non-commissioned officer, musician and private who has volunteered, or who may hereafter volunteer to serve in the war with Mexico, and who shall have served to the end of his engagement, or shall have been regularly discharged from said service, shall be forever thereafter exempt from the performance of home militia duty, unless in cases of insurrection or invasion, or when voluntarily performed.

Mr. Boulware moved to amend said bill by inserting after the word "Mexico," the following, "and those who served in the late war."

Mr. Forde moved to lay said bill and amendment on the table.

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


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

On motion of Mr. Beard—1. A bill to incorporate the Spencer county and Louisville Turnpike Road Company, and for other purposes.

On motion of same—2. A bill to incorporate the Trustees of the Christian Church, in Mount Eden, in Spencer county.
On the motion of Mr. Bowen—3. A bill to amend the revenue laws.

Ordered, That the committee on Internal Improvement prepare and bring in the 1st; the committee on the Judiciary the 2d; and Messrs. Bowen, Floyd, J. N. Stephens, and Williams the 3d.

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

By the committee on Education—1. A bill to incorporate the Lexington Female Institute.

By the committee on the Judiciary—2. A bill to change the time of holding the Clay Circuit Court, and for other purposes.

By Mr. Coleman—3. A bill for the benefit of John Swansey's heirs, of Crittenden county.

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

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st and 2d were severally ordered to be engrossed and read a third time; the 3d was referred to the committee on the Judiciary.

The rule of the House, constitutional provision and third reading of the 1st and 2d bills having been dispensed with, and the same being engrossed,

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

The House then resolved itself into a committee of the whole, on the bill to improve the navigation of Licking River between Lot Adams' Mill and the mouth of Slate, Mr. Hughes in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Hughes reported that the committee had, according to order, had under consideration the bill aforesaid, and had adopted some amendments thereto which he handed in at the Clerk's table.

The said amendments were then twice read and concurred in.

The said bill, as amended, reads as follows, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of three thousand dollars be and the same is hereby appropriated out of any money in the State Treasury not otherwise appropriated, for the purpose of removing obstructions in Licking river above the mouth of Slate, in Bath county, extending to Lot Adams' Mill, in Morgan county, to be paid and applied as hereinafter directed.

Sec. 2. That Thomas Perry, Jesse Barber, Rev. Wm. Lykins and John Hammond be and they are hereby appointed commissioners for the purpose of receiving and disbursing the money aforesaid, and shall execute a bond in the penal sum of ten thousand dollars, payable to the Commonwealth of Kentucky, with good and sufficient securities, to be approved of by the County Court of Morgan county, conditioned for the faithful performance of the duties imposed on them by this act; and shall, moreover, take an oath faithfully to apply the moneys by them received to the objects and purposes intended, and make an accurate report thereof to the County Court aforesaid, when thereto required.
SEC. 3. That said commissioners, after executing the bond and taking the oath aforesaid, and producing a certificate thereof from the Clerk of said County Court to the Second Auditor of State, shall be entitled to receive from said Auditor his warrant on the Treasurer for the sum appropriated in the first section of this act. And they shall then proceed to cause to be removed all such obstructions in said river, between the points before named, as impede the down navigation thereof, to the full amount that can be done by the money aforesaid, when faithfully applied, at fair rates for labor done; and shall keep an accurate account of the expenditure of said money, and make report to and settlement with the County Court aforesaid, within one year from the date of said bond.

SEC. 4. The County Court aforesaid, in making settlement with the commissioners aforesaid, shall allow them such reasonable compensation as they each may be entitled to for services actually done, a majority of the Justices of said Morgan county being present at said settlement.

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

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

The question was then taken on the passage of said bill, and decided in the negative, and so the said bill was rejected.

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

Those who voted in the affirmative, were—

Mr. Speaker,  Conner,  Shawhan,  Smith,  Talbott,  Taliaferro,  Towles,  Warren,  Williams,  Wilson,  Wintersmith—29.


Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beeler,  Bell,  Beel
On motion of Mr. Allin,
Ordered, That the committee of the whole be discharged from the further consideration of the bill authorizing the construction of a turnpike road from the town of Oregon, on the Kentucky river, to the Louisville and Crab Orchard road.

Ordered, That said bill be re-committed to the committee on Internal Improvement.

The House then took up for consideration the bill giving actions of trespass to the widow and infant children of persons killed.

Mr. Collins moved an amendment to said bill.

Ordered, That said bill and amendment be referred to a committee of the whole House, for Tuesday, the 1st day of February next.

Mr. Hughes moved the following resolutions, viz:

Resolved, That the committee on the Judiciary be instructed to enquire into the propriety of passing a law to require plaintiffs or complainants in vexatious suits at law or in chancery, to give security for costs.

Resolved, That said committee be instructed to enquire into the propriety of passing a law requiring plaintiffs in actions of trespass, assault and battery, and actions for slander, to pay the costs of the suit where the damages assessed by the jury do not amount to more than five dollars, and that they report by bill or otherwise.

Which were adopted.

And then the House adjourned.

WEDNESDAY, JANUARY 26, 1848.

A message was received from the Senate announcing the passage of bills from this House of the following titles, viz:

An act more effectually to suppress gambling.

An act for the benefit of the Dover and Minerva Turnpike, and Maysville and Germantown Turnpike.

An act to amend the charter of the Western Baptist Theological Institute, at Covington, Kentucky.

An act declaring Middle creek, in Floyd county, navigable from its mouth to its first forks, at Spradlin's store.
An act allowing an additional Constable to the county of Johnson.
An act allowing an additional Constable to Bath county.
An act allowing an additional Justice of the Peace to the county of Floyd.
An act to incorporate the Stickney Mining Company, of Crittenden county.
An act to incorporate the Columbian Mining Company, of Crittenden county.
An act to amend the several acts to suppress duelling.
An act for the benefit of Samuel Jarvis.
With amendments to the four last named bills.
That they had passed bills of the following titles, viz:
An act divorcing Mary Fenley, of Shelby county.
An act repealing all laws declaring Bull Skin, in Clay county, a navigable stream.
An act to change in part the Old State Road from Owingsville to Big Sandy.
1. Mr. Ireland presented the memorial of the President, Directors and Company of the Covington and Lexington Turnpike Road Company, praying the passage of a law authorizing the subscription on the part of the State of stock sufficient to finish said road.
2. Mr. Quarles presented the petition of sundry citizens of Pulaski county, praying a change in the place of voting in an election precinct in said county.
3. Mr. Railey presented the petition of John Springer, praying that compensation be made him for taking care of Charles Springer, a lunatic.
4. Mr. M. E. White presented the petition of sundry citizens of Whitley county, praying the passage of an act compelling Justices of the Peace to comply with the laws in relation to Jailers.
5. Also, the petition of sundry citizens of Whitley county, praying that the appointment of Robert Finley, as Jailer of said county, may be legalized.
6. Mr. Hatfield presented the petition of Wm. H. Eubank, praying that the estate of Mark Crowders, deceased, be released from the revenue tax on certain property belonging to said estate.
7. Also, the petition of Julia G. Taylor, praying to be divorced from her husband, Nicholas M. Taylor.
8. Mr. Ford presented the petition of John Cole, Sr., praying to be divorced from his wife, Martha Cole.
Which were received, the reading thereof dispensed with, and referred; the 1st to the committee on Internal improvement; the 2d to the committee on Privileges and Elections; the 3d to the committee on Claims; the 4th and 5th to Messrs. M. E. White, Allen and Judd; the 6th to the committee on Ways and Means; and the 7th and 8th to the committee on Religion.
Mr. R. H. Field, from the committee on the Library, moved the following resolution, viz:

Resolved, That the Keeper of Public Buildings be instructed to deliver to Robert Wickliffe, Esq., the portrait of Governor Isaac Shelby, heretofore presented to the State by the said Wickliffe.

Which being twice read was adopted.

Mr. J. N. Stephens, from the committee on Propositions and Grievances, to whom was referred the petition of John A. Leveridge, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. J. N. Stephens, from the same committee, to whom was referred a bill to amend an act, entitled, an act to prevent the wanton destruction of fish, reported the same without amendment.

The said bill was then amended.

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

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.

Mr. Bush, from the committee on Privileges and Elections, to whom was referred a bill to establish an additional election precinct in Wayne county, reported the same without amendment.

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

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.

Mr. Miller, from the committee on Public Offices, to whom was referred the resolution from the Senate fixing a day for the election of Public Officers, reported the same without amendment.

The said resolution was then amended.

Ordered, That said resolution, as amended, be concurred in.

Mr. Bowling, from the committee on Claims, to whom was referred a bill from the Senate, entitled, an act for the benefit of Samuel Hogan, of Green county, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

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

Mr. Bowling, from the same committee, to whom was referred the petition of J. T. Thomasson, reported the same with the following resolution, viz:
Resolved, That said petition be rejected.
Which was concurred in.

On motion of Mr. Pratt,

Ordered, That said petition be withdrawn, and the same was withdrawn.
Mr. Bowling, from the same committee, to whom was referred the petition of Levi Johnson, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.
Which 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 the Library—1. A bill for the benefit of Harvard University.

By the committee on Propositions and Grievances—2. A bill to incorporate the Lexington Cemetery.

By same—3. A bill to change the place of voting in an election precinct in the county of Henderson.

By same—4. A bill to allow an additional Justice of the Peace to the county of Fleming.

By same—5. A bill to run and establish the line between the counties of Livingston and Crittenden, and for other purposes.

By the committee on Privileges and Elections—6. A bill to change the place of voting in the Christiansburg precinct, in Shelby county.

By same—7. A bill to establish election precincts in the county of Mason.

By same—8. A bill to establish additional election precincts in certain counties, and for other purposes.

By the committee on Claims—9. A bill for the benefit of Shackleford and Pullen.

By same—10. A bill for the benefit of M. R. Stealey, late architect of the Penitentiary buildings.

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

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 9th and 10th were severally ordered to be engrossed and read a third time; and the 8th was referred to a committee of the whole House for 10th February next.

The rule of the House, constitutional provision and third reading of the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 9th and 10th 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 Public Printer forthwith print 150 copies of the 8th bill for the use of the members of the General Assembly.

And then the House adjourned.
THURSDAY, JANUARY 27, 1848.

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 John H. Boarman.
An act relinquishing the title of the Commonwealth to certain real estate to Trustees for school purposes.
An act to amend the charter of the city of Maysville, and for other purposes.
An act to amend an act, entitled, an act to incorporate the town of Lagrange, approved January 23d, 1840.
That they had passed bills of the following titles, viz:
An act to amend an act, entitled, an act further to protect the rights of married women.
An act to amend the laws concerning the town of Frankfort.
An act for the benefit of the infant heirs of Augustus F. Jacob, of Caldwell county.
An act for the benefit of the Clerks of the Simpson and Clarke County Courts.

1. Mr. Ireland presented the petition of sundry citizens of Pendleton county, praying to be added to the county of Grant.
2. Mr. Pratt presented the petition of Mary E. Crane, praying to be divorced from her husband, John M. Crane.
3. Mr. Christopher presented the petition of sundry citizens of Jessamine county, praying the establishment of an additional election precinct in said county.
4. Mr. Hardy presented the petition of Charles F. McKinney, praying permission to retail spirituous liquors without license.
5. Mr. Speed presented the petition of Wm. H. Resor, George Schnetz, and Eliza Schnetz, praying the passage of a law authorizing the sale of certain real estate in Louisville.
6. Mr. Cavan presented the petition of Francis R. Davis, guardian of John Walton and others, praying the passage of a law authorizing the sale of certain real estate belonging to his wards.
7. Mr. Bowen presented the petition of John Wallace, Ebenezer Wallace, and Elizabeth Clements, praying the passage of a law authorizing the administrator of Joshua Wallace, deceased, to convey certain lots in Lockport.
8. Mr. T. D. Brown presented the petition of sundry citizens of Hardin county, praying that an additional Justice of the Peace be allowed to said county.
9. Mr. Moore presented the petition of Anderson D. Jones, Wm. Jones, and Andrew Fry, praying to be added to Laurel county.

10. Mr. Carlisle presented the petition of the President and Common Council of the city of Covington, praying an amendment to the charter of said city.

11. Also, the petition of sundry citizens of Kenton county, praying the extension of the law for the benefit of mechanics in the city of Covington to the mechanics of said county.

Which were received, the reading dispensed with, and referred; the 1st and 9th to the committee on Propositions and Grievances; the 2d to the committee on Religion; the 3d to the committee on Privileges and Elections; the 4th to the committee on Ways and Means; the 5th, 6th, 7th, 10th and 11th to the committee on the Judiciary; and the 8th to Messrs. T. D. Brown, Harris and Wintersmith.

Mr. Wintersmith moved the following resolution, viz:

WHEREAS, it has been communicated to this House, that on this day at 12 o'clock, M., the survivors of the 2d Regiment of Kentucky Volunteers, will present to the General Assembly of Kentucky, the flag of said Regiment, under which they fought and conquered at the memorable action of the 22d and 23d of February, 1847, at Buena Vista. Therefore,

Resolved, That a committee be appointed to wait upon and invite the Senate to participate in the reception of said flag.

Which was adopted.

Whereupon, Messrs. Wintersmith, Pratt and Smith, were appointed the committee in pursuance of said resolution.

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

On motion of Mr. Wilkins—1. A bill further to regulate the granting of tavern licenses.

On motion of Mr. Allen—2. A bill for the benefit of the Taylor Guards, of Mercer county.

Ordered, That the committee on the Judiciary prepare and bring in the 1st, and Messrs. Allin, Bowen and Soery the 2d.

A message was received from the Senate by Mr. J. Speed Smith, announcing that the Senate would, at 12 o'clock, M., accept the invitation of this House in being present at the presentation of the flag of the 2d Regiment of Kentucky Volunteer Infantry.

Mr. Berry, from the committee on Claims, to whom was referred the bill for the benefit of George W. Riddle and William Harman, 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.

Mr. Berry, from the same committee, to whom was referred the bill for the benefit of the Clerk of the Campbell Circuit Court, reported the same without amendment.
Ordered, That said bill be engrossed and read a third time.

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.

Mr. Berry, from the same committee, to whom was referred the petition of Charles R. Palmere, and the petition of John Atkinson, reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. Berry, from the same committee, to whom was referred a bill from the Senate, entitled, an act for the benefit of Joseph Hinkle, of Muhlenburg county, reported the same without amendment.

Ordered, That said bill be read a third time.

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.

Mr. McKinney, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act establishing additional precincts in Floyd and Rockcastle counties.
An act to amend the charter of the Western Baptist Theological Institute located at Covington, Kentucky.
An act allowing an additional Constable to the county of Johnson.
An act allowing an additional Constable to Bath county.
An act allowing an additional Justice of the Peace to the county of Floyd.
An act to amend the road law in the county of Boone.
An act for the benefit of the Dover and Minerva turnpike and Maysville and Germantown turnpike.
An act for the benefit of Mary D. Mosby and Daniel B. Mosby.
An act for the benefit of Benjamin Franklin Violett and William Bush, Jr.
An act to change the names of certain persons, and for other purposes.
An act for the benefit of James S. Smallwood.
An act for the benefit of Thomas St. Clair Lowe and George Wilson Jones and Amanda J. Miller.
An act for the benefit of James Hambel, and for other purposes.
An act to authorize Thomas Bratcher to raise his mill dam on Caney creek, in Grayson county.
An act authorizing the Court of Assessment for the 106th regiment of Kentucky Militia, to hold the Court on the first Monday in April.
An act to amend the act to establish a Female Academy in the town of Harrodsburg, approved February 9, 1829.
An act to incorporate the Muddy river Navigation and Manufacturing Company.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. McKinney inform the Senate thereof.

Mr. Towles, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act for the benefit of the widow and heirs of Samuel W. Bryce, deceased.

Reported the same without amendment.

Ordered, That said bill be read a third time.

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.

Mr. Towles, from the same committee, to whom was referred the petition of Joel Sweeney asked to be discharged from the further consideration of the same, which was granted.

Ordered, That said petition be referred to the committee on Ways and Means.

Mr. Combs, from the same committee, to whom was referred the petition of the Cumberland County Court, asked to be discharged from the further consideration of the same, which was granted.

Ordered, That said petition be referred to the committee on Claims.

A message was received from the Governor by Mr. Reed, 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 Achille Dubourg.
An act for the benefit of the Sheriff of Floyd county.
An act for the benefit of George Martin, of Greenup county.
A bill to enlarge the Constable's district including the town of London.
An act for the benefit of Thomas H. Hord and wife.
An act to incorporate the town of Clifton, in Woodford county.
An act for the benefit of Nathan B. Chism.
An act to divorce Elvina House, and for other purposes.
An act for the benefit of Maria M. Gillis, and for other purposes.
An act to change the time of holding the Hancock Circuit Court, and to limit the terms of the Breckinridge Circuit Court.

Approved January 25, 1848.

Mr. Combs, from the committee on the Judiciary, to whom was referred the petition of John Herman, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.
On motion, 
Ordered, That said petition be withdrawn, and the same was withdrawn.

Mr. Combs, from the same committee, to whom was referred a bill for the benefit of the Church of Christ, on Chenowith’s Run, in Jefferson county, Reported the same without amendment.

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

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.

Mr. Combs, from the same committee, to whom was referred bills from the Senate of the following titles, viz:

An act authorizing certain deed books of the Logan County Court to be transcribed.

An act to incorporate the Trustees of the Bethlehem Cumberland Presbyterian Church, in Caldwell county.

An act for the benefit of George T. Edwards, of Logan county.

An act to amend the act to incorporate the Paris Cemetery Company.

An act to amend the charter of the town of Paducah, and for other purposes.

An act for the benefit of William H. Williams, of Clinton county.

An act for the benefit of Richard Neil and Elizabeth E. Neil, his wife.

An act for the benefit of the children of William Arnett and others.

An act regulating the taxation of costs in suits brought by administrators and executors.

 Reported the same without amendment.

Ordered, That said bills be read a third time.

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.

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

By the committee on Claims—1. A bill for the benefit of the Sheriffs of Nicholas, Barren, Floyd and Boone counties.

By same—2. A bill for the benefit of James G. Edens.

By same—3. A bill for the benefit of John Thornhill, Priscilla Thornhill and Mahala Thornhill.

By same—4. A bill for the benefit of Mary Jane Eals, an idiot.

By the committee on the Judiciary—5. A bill for the benefit of William B. Price, and others.

By same—6. A bill to incorporate the Master and Wardens of Wingate Lodge, No. 161, at Simpsonsville, in Shelby county.
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By same—7. A bill for the benefit of Joseph Deere.
By same—8. A bill for the benefit of the widow and heirs of William Peters.
By same—9. A bill to amend the charter of the Licking Bridge Company.
By same—10. A bill to incorporate the Trustees and Stockholders of the Deane and Gracy Fund, of the city of Covington.

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

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 4th, 5th, 7th, 8th, 9th and 10th were severally ordered to be engrossed and read a third time; and the 6th was referred to the committee on the Judiciary.

The rule of the House, constitutional provision and third reading of the 1st, 2d, 3d, 4th, 5th, 7th, 8th, 9th and 10th bills having been dispensed with, and the same being engrossed,

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

Mr. Combs, from the committee on the Judiciary, to whom was referred the bill to amend the Jury law,

Reported the same without amendment.

The question was then put on engrossing and reading said bill a third time, and after some discussion had thereon the hour of 12 o'clock arrived.

Mr. Combs laid before the House a communication from Major Cary H. Fry, which is as follows, viz:

To the General Assembly of the Commonwealth of Kentucky:

As the only surviving Field Officer, and as the organ of the officers and men of the late 2d Regiment of Kentucky Volunteer Infantry, I do, in their behalf, tender to the State of Kentucky through you, as its Representatives, the mutilated but not dishonored Colors of that gallant corps.

This standard was once the object of personal conflict during the ever memorable battle of Buena Vista, but held by the hands of a brave and dauntless Sergeant, William F. Gaines, it was borne in triumph from that field, a monument of the devotion of Kentuckians to their own honor and the glory of their State.

I surrender, therefore, this flag to that State whose approbation it was our highest ambition to merit, and whose reputation it was our dearest wish to sustain, in the hope that it may be long preserved, notwithstanding it creates so many sad associations, for they are such as should be eternal in the recollections of our countrymen.

With the highest respect,

C. H. FRY,


January 27th, 1848.

Mr. Combs then, on behalf of the Officers and Soldiers of the 2d Regiment of Kentucky Volunteer Infantry, presented to the General Assembly, the Flag of said Regiment.

Whereupon, Mr. Towles moved the following resolutions, viz:

...
Resolved, That the Representatives of the people of Kentucky receive with deep sensibility, the colors now presented. The crape by which they are veiled is sadly emblematic of the gloom which shrouds the State for the loss of her patriotic and noble sons, who in bearing them aloft fell covered with wounds on the proud and bloody field of Buena Vista. They shall be preserved. The archives of State hold no treasures more dear. Riddled with shot, tattered and blood stained, they prove that the sons of Kentucky now, as ever, are found in the hottest and bloodiest part of the battle field when the honor and glory of their country call them to war. After generations will point to this flag with proud exultation. We repeat, they shall be preserved.

Resolved, That the gratitude and thanks of the people of Kentucky are due, and are hereby tendered to Maj. Fry and his brave companions in arms, for so priceless a gift.

Resolved, That the conduct of the Officers and Soldiers of Kentucky, both Infantry and Cavalry, on the field of Buena Vista, is entitled to the admiration and gratitude of the people of Kentucky.

Resolved, That the banner this day presented, be deposited in the Public Library, and preserved and cherished, as a memento of the gallantry and daring of Kentucky's sons upon that glorious and ever memorable day.

Mr. Grainger moved to amend said resolutions by adding the following viz:

Resolved, That the name of Sergeant William F. Gaines be inscribed on a plate of metal, and attached permanently to the Flag Staff which he so gallantly bore in the battle of Buena Vista, and that a gold medal with suitable inscriptions be tendered, by the Governor of the Commonwealth, to said Gaines.

And the question being taken thereon it was unanimously adopted.

Mr. T. D. Brown moved further to amend said resolutions by adding the following, viz:

Resolved, That we tender the thanks and gratitude of the people of Kentucky, to Sergeant William F. Gaines, the boy defender of the glorious banner of Kentucky in the sanguinary battle of Buena Vista.

And the question being taken thereon, it was unanimously adopted.

The question was then taken on adopting the resolutions, as amended, and unanimously decided in the affirmative.

And then the House adjourned.

FRIDAY, JANUARY 28, 1848.

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 Rebecca Shields.
An act to divorce Susan F. Norrell, and for other purposes.
An act to incorporate the Christian Church at Morganfield.
That they had passed bills of the following titles, viz:
An act to provide for a change of venue in the prosecutions against Francis M. Ewing.
An act to protect parents and guardians.
An act to enlarge the powers of the Trustees of the town of Princeton, and for other purposes.
An act concerning guardians.
An act granting certain powers to the Trustees of the town of Russellville.
An act to divorce Mary Howard, of Harlan county.
That they had received official information from the Governor that he had approved and signed enrolled bills originating in the Senate of the following titles, viz:
An act for the benefit of the heirs of David Mize, deceased.
An act for the benefit of Patrick Hickman.
An act to incorporate the Richmond Cemetery Company.
An act to allow an additional Constable to Larue county.
An act to equalize the compensation for the collection of the revenue tax.
An act authorizing the Secretary of State to furnish the State of Florida with certain reports of the Appellate Court.
An act for the benefit of the children of Thomas D. Helm, deceased.
An act extending the limits of the town of Pleasureville, in Henry county.
An act to incorporate the Book Concern of the Methodist Episcopal Church South.

Approved January 25, 1848.

1. Mr. Pratt presented the petition of Thompson Bramblett, praying the passage of a law authorizing the executrix of R. E. Bramblett, deceased, to convey certain lands purchased by him, of said deceased, by parol contract.

2. Mr. McReynolds presented the petition of Nancy and David Pointer, praying that Jephtha Hollingsworth, executor of John G. Hollingsworth, deceased, may be authorized to pay over to them certain funds in his hands.

3. Mr. Grundy presented the petition of the widow and heirs of Richard P. Wright, deceased, praying the passage of a law authorizing the sale of certain real estate belonging them, some of whom are infants.

4. Mr. Eaker presented the petition of sundry citizens of Kenton county, praying the passage of a law incorporating the Covington and Taylor's Mill Turnpike Road Company.
5. Mr. Wright presented the petition of sundry citizens of Fulton county, praying the passage of an act incorporating the Hickman Manufacturing Company.

6. Mr. Abell presented the petition of Aaron Dawson, praying that he be permitted to peddle goods without license.

7. Mr. Eaker presented the petition of James Ursery and Louisa Jane Ursery, praying to be divorced from each other.

8. Mr. Grundy presented the petition of sundry citizens of Washington county, praying the passage of a law authorizing the construction of a bridge across the Beech fork of Salt river.

9. Mr. Haggard presented the petition of Sally C. Semple, praying to be divorced from her husband, Robert B. Semple.

10. Mr. Wilkins presented the petition of sundry citizens, praying a change in the State road from the mouth of Salt river to Bowling green.

11. Mr. Johnston presented the petition of sundry citizens of Graves county, praying to be added to Calloway county.

Which were received, the reading dispensed with, and referred; the 1st, 3rd and 8th to the committee on the Judiciary; the 2d to Messrs. McReynolds, Wilkins and Bourland; the 4th to the committee on Internal Improvement; the 5th to the committee on Agriculture and Manufactures; the 6th to the committee on Religion; the 7th and 9th to the committee on Propositions and Grievances.

On motion of Mr. J. Brown leave of absence, until Monday next, was granted to Mr. J. N. Stephens.

On motion of Mr. Barlow leave of absence, until Tuesday next, was granted to Mr. Floyd.

The House resumed the further consideration of the bill to amend the Jury law.

Ordered, That the further consideration of said bill be postponed until Tuesday next.

Mr. Speed, from the committee on the Judiciary, to whom was referred the bill to amend an act, entitled, an act to regulate the administration and settlement of estates, approved February 20th, 1839,

Reported the same without amendment.

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

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.

Mr. Speed, from the same committee, to whom was referred the bill to regulate the duty of Jailers, and for other purposes, reported the same with an amendment as a substitute for said bill, which was concurred in.
Ordered, That said bill be engrossed and read a third time.
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.

Mr. Speed, from the same committee, to whom was referred bills from the Senate of the following titles, viz:

An act for the benefit of William T. Long, of Clinton county.
An act to incorporate the Cave Hill Cemetery, of Louisville.

Reported the same without amendment.

Ordered, That said bills be read a third time.

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.

Mr. Barlow moved a re-consideration of the vote rejecting the bill to improve the navigation of Licking river from Lot Adams' mill to the mouth of State.

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

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

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Allin,
Askins,
Bailey,
Ballingal,
Beeler,
Blderback,
Bush,
Cavan,
Christopher,
Cockrell,
Collins,
Conner,
Doagherty,

Duncan,
Elliot, J.
Grubb,
Grundy,
Hamilton,
Hogg,
Holmes,
Ireland,
Kerrick,
Miller,
Moore,
Newell,
Price,

Quarles,
Shawhan,
Smith,
Talbutt,
Thomas,
Towles,
Turner,
Wall,
Warren,
White, D. P.
Williams,
Wilkins,
Wintersmith—41.

Those who voted in the negative, were—

Messrs. Abell,
Barlow,
Beard,
Bell,
Berry,
Blanton,
Bourland,
Boulware,
Bowen,
Bowling,
Boyd,

Coleman,
Dohoney,
Eaker,
Field, R. H.
Gaines,
Grainger,
Haggard,
Hardy,
Harrell,
Harris,
Hatfield,

Lightfoot,
McKinney,
McReynolds,
Railey,
Short,
Soery,
Speed,
Stevens, J.
White, M. E.
Wood,
Wolford,
Mr. Wood from the committee on the Judiciary, to whom was referred the bill to incorporate the Master and Wardens of Wingate Lodge, No. 161, at Simpsonville, in Shelby county, reported the same without amendment.

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

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.

Mr. Wood, from the same committee, to whom was referred a bill from the Senate, entitled, an act providing for a change of venue in the prosecution against Benjamin All, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

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

Mr. Wood, from the same committee, to whom was referred the bill to amend the law in relation to the taking depositions in actions at law, reported the same with amendments.

On motion of Mr. Towles,

Ordered, That said bill and amendments be re-committed to the committee on the Judiciary, with the following instructions, viz:

To report a general law, embracing with other things, the provisions of the bill and amendments, with such guards as will secure the ends of justice.

The following bills were reported by the committee on the Judiciary, viz:

A bill to incorporate the German Roman Catholic Benefit Society, of Covington.

A bill to amend the laws in regard to the town of Midway.

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

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.

Mr. Smith read and laid on the table the following preamble and resolutions, viz:

WHEREAS, His Excellency, the Governor, in his recent annual communication to the Legislature, has made honorable mention of the conduct of the Officers and Soldiers of the 2d Regiment of Kentucky Infantry at the battle
of Buena Vista; and whereas, it appears that he has omitted to make such mention of the Kentucky Cavalry. Therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That while we contemplate with profound feelings of gratitude and pride, the devoted gallantry which marked the conduct of the 2d Kentucky Infantry, the Regiment of McKee, of Clay, of Willis, and of their immediate companions in arms and in death on the field of Buena Vista; and while we yield our cordial tribute of sympathy and grief for their glorious and untimely fate, we also exult in the generous chivalry which impelled the gallant young Vaughan, and his compatriots of the Kentucky Cavalry, to meet amid the squadrons of the enemy, upon the same bloody field, a fate as full of honor and as premature; and that we claim the laurels won by both the Regiments on that eventful day, as the rich heritage of Kentucky's historic fame, a glorious unity, not to be divided nor diminished.

The rule of the House requiring joint resolutions to lie one day on the table having been dispensed with,

Mr. Elliott moved to amend said preamble and resolutions by striking out the preamble.

Mr. Smith moved the following as a substitute for said preamble and resolution:

WHEREAS, in examining the annual message of the Governor, it appears that his language in reference to the Volunteers in the Mexican war is partial in its character. Therefore,

Resolved, That the Governor of Kentucky be requested to communicate to this General Assembly whether any slight was intended by the omission.

And the question being taken on adopting said amendment, it was decided in the affirmative.

The question was then taken on the adoption of the resolutions as amended, and decided in the affirmative.

And then the House adjourned.

SATURDAY, JANUARY 29, 1848

1. Mr. Bowen presented the petition of James W. Roberts, praying the passage of a law authorizing his wife, who is under age, to join him in the conveyance of a tract of land.

2. Mr. Cavan presented the petition of George Cress, praying the passage of an act authorizing the Fleming Circuit Court to decree a conveyance of certain lands to him.

3. Mr. Bourland presented the petition of Jack Henderson, praying to be divorced from his wife, Zila Henderson.
4. Mr. Cavan presented the petition of Charles Hartshorn and others, praying the passage of a law incorporating a company to be styled the Kinnacanick Railroad and Mill Company.

5. Mr. Miller presented the petition of sundry citizens of Portland, praying a change in the law in relation to the distribution of the Common School Fund.

6. Mr. Lightfoot presented the petition of William Blain, praying to be divorced from his wife, Esther Blain.

Which were received, the reading dispensed with, and referred; the 1st and 2d to the committee on the Judiciary; the 3d and 6th to the committee on Religion; the 4th to the committee on Internal Improvement; and the 5th to the committee on Education.

On motion of Mr. Speed,

Ordered, That he be excused from serving on the committee to bring in a bill to fix the ratio and apportion the representation for the next four years.

Ordered, That Mr. J. Brown be appointed on said committee.

On motion of Mr. McKinney,

Ordered, That leave of absence, till Wednesday next, be granted to Mr. Boulware.

A message was received from the Senate announcing that they had passed bills from this House, of the following titles, viz:

An act for the relief of George M. Green.

An act for the benefit of Benjamin Berry, Jr., of Union county.

An act for the benefit of John H. Breeding and wife, and for other purposes.

That they had concurred in the amendment proposed by this House, to a resolution from the Senate, fixing a day for the election of Public Officers.

That they had passed bills and a resolution of the following titles, viz:

An act to continue in force the 4th and 8th sections of an act, entitled, an act to amend the charter of the Louisville and Elizabethtown Turnpike Company, and Covington and Lexington Turnpike Company.

An act to amend the several acts incorporating the town of Paducah.

An act for the benefit of James T. Larkin.

An act for the benefit of the Walnut Hill Church, in Fayette county.

An act to divorce Joseph L. Craft from his wife Hannah Craft, of Boone county.

An act to increase the powers of the Trustees of the town of Hopkinsville.

An act to incorporate the Board of Publication of the Cumberland Presbyterian Church.

An act to amend an act, entitled, an act concerning the town of Albany, in Clinton county, approved February 14, 1846.
A resolution authorizing the purchase of Collins' Historical Sketches of Kentucky for the use of the Public Library.

Mr. McKinney, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act more effectually to suppress gambling.
An act declaring Middle Creek, in Floyd county, navigable from its mouth to its first forks, at Spradlin's store.
An act relinquishing the title of the Commonwealth to certain real estate to Trustees for school purposes.
An act to incorporate the Christian Church at Morganfield.
An act for the benefit of Rebecca Shields.
An act to amend the charter of the city of Maysville, and for other purposes.
An act for the benefit of John H. Boarman.

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

An act for the benefit of the widow and heirs of Samuel W. Brice, deceased.
An act for the benefit of the children of William Arnett and others.
An act for the benefit of Mary Terhune, of Fleming county.
An act for the benefit of Samuel Hogan, of Green county.
An act to establish an additional election precinct in Caldwell county.
An act for the benefit of Moses Kirkpatrick, of Monroe county.
An act regulating the taxation of costs in suits brought by administrators and executors.
An act for the benefit of George T. Edwards, of Logan county.
An act authorizing certain deed books of the Logan County Court to be transcribed.
An act for the benefit of Joseph Hinkle, of Muhlenburg county.
An act providing for a change of venue in the prosecution against Benjamin All.
An act to amend the charter of the town of Paducah, and for other purposes.
An act for the benefit of Pleasant H. Williams, of Clinton county.
An act to amend the charter of the Covington and Lexington Turnpike Road Company.
An act to amend the act to incorporate the Paris Cemetery Company.
An act for the benefit of Richard Neil and Elizabeth E. Neil, his wife.
A resolution fixing a day for the election of Public Officers.
A resolution concerning the Lexington and Ohio Railroad.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. McKinney inform the Senate thereof.
Mr. Allin, from the select committee, to whom was referred the petition of sundry citizens of Whitley county, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Johnston from the committee to whom was referred the bill to increase the jurisdiction of Justices of the Peace, reported the same with an amendment as a substitute for the bill.

The said bill reads as follows, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter, Justices of the Peace of this Commonwealth, shall have concurrent jurisdiction of all sums not exceeding one hundred dollars, in actions of debt and assumpsit; and they shall, in the preparation and trial of said suits, be governed by the laws now in force regulating trials before Justices of the Peace: Provided, That the foregoing provisions of this act shall not be so construed as to give the Circuit Courts jurisdiction in sums under fifty dollars.

Sec. 2. Be it further enacted, That hereafter, whenever an execution shall issue upon a judgment rendered by a Justice of the Peace, and shall be returned by the proper officer, no property found out of which the amount of said execution can be made, or where a part thereof has been made and returned no property found out of which the residue can be made, it shall and may be lawful for the plaintiff or plaintiffs, defendant or defendants, his, her, or their agent or agents, or whoever may be entitled to the benefit of said judgment, to procure a copy of the record from the Justice of the Peace who rendered the same, or his successor in office, or whoever Justice may at the time have the record in his possession, and file the same with the Circuit Court. Clerk of the county where the judgment was rendered, whose duty it shall be, when requested by the party entitled thereto, to issue an execution on the same as though the judgment had been rendered in the Circuit Court; and the Sheriff shall, in the discharge of his duty, be governed in every respect by the laws now in force prescribing the duties of Sheriffs in the collection of debts.

Sec. 3. Be it further enacted, That either party shall have the right to appeal from the judgment of the Justice under the same rules and regulations, and shall, in all respects, be governed by the laws now in force, allowing appeals from the judgment of Justices of the Peace to the Circuit Court.

Sec. 4. Be it further enacted, That whenever the judgment rendered shall exceed fifty dollars, the Constable collecting the same, shall not be entitled to a larger commission for collection than is now allowed to Sheriffs for collecting money by execution.

The amendment proposed as a substitute for said bill, reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the several Justices of the Peace of this Commonwealth, within their respective counties, shall have concurrent jurisdiction with the Circuit Courts of this Commonwealth, in all cases wherein the holder of a note or bond for the direct payment of money, with no collateral covenants, may
wish to place the same in suit, and the amount due upon the said note or bond, exclusive of interest and costs, does not exceed one hundred dollars; and in all proceedings in rendering judgment and issuing execution on all such notes or bonds, such Justice shall, in all things, be regulated by the laws now in force in relation to sums of fifty dollars and under; and in all cases, where the debt or demand does not exceed fifty dollars, they shall have the same jurisdiction as heretofore.

Sec. 2. Be it further enacted, That hereafter, whenever any execution against any judgment debtor, issued by any Justice of the Peace for any sum of five pounds and over, shall have been duly returned by a Constable to the Justice who issued it, with a return endorsed thereon that no goods or chattels could be found sufficient to satisfy such execution, or any part thereof, such Justice shall, at the request of the judgment creditor, his agent or attorney, if made within two years from the return day of such execution, make out and certify a full, true and perfect transcript of the proceedings and judgment in said cause, and the return of the Constable; which transcript, when so made out and certified, may be, by such judgment creditor, his agent or attorney, filed in the Clerk's office of the Circuit Court of the county in which such judgment was rendered.

Sec. 3. Whenever any transcript shall have been filed and recorded with the return of the Constable, that no goods or chattels could be found sufficient to satisfy such judgment, or any part thereof; or whenever any judgment creditor, his agent or attorney, shall have filed in the Clerk's office, where any such transcript of a Justice's judgment may have been filed and recorded, a certificate from the Justice before whom the judgment was rendered, that an execution had been issued thereon by him to a Constable of his county, and duly returned by such Constable, in substance, that no property could be found sufficient to satisfy such execution, or any part thereof; and such judgment creditor, his agent or attorney, shall require such Clerk so to do, such Clerk shall issue a scire facias on such transcript against the defendant in such execution, by which he shall be summoned to appear before the Circuit Court to show cause, if any he have or can, why an execution should not issue from such Circuit Court against his estate; which scire facias it shall be the duty of the Clerk to enter upon the issue docket of his said court, as other causes are now required to be entered by law, and have the same fees now allowed in original suits.

Sec. 4. Such scire facias shall, among other things, contain a suggestion that the defendant in the execution is seized and possessed of real estate not liable to be seized or levied on by virtue of an execution issued by a Justice of the Peace; which suggestion shall be supported by satisfactory proof to the Circuit Court when the cause shall come to a hearing before it; and on failing to make such proof, the plaintiff shall have no judgment on his scire facias, but judgment of non-suit shall be entered thereon against him, with costs.

Sec. 5. The provisions of this act, relative to proceedings on scire facias on transcript, shall extend to the estates of decedents upon judgments rendered against the decedents in their life time.

Sec. 6. No such scire facias shall be dismissed on account of any informality in the rendition or form of the judgment, or the certificate of the Justice of the Peace; but the same may be amended without costs, and such amendment shall be no cause of continuance.
sec. 7. That whenever any judgment of any Justice of the Peace, in pursuance of this act, shall exceed fifty dollars, the Constable collecting the same, shall have the same commissions now allowed to Sheriffs by law for collecting like sums, and no more.

Sec. 8. That whenever any Justice of the Peace shall have vacated his office by death, resignation, or otherwise, the transcript of any judgment upon his record, provided for in the second section of this act, shall be made out and certified by the Justice having custody or possession of his records and papers.

Mr. Haggard moved to lay said bill and amendment on the table.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, Dohoney, Lightfoot, McKinney, Moore, Smith, Speed, Stevens, J.

Messrs. Allen, Dougherty, Garnett, Grubb, Haggard, Hamilton, Hanson, Hardy, Wall, White, M. E.

Bailey, Grainger, Haggard, Hamilton, Hanson, Hardy, Wall, White, M. E.

Balligal, Grubb, Haggard, Hamilton, Hanson, Hardy, Wall, White, M. E.

Barlow, Grainger, Haggard, Hamilton, Hanson, Hardy, Wall, White, M. E.

Beard, Haggard, Smith, Speed, Stevens, J.

Bell, Haggard, Smith, Speed, Stevens, J.

Berry, Haggard, Smith, Speed, Stevens, J.


Bowen, Harrell, Haggard, Smith, Speed, Stevens, J.

Bowling, Harrell, Haggard, Smith, Speed, Stevens, J.

Brown, J., Ireland, Wofford, Wright, Young, S.—43.

Cook, Ireland, Wofford, Wright, Young, S.—43.

Cockrell, Ireland, Wofford, Wright, Young, S.—43.

Combs, Ireland, Wofford, Wright, Young, S.—43.

Conner, Ireland, Wofford, Wright, Young, S.—43.

Those who voted in the negative, were—


Blanton, Harrell, Haggard, Smith, Speed, Stevens, J.

Brownland, Harris, Short, Searf, Towles, Warren, Williams, Woosley—36.


Christopher, Johnston, Williams, Woosley—36.

Coleman, McReynolds, Wintersmith, Woosley—36.

Collins, Miller, Woosley—36.

Duncan, Woosley—36.

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

By Mr. Berry—1. A bill authorizing the County Court of Woodford to lay an additional levy on slaves, for the purpose of paying an efficient patrol.
By Mr. Barlow—2. A bill for the benefit of John B. Embree, of Monroe county.

By Mr. J. Field—3. A bill to increase the jurisdiction of the Trustees of the town of Carrollton.

By Mr. J. Brown—4. A bill to reduce the number of Grand Jurors.

By Mr. Bailey—5. A bill to incorporate the Phi Mu Society, of Shelby county.

By Mr. Towles—6. A bill for the benefit of the Mechanics of the town of Newport.

By same—7. A bill to amend an act incorporating the Falmouth Bridge Company.

By Mr. Price—8. A bill to change the time of holding the Court of Appeals.

By Mr. Hamilton—9. A bill for the benefit of Clement Conner, late Sheriff of Montgomery county.

By Mr. Elliott—10. A bill to incorporate the town of Piketon, in Pike county, and for other purposes.

By Mr. Blanton—11. A bill for the benefit of the late Sheriff and his deputies, of Owen county.

By Mr. Haggard—12. A bill for the benefit of Joseph Riddle, of Cumberland county.

By Mr. Quarles—13. A bill to incorporate the town of Ringgold, in Pulaski county.

By Mr. M. E. White—14. A bill to legalize the proceedings of the Whitley County Court in relation to the appointment of Jailer.

By Mr. Berry—15. A bill to incorporate the Pisgah Church in the county of Woodford.

By Mr. Hudson—16. A bill in relation to the vacant lands in Wayne county, and for other purposes.

By Mr. Hanson—17. A bill to amend the charter of the Paris Fire Company.

By Mr. Allin—18. A bill for the benefit of the Taylor Guards, of Mercer county.

By Mr. Hanson—19. A bill for the benefit of the Sheriffs of Bourbon, Clarke, Lincoln and Fayette counties.

By Mr. Speed—20. A bill concerning Trustees of the Jury Fund.

By Mr. Garnett—21. A bill to complete the road from Danville to Springfield.

By Mr. Hughes—22. A bill to enlarge the powers of the Trustees of the town of Uniantown, in Union county.

By same—23. A bill to amend an act, entitled, an act to incorporate a College in Union county, styled the Henry Clay Institute, approved February 7, 1845.
By same—24. A bill to amend an act, entitled, an act to incorporate the Union White Sulphur Springs Company, approved February 11, 1836.

By same—25. A bill to amend an act to enlarge the powers of the Trustees of the town of Morganfield, and for other purposes, approved March 2, 1844.

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

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 5th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 22d, 23d, 24th and 25th were severally ordered to be engrossed and read a third time; the 4th, 6th, 8th and 20th were referred to the committee on the Judiciary; and the 7th and 21st to the committee on Internal Improvement.

The rule of the House, constitutional provision and third reading of the 1st, 2d, 3d, 5th, 9th, 10th, 11th, 12th, 14th, 15th, 16th, 17th, 18th, 19th, 22d, 23d, 24th and 25th having been dispensed with, and the same being engrossed,

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

A bill from the Senate, entitled, an act to amend the several acts incorporating the town of Paducah,

Was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with, it was referred to the committee on the Judiciary.

Mr. Abell moved the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to enquire into the propriety of passing an act to protect the interest of infant heirs to real estate, so as to save lands from waste, until such time as a division may be had and guardians be appointed.

Which was adopted.

Mr. Collins moved the following resolution, viz:

Resolved, That the 1st Auditor report to this House, the condition of the Old Bank of Kentucky, as it relates to the amount collected and not paid over to those entitled thereto, by the late agent, the sufficiency and liability of his securities; in short, to make a full and clear expose of the condition of said institution with a view to close, finally and speedily, all its concerns.

Which was adopted.

Mr. Wintersmith moved the following resolution, viz:

Resolved, That the 2d Auditor be requested to furnish to this House, a tabular statement of all the slaves in each county, in each year, from 1840 to 1847 inclusive.

Which was adopted.

Mr. Hamilton moved the following resolution, viz:
Resolved, That the committee on the Library be instructed to inquire into the propriety of appropriating the sum of — dollars annually, for the purchase of books in the State Library.

Which was adopted.

Mr. Towles moved the following resolution, viz:

Resolved, That the committee on Internal Improvement be instructed to enquire into the expediency of abolishing the present organization of the Board of Internal Improvement, and devolving the duties now performed by said Board on the 1st Auditor of Public Accounts.

Which was adopted.

Mr. S. Young moved the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of passing a law authorizing the Governor, in his discretion, to commute the punishment of death for confinement in the Jail and Penitentiary House for and during the natural life of such person or persons, as may hereafter be convicted for any capital offence under the laws of this Commonwealth; and that such enquiry shall embrace the slave, free negro and mulatto, as well as the free white population of the State, and that they report by bill or otherwise.

Which was adopted.

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

On motion of Mr. Dohoney—1. A bill to amend the Jury law.

On motion of Mr. Bourland—2. A bill to amend an act, entitled, an act to regulate the administration and settlement of estates, approved February 20, 1839.

On motion of Mr. Williams—3. A bill for the benefit of John W. Hazelrig.

On motion of Mr. Woosley—4. A bill declaring Indian Camp Creek, in Butler county, a navigable stream from its mouth up to James' Mill, and from James' Mill up the East fork to the Sinking road.

On motion of same—5. A bill declaring Welch's Creek, in Butler county, a navigable stream from Fleener's Mill to Yeager's Mill.

On motion of Mr. Haggard—6. A bill for the benefit of the Sheriff Cumberland county.

On motion of Mr. Wall—7. A bill to legalize the election and proceedings of the Trustees of Owensboro.

On motion of same—8. A bill to legalize the publication of the Green River Whig, and to authorize the publication of chancery notices therein.

On motion of Mr. Cockrell—9. A bill for the benefit of David Snowden, late Sheriff of Owsley county.

On motion of same—10. A bill to change the time of holding the Estill County Court.

On motion of Mr. Elliott—11. A bill for the benefit of David Robison, of Pike county.
On motion of same—12. A bill to release Thomas Honaker, of Pike county, from the penalty imposed by the act of 1833, against the importation or purchase of slaves brought into this State.

On motion of Mr. Smith—13. A bill for the benefit of the Sheriff, Clerk, Jailer, &c., of Garrard county.


On motion of Mr. Wintersmith—15. A bill to amend the execution laws.

On motion of Mr. Wood—16. A bill for the benefit of Rufus Lane, of Hart county.

On motion of Mr. Collins—17. A bill to change the name of Henry Moore.

On motion of Mr. Harris—18. A bill establishing an additional election precinct in Meade county.

On motion of Mr. J. Field—19. A bill for the benefit of Willis Hamilton.

On motion of Mr. Hamilton—20. A bill for the benefit of William G. Jackson and David Tate.

On motion of Mr. Short—21. A bill to levy a specific tax on all bachelors over the age of 30 years, for benevolent purposes.

On motion of Mr. Quarles—22. A bill to condemn certain lands for Railroad purposes, near the Coal Banks, in Pulaski county.

On motion of Mr. Bailey—23. A bill to incorporate the Amelia Female Seminary, in Simpsonville, in Shelby county.

On motion of Mr. Harris—24. A bill to abolish capital punishment in this State.

On motion of Mr. Hughes—25. A bill to amend an act, entitled, an act to appoint commissioners to survey and mark the State road from Morganfield to Smithland.

On motion of Mr. M. E. White—26. A bill to repeal in part, and amend in part, the rioting law.

On the motion of same—27. A bill to repeal the liquor law.

Ordered, That the committee on the Judiciary prepare and bring in the 1st, 10th and 12th; Messrs. Bourland, Wilkins, McReynolds, Wright and Eaker the 2d; the committee on Claims the 3d and 11th; the committee on Internal Improvement the 4th, 5th, 16th and 22d; Messrs. Haggard, Hughes and Towles the 6th; Messrs. Wall, Short and Hughes the 7th; Messrs. Wall, Towles and Chilton the 8th; the committee on Ways and Means the 9th; the committee on Federal Relations the 13th; Messrs. Eaker, Bourland, Johnston and Wright the 14th; Messrs. Wintersmith, T. D. Brown and Harris the 15th; Messrs. Collins, Bush and Wintersmith the 17th; Messrs. Harris, Lightfoot and Chilton the 18th; Messrs. J. Field, Blanton and Johnston the 19th; the committee on Military Affairs the
20th; Messrs. Short, Wintersmith, J. Brown and S. Young the 21st; Messrs. Bailey, J. Brown and Thomas the 23d; Messrs. Harris, Wall, Wood and Bowling the 24th; Messrs. Hughes, Coleman and Boyd the 25th; and Messrs. M. E. White, Quarles and Moore the 26th and 27th.

Mr. Pratt moved the following resolution, viz:

Resolved, That the use of the Hall of the House of Representatives be granted this evening to the Northern Temperance Union, for the purpose of hearing an address delivered before that Society by the Rev. D. J. Flournoy.

Which was adopted.

And then the House adjourned.

MONDAY, JANUARY 31, 1848.

A message was received from the Senate announcing their concurrence in the preamble and resolutions from this House in relation to General John Caldwell, late Lieutenant Governor of Kentucky.

That they had passed bills from this House of the following titles, viz:

An act for the benefit of the Church of Christ, on Chenowith’s Run, in Jefferson county.

An act to run and establish the line between the counties of Livingston and Crittenden, and for other purposes.

An act for the benefit of Joseph Deere.

With amendments to the two last named bills.

That they had passed bills of the following titles, viz:

An act for the benefit of Polly Garrett.

An act to extend the jurisdiction of the Police Judge of the town of Hopkinsville.

An act for the benefit of Sarah Roberts and Pricey Brown, deceased, of Caldwell county.

An act to extend the limits of the town of Mortonsville, in Woodford county, and to re-establish a Board of Trustees in said town.

An act to incorporate a company to construct a turnpike road from Frankfort to Lexington on the Cole’s road.

An act to run and mark a part of the line between Jefferson and Shelby counties.
1. Mr. J. N. Stephens presented the petition of sundry citizens of Boone county, praying the establishment of an additional election precinct in said county.

2. Mr. Culton presented the petition of sundry citizens, praying a reduction of the tolls charged on the Cumberland Gap road, upon mail stages.

3. Mr. Allin presented the petition of William Yates, praying compensation for keeping a Lunatic.

4. Mr. Short presented the petition of sundry citizens of Muhlenburg county, praying the establishment of an election precinct in said county.

Which were severally received, the reading thereof dispensed with, and referred; the 1st and 4th to the committee on Privileges and Elections; 2d to the committee on Internal Improvement; and the 3d to the committee on Claims.

The Speaker laid before the House a response of the 1st Auditor of Public Accounts, to a resolution of the 29th instant, which is as follows, viz:

_AUDITOR'S OFFICE, January 31, 1848._

_To the Speaker of the House of Representatives:_

_Sir: In answer to a resolution adopted by the House of Representatives on the 29th instant, I would respectfully state:

That in pursuance to the provisions of a law, approved February 21, 1846, I instituted a suit in the General Court against Harrison Blanton and his sureties, William E. Dudley and Thomas P. Dudley, for a settlement of the accounts of said Blanton as President and Commissioner of the Old Bank of Kentucky, and the recovery of $28,209.74, a balance reported to be due by him. This suit is still undetermined, and its result is doubtful. I am of opinion that the sureties of Blanton (who are undoubtedly good for the amount of the bond, $30,000,) will be released.

The cause is now before an Auditor appointed by the Court, who has charge of the books for that purpose; a report is expected from him during the ensuing term of the Court.

I can give no further information in answer to the resolution, except what is contained in a report made to the Senate by A. P. Cox; see Senate Journal 1845-6, pages 182 and 183, and in my annual report of 1846-7, page 35, and of 1847-8, page 37. Respectfully submitted,

_H. I. BODLEY,_

_Aud. and Pres'dnt Old Bank of Ky._

The Speaker laid before the House a response of the 2d Auditor, to a resolution of this House of the 29th instant, which is as follows, viz:

SECOND AUDITOR'S OFFICE, Frankfort, Ky., January 31st, 1848.

_Hon. James F. Buckner,_

_Sir: In accordance with a resolution of the House of Representatives, passed on the 29th instant, I herewith "furnish a tabular statement of all the slaves, in each county, in each year, from 1840 to 1847 inclusive." Very respectfully, THO. S. PAGE, 2d Auditor._

[For Report—see Legislative Documents.]
Ordered, That the Public Printer forthwith print 150 copies of said response for the use of members of the General Assembly.

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

On motion of Mr. Culton—1. A bill to amend the law in relation to receiving the tolls at the toll gate in Knox county.

On motion of Mr. Bell—2. A bill to legalize the proceedings of the Ohio County Court, January term, 1848.

Ordered, That the committee on Internal Improvement prepare and bring in the 1st, and Messrs. Bell, Hatfield and Wright the 2d.

Mr. Wood from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act for the benefit of William G. Pierce, of Trimble county,

Reported the same with an amendment.

Which was concurred in.

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

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

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

Mr. Wood, from the same committee, to whom was referred the petition of Radford Maxey, and the petition of sundry citizens of Daviess county,

Reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. Wood, from the same committee, to whom was referred a bill for the benefit of Edward Darnaby,

Reported the same with an amendment as a substitute for said bill,

Which was concurred in.

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

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 the title be amended to read "an act for the benefit of Ministers of the Gospel."

Mr. Wood, from the same committee, to whom was referred a bill from the Senate, entitled, act to enlarge the powers of the Trustees of the town of Louisa, asked to be discharged from the further consideration of said bill, which was granted.

Ordered, That said bill be referred to the committee on Propositions and Grievances.

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

By Mr. Wilkins—1. A bill for the benefit of James Jenkins, of Warren county.
By the committee on the Judiciary—2. A bill for the benefit of the heirs of Theophilus D. Starke, deceased.

By same—3. A bill for the benefit of Harrison Daniel, former Sheriff of Jessamine county.

By same—4. A bill to extend the limits of the town of Boonville, in Owsley county, and for other purposes.

By same—5. A bill to amend the law regulating the taxation of costs in appeal cases.

By same—6. A bill to amend the law concerning processioning lands, and to perpetuate the evidence of land boundaries.

By same—7. A bill concerning the 10th and 11th Judicial Districts.

By same—8. A bill allowing additional Justices of the Peace to Morgan, Owsley, Hardin and Henry counties.


By same—10. A bill concerning conveyances.

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

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 4th, 5th, 6th, 8th, 9th and 10th were severally ordered to be engrossed and read a third time; and the 7th was referred to the committee on the Judiciary.

The rule of the House, constitutional provision and third reading of the 1st, 2d, 3d, 4th, 5th, 6th, 8th, 9th and 10th bills having been dispensed with, and the same being engrossed,

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

A message was received from the Governor by Mr. Reed, 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 Benjamin Franklin Violett and William Bush, Jr.

An act for the benefit of James S. Smallwood.

An act allowing an additional Constable to the county of Johnson.

An act allowing an additional Constable to Bath county.

An act for the benefit of Mary D. Mosby and Daniel B. Mosby.

An act for the benefit of Thomas St. Clair Lowe and George Wilson Jones and Amanda J. Miller.

An act authorizing the Court of Assessment for the 106th regiment of Kentucky Militia, to hold the Court on the first Monday in April.

An act to amend the act to establish a Female Academy in the town of Harrodsburg, approved February 9, 1829.

An act to amend the road law in the county of Boone.
An act to change the names of certain persons, and for other purposes.
An act to amend the charter of the Western Baptist Theological Institute located at Covington, Kentucky.
An act establishing additional precincts in Floyd and Rockcastle counties.
An act for the benefit of James Hambel, and for other purposes.
An act to authorize Thomas Bratcher to raise his mill dam on Caney creek, in Grayson county.
An act for the benefit of the Dover and Minerva turnpike and Maysville and Germantown turnpike.
An act allowing an additional Justice of the Peace to the county of Floyd.
An act to incorporate the Muddy river Navigation and Manufacturing Company.
Approved January 28, 1848.
An act more effectually to suppress gambling.
An act for the benefit of Rebecca Shields.
An act to incorporate the Christian Church at Morganfield.
An act relinquishing the title of the Commonwealth to certain real estate to Trustees for school purposes.
An act declaring Middle creek, in Floyd county, navigable from its mouth to its first forks, at Spradlin’s store.
An act to amend the charter of the city of Maysville, and for other purposes.
An act for the benefit of John H. Boarman.
Approved January 29, 1848.

Bills from the Senate of the following titles, viz:
1. An act appropriating the proceeds of the sale of vacant lands, in Nicholas county, to purposes of Internal Improvement within said county.
2. An act to amend the act incorporating the town of Greensburg.
3. An act to incorporate the Lebanon, New Market and Springfield Turnpike Road Company.
4. An act divorcing Mary Fenley, of Shelby county.
5. An act repealing all laws declaring Bull Skin, in Clay county, a navigable stream.
6. An act to change in part the Old State Road from Owingsville to Big Sandy.
7. An act to amend an act, entitled, an act further to protect the rights of married women.
8. An act to amend the laws concerning the town of Frankfort.
9. An act for the benefit of the infant heirs of Augustus F. Jacob, of Caldwell county.
10. An act for the benefit of the Clerks of the Simpson and Clarke County Courts.
11. An act to provide for a change of venue in the prosecutions against Francis M. Ewing.
12. An act to protect parents and guardians.
13. An act to enlarge the powers of the Trustees of the town of Princeton, and for other purposes.
15. An act granting certain powers to the Trustees of the town of Russellville.
16. An act to divorce Mary Howard, of Harlan county.
17. An act to continue in force the 4th and 8th sections of an act, entitled, an act to amend the charter of the Louisville and Elizabethtown Turnpike Company, and Covington and Lexington Turnpike Company.
18. An act for the benefit of James T. Locknane.
19. An act for the benefit of the Walnut Hill Church, in Fayette county.
20. An act to divorce Joseph L. Craft from his wife Hannah Craft, of Boone county.
21. An act to increase the powers of the Trustees of the town of Hopkinsville.
22. An act to incorporate the Board of Publication of the Cumberland Presbyterian Church.
23. An act to amend an act, entitled, an act concerning the town of Albany, in Clinton county, approved February 14, 1846.
25. An act to extend the jurisdiction of the Police Judge of the town of Hopkinsville.
26. An act for the benefit of the heirs of Sarah Roberts and Pricey Brown, deceased, of Caldwell county.
27. An act to extend the limits of the town of Mortonsville, in Woodford county, and to re-establish a Board of Trustees in said town.
28. An act to incorporate a company to construct a turnpike road from Frankfort to Lexington on the Cole's road.
29. An act to run and mark a part of the line between Jefferson and Shelby counties.

Were read the first time and ordered to be read the second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 3d, 5th, 6th, 17th and 25th were referred to the committee on Internal Improvement; the 2d, 7th, 8th, 9th, 11th, 12th, 13th, 14th, 15th, 19th, 21st, 22d, 23d, 24th, 25th, 26th and 27th to the committee on the Judiciary; the 4th, 16th and 29th to the committee on Religion; the 10th to the committee on Ways and Means; and the 15th and 29th to the committee on Propositions and Grievances.
Ordered, That the resolution from the Senate authorizing the purchase of Collins' Historical Sketches of Kentucky for the use of the Public Library, be referred to the committee on the Library.

Mr. Wood, from the committee on the Judiciary, reported a bill to amend proceedings in criminal and penal cases.

Which was read the first time as follows, viz:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter, in the selection of a jury for the trial of any felony or penal offense, the attorney for the Commonwealth shall have the privilege of challenging, peremptorily, not exceeding six, who may be called to act as jurors.*

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and second and third reading of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker, Duncan, Price,
Messrs. Abell, Eaker, Quarles,
Allin, Elliott, Raleigh,
Askins, Field, R. H.
Bailey, Garnett,
Barlow, Grubb,
Beard, Grundy,
Bell, Haggard,
Berry, Hamilton,
Bilderback, Hanson,
Bourland, Hardy,
Bawen, Harrel,
Boyd, Hatfield,
Bozarth, Hogg,
Brown, J., Ireland,
Brown, T. D., Johnston,
Bush, Judd,
Cavan, Kerrick,
Cockrell, Lightfoot,
Coleman, McReynolds,
Collins, Miller,
Combs, Moore,
Culton, Newell,
Dohoney, Pearce,
Dougherty, Pratt,
Dougherty,
Those who voted in the negative, were—

Messrs. Ballingal, Conner, Holmes,
Blenston, Harris, McKinney,
Bullock, Headley, Towles—9.

Resolved, That the title thereof be as aforesaid.

The amendments proposed by the Senate to bills from this House of the following titles, viz:

An act for the benefit of Samuel Jarvis.
An act to amend the several acts to suppress duelling.
An act to incorporate the Stickney Mining Company, of Crittenden county.
An act to incorporate the Columbian Mining Company, of Crittenden county.
An act to run and establish the line between the counties of Livingston and Crittenden, and for other purposes.
An act for the benefit of Joseph Decre,
Were taken up, twice read and concurred in.

On motion of Mr. Smith,

Ordered, That a message be sent to the Senate asking leave to withdraw the report of this House, announcing the adoption by this House, on the 28th instant, a resolution in relation to the annual message of the Governor. In a short time the messenger returned with said resolution.

Mr. Wintersmith moved a re-consideration of the vote adopting said resolution.

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

Mr. Smith moved a re-consideration of the vote adopting the substitute for the resolution proposed by him.

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

Mr. Smith then withdrew the substitute.


Ordered, That the committee of the whole be discharged from the further consideration of the bill to modify the act of 1833, prohibiting the importation of slaves into this State, and that the same be made the special order of the day for Thursday next at 12 o'clock.

The House then took up the bill to repeal in part and amend in part an act, entitled, an act further to protect the rights of married women.

Ordered, That said bill be referred to the committee on the Judiciary.

And then the House adjourned.
TUESDAY, FEBRUARY 1, 1848.

1. Mr. Ireland presented the petition of sundry citizens of Grant county, praying the passage of a law prohibiting the sale of spirituous liquors, at or near places of public worship.

2. Mr. Grundy presented the petition of sundry citizens of Washington county, praying that an additional constable be allowed to said county.

3. Mr. Collins presented the petition of sundry citizens of Germantown, praying an amendment to the laws regulating the streets and alleys of said town.

4. Mr. Wilson presented the petition of sundry citizens of Oldham county, praying the establishment of an additional election precinct in said county.

5. Mr. Speed presented the petition of sundry Physicians of the city of Louisville, praying the passage of a law incorporating the Kentucky College of Physicians and Surgeons.

6. Mr. Blanton presented the petition of sundry citizens, of the town of New Liberty, praying an amendment to the act incorporating said town.

7. Mr. Speed presented the petition of John S. Lamb, praying a change of venue in the prosecution against him in the Jefferson Circuit Court, for felony.

8. Mr. Dohoney presented the petition of sundry citizens of Franklin county, praying the establishment of an election precinct in said county.

Which were received, the reading thereof dispensed with, and referred; the 1st to the committee on Religion; the 2d to the committee on Propositions and Grievances; the 3d to the committee on Internal Improvement; the 4th and 5th to the committee on Privileges and Elections; the 6th to the committee on Education; and the 7th and 8th to the committee on the Judiciary.

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 Flemingsburg and Poplar Plains Turnpike Road Company.

An act to incorporate the Cove Spring Academy, in the county of Boyle.

An act to amend an act, entitled, an act to incorporate the Boone Turnpike Road Company, and for other purposes.

An act to incorporate the Lexington Female Institute.

An act to change the time of holding the Clay Circuit Court, and for other purposes.
An act for the benefit of John Thornhill, Betsey Thornhill, Priscilla Thornhill and Mahala Thornhill.
An act for the benefit of William B. Price and others.
An act for the benefit of the widow and heirs of William Peters.
An act to increase the jurisdiction of the Trustees of the town of Carrollton.
An act to change a part of the State road in Marshall county, between Gray's ferry and Paducah.
With an amendment to the last named bill.
That they had passed bills of the following titles, viz:
An act to incorporate the Frankfort and Lawrenceburg Turnpike Road Company.
An act for the benefit of the widow and heirs of Jeremiah Joyner, deceased.
An act for the benefit of Robert S. Taylor, and others.
An act increasing the powers of the Harrison County Court.
An act authorizing Jeremiah P. Richards to sell certain lands in Carter county, and for other purposes.
An act to incorporate the Clark's Run and Salt River Turnpike Road Company.
An act to amend the charter of the Bourbon Agricultural Society.
That they had received official information from the Governor that he had approved and signed enrolled bills and resolutions which originated in the Senate of the following titles, viz:
An act for the benefit of the children of William Arnett and others.
An act for the benefit of the widow and heirs of Samuel W. Bryce, deceased.
An act for the benefit of Samuel Hogan, of Green county.
An act for the benefit of Mary Terhune, of Fleming county.
An act to establish an additional election precinct in Caldwell county.
An act for the benefit of Moses Kirkpatrick, of Monroe county.
An act for the benefit of Joseph Hinkle, of Muhlenburg county.
An act authorizing certain deed books of the Logan County Court to be transcribed.
An act to amend the charter of the town of Paducah, and for other purposes.
An act for the benefit of Pleasant H. Williams, of Clinton county.
An act for the benefit of Richard Neil and Elizabeth E. Neil, his wife.
An act to amend the act to incorporate the Paris Cemetery Company.
An act for the benefit of George T. Edwards, of Logan county.
An act regulating the taxation of costs in suits brought by administrators and executors.
A resolution concerning the Lexington and Ohio Railroad.

An act to amend the charter of the Covington and Lexington Turnpike Road Company.

A resolution fixing a day for the election of Public Officers.

An act providing for a change of venue in the prosecution against Benjamin All.

Approved January 29, 1848.

The House resumed the consideration of the bill to amend the Jury law.

The said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That, from and after the first day of March next, in all trials before a Justice of the Peace, or Coroner, where a jury is called, each juror received and sworn, shall be entitled to the sum of fifty cents per day, to be paid by the unsuccessful party: Provided, That in cases of a jury summoned under the rioting act, the jury shall not receive such compensation, except where the defendant, or defendants, are found guilty; then, and in that case, the jury fees to be paid by the parties found guilty, in proportion to the amount of the fine upon each defendant, if more than one: Provided further, That any juror who may be summoned from the bystanders, shall not be entitled to the fee as aforesaid.

Mr. Garnett 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. Floyd and Woosley, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, Dohoney, Pearce,

Messrs. Bailey, Dougherty, Pratt,

Ballingal, Elliott, Railey,

Beeler, Field, R. H. Shewan,

Berry, Gaines, Short,

Blanton, Garnett, Speed,

Boulware, Grainger, Talbott,

Brown, J. Hardy, Towles,

Brown, T. D. Holmes, Turner,

Bullock, Johnston, Wilkins,

Bush, Judd, Wintersmith,

Cavan, Kerrick, Wood,

Chilton, Lightfoot, Wollord,

Christopher, McKinney, Wright,

Cockrell, McReynolds, Young, A.

Collins, Miller, Young, S.—44.

Those who voted in the negative, were—

Messrs. Abell, Grundy, Newell,

Allin, Haggard, Quarles,

Askins, Hamilton, Soery,
Mr. Wood, from the committee on the Judiciary, to whom was referred, a bill to change the time of holding the Christian Circuit and County Courts, reported the same without amendment.

On motion of Mr. Speed.

The House then resolved itself into a committee of the whole, on said bill, Mr. T. D. Brown in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. T. D. Brown reported that the committee had, according to order, had under consideration the bill afore-said, and had adopted an amendment thereto, which he handed in at the Clerk's table.

The said amendment was then concurred in.

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

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 the title be amended by adding "and for other purposes."

On motion of Mr. T. D. Brown leave was given to bring in a bill for the benefit of James Dewit, Benj. Riddle and Isaac Chenowith.

Ordered, That the committee on Internal Improvement prepare and bring in the same.

Mr. Towles, from the committee on the Judiciary, to whom was referred, the petition of James F. Hickerson, &c., reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Towles, from the same committee, to whom was referred the petition of sundry citizens of Carter county, and the remonstrance against said petition,

Reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Towles, from the same committee, to whom was referred a bill from the Senate, entitled, an act to prevent the sale of spirituous liquors to slaves, 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 disagreed to.

Mr. Moore, from the same committee, to whom was referred the petition of William H. Oldrid,

Reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which 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 the Judiciary—1. A bill for the benefit of the heirs of Joshua Wallace, deceased.

By the committee on Ways and Means—2. A bill for the benefit of Geo. H. Gravit, late Sheriff of Grant county.

By the committee on the Judiciary—3. A bill for the benefit of, the of Somerset Academy.

By same—4. A bill for the benefit of Ira H. and William George.

By same—5. A bill to change the name of Nelly Craig.

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

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.

Mr. Moore, from the committee on the Judiciary, to whom was referred the bill to amend the law regulating chancery proceeding,

Reported the same with an amendment.

And the hour of 12 o'clock having arrived, the House proceeded to the orders of the day.

The House, according to order, resolved itself into a committee of the whole, on the bill giving an action of trespass to the widow and infant children of persons killed, Mr. Harris in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Harris 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. Wright moved a reconsideration of the vote laying on the table the bill to increase the jurisdiction of Justices of the Peace.

And then the House adjourned.
WEDNESDAY, FEBRUARY 2, 1848.

A message was received from the Senate announcing their disagreement to a bill from this House, entitled, an act for the benefit of Harvard University.

That they had passed bills from this House of the following titles, viz:

An act for the benefit of Franklin Darnell.

An act for the benefit of William P. Ligon.

An act to incorporate the Lexington Cemetery.

An act for the benefit of M. R. Stealey, late architect of the Penitentiary buildings.

An act for the benefit of James G. Edens.

An act for the benefit of Mary Jane Eals, an idiot.

An act to incorporate the Phi Mu Society, of Shelby College.

An act for the benefit of the late Sheriff, and his deputies, of Owen county.

An act to incorporate the Pisgah church, in the county of Woodford.

An act for the benefit of the Sheriffs of Bourbon, Clarke, Lincoln and Fayette counties.

An act to amend an act, entitled, an act to incorporate a college in Union county, styled the Henry Clay Institute, approved February 7, 1845.

An act to increase the revenue.

An act for the benefit of the Sheriffs of Nicholas, Barren, Floyd and Boone counties.

With amendments to the two last named bills.

That they had concurred in the amendments proposed by this House, to a bill from the Senate, entitled, an act for the benefit of William G. Pierce, of Trimble county.

That they had passed bills of the following titles, viz:

An act to appropriate the dividends of the Bardstown and Louisville, and the Bardstown and Green River Turnpike Roads, to the completion of the road between Bardstown and Glasgow.

An act for the benefit of William Scott.

An act to change the time of holding the Hopkins County Court.

An act for the benefit of Sarah Jane Acuff, of Calloway county.

An act to divorce William R. Ennis from his former wife, and for other purposes.

An act for the benefit of James M. Anderson.

An act for the benefit of Fleming Cayce, of Hickman county.

An act to incorporate the Logan Manufacturing Company.
1. Mr. Haggard presented the petition of John Asbury, praying to be divorced from his wife Frances Asbury.

2. Mr. Grubb presented the petition of sundry citizens of Carter county, praying that an additional constable be allowed to said county.

3. Mr. Grundy presented the petition of Jesse Key, praying to be divorced from his wife, Sally Key.

4. Mr. Boulware presented the petition of sundry citizens of Madison county, praying the extension of the Big Hill turnpike.

5. Mr. Hardy presented the petition of sundry citizens of Carroll county, praying the passage of a law authorizing the County Court to levy and collect an additional tax.

6. Mr. Wolford presented the petition of sundry citizens of Casey county, praying an appropriation to build a bridge across Green river, and to aid in the erection of a seminary.

7. Mr. Collins presented the memorial of H. R. Reeder, in relation to the old Court house of Mason county.

8. Mr. Garnett presented the petition of Anthony M. Williams, administrator of Charles Carter, praying the passage of an act permitting him to sell certain real estate of said deceased.

Which were severally received, the reading thereof dispensed with, and referred: the 1st and 3d to the committee on Religion; the 2d and 5th to the committee on Propositions and Grievances; the 4th and 6th to the committee on Internal Improvement; the 5th to the committee on Ways and Means; and the 8th to the committee on the Judiciary.

Mr. McKinney, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills and a preamble and resolutions which originated in this House, of the following titles, and had found the same truly enrolled, viz:

1. An act for the benefit of Samuel Jarvis.
2. An act to increase the jurisdiction of the Trustees of the town of Carrolton.
3. An act to change the time of holding the Clay Circuit Court, and for other purposes.
4. An act for the benefit of John Thornhill, Betsey Thornhill, Priscilla Thornhill and Mahala Thornhill.
5. An act to amend an act, entitled, an act to incorporate the Boone Turnpike Road Company, and for other purposes.
6. An act to incorporate the Cove Spring Academy, in the county of Boyle.
7. An act for the benefit of the widow and heirs of William Peters.
8. An act for the benefit of William B. Price and others.
9. An act to incorporate the Stickney Mining Company, of Crittenden county.
An act to incorporate the Columbian Mining Company, of Crittenden county.

An act to amend the several acts to suppress duelling.

An act to amend an act, entitled, an act to incorporate the town of Lagrange, approved January 23d, 1840.

An act for the benefit of Benjamin Berry, Jr., of Union county.

An act for the relief of George M. Green.

An act to divorce Susan F. Norrell, and for other purposes.

An act for the benefit of John H. Breeding and wife, and for other purposes.

An act for the benefit of Joseph Deco.

An act to run and establish the line between the counties of Livingston and Crittenden, and for other purposes.

An act for the benefit of the Church of Christ, on Chenowith's Run, in Jefferson county.

Preamble and resolutions in relation to General John Caldwell, late Lieutenant Governor of Kentucky.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. McKinney inform the Senate thereof.

The House resumed the consideration of the bill to amend the law regulating chancery proceedings and the amendment proposed thereto by the committee on the Judiciary.

The said amendment was then concurred in.

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

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.

Mr. Moore, from the committee on the Judiciary, reported a bill to amend the law regulating the appointment of constables.

Which was read the first time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That so much of the first section of an act, entitled, an act to amend the laws relative to the appointment of constables, and for other purposes, approved March 2, 1844, as prohibits the appointment of a constable in any district, unless said constable shall have previously resided in said district for six months, be and the same is hereby repealed.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with, and the same being engrossed,

Mr. Harrell moved to amend said bill by adding the following engrossed clause by way of rider, viz:

That all constables shall keep their offices within their respective districts.

Mr. Hughes moved to lay said bill and amendment on the table.
And the question being taken thereon it was decided in the affirmative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. A. Young, from the committee on Religion, to whom was referred bills from the Senate of the following titles, viz:

An act to divorce Joseph L. Craft from his wife Hannah Craft, of Boone county.

An act to divorce Sarah Lane, and others.

An act for the benefit of Eveline Adams.

Reported the same without amendment.

Ordered, That said bills be read a third time.

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.

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

By the committee on the Judiciary—A bill to legalize an order of the Fayette County Court at their July term, 1847.

By the committee on Religion—A bill to incorporate the Trustees of the Covington Female College.

By same—A bill for the benefit of Eliza Cowen.

By same—A bill to divorce Elizabeth A. King.

By same—A bill to divorce Edward R. and Elizabeth Sumpter.

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

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.

Mr. A. Young, from the committee on Religion, who was appointed to prepare and bring in the same, reported a bill to divorce Hugh and Rebecca Kirkpatrick,

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

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 then put on the passage of said bill, and after some discussion had thereon, the hour of 12 o'clock arrived, when the House proceeded to the orders of the day.

The House again resolved itself into a committee of the whole, on the bill giving an action of trespass to the widow and infant children of persons killed, and the amendment proposed thereto by Mr. Collins, Mr. Harris in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Harris reported that the committee had, according to order, had under consideration the bill and amendment aforesaid, and had instructed him to report said bill and amendment to the House without amendment.

The said bill reads as follows, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That, hereafter, when any person shall be killed by another person or persons, and the person so killed shall leave a wife, or a minor child, or children, or both, or shall leave a wife only, or a minor child or children, without a wife, such wife and children, if both, or the wife alone, if no such child or children, or such child or children, if no such wife, shall have an action of trespass in any Circuit Court of this Commonwealth, having jurisdiction, against the person or persons so killing, their aiders or abetters, or any one or more of them; and in all such actions, the jury shall take into consideration, and give damages for both the direct and consequential injury arising from or in consequence of said killing, and in addition thereto, may give vindictive damages.
Sec. 2. That when any suit or action shall be commenced, under the provisions of this act, upon affidavit filed by the plaintiff or plaintiffs, or either of them, with the Clerk of the Court in which said action may be pending, that he, she, or they have just cause to apprehend, and verily believe, that the defendant or defendants, or either of them, will abscond, or put himself, or themselves, or property, beyond the jurisdiction of said Court, before judgment and execution shall be had in said cause, it shall be the duty of the said Clerk to issue forthwith, a capias, holding such defendant or defendants to bail in an amount equal to the damages laid in the declaration, provided the sum shall not exceed five thousand dollars; and any Clerk who shall fail to perform such duty, on request, shall forfeit and pay the sum of one thousand dollars to the party injured, and besides, be liable to an action at the suit of the party aggrieved, in which action the forfeiture aforesaid shall not be taken into consideration.

Sec. 3. That no defendant in any suit authorized to be brought by this act, shall be allowed to take the benefit of the insolvent debtor’s oath, or prison bonds, any law or usage to the contrary notwithstanding; and all alienations or transfers of any property, real, personal, or mixed, or choses in action, by any defendant to such suit, after suit brought, shall be utterly void and of no effect, and shall ensue solely to the benefit of the plaintiff or plaintiffs in such action: Provided, that all the circumstances of justification, excuse, or extenuation, on the part of the defendant or defendants, shall be taken into consideration in such cases.

The amendment proposed by Mr. Collins was to strike out in the first section, all that printed in italics, (except the enacting clause,) and insert in lieu thereof the following: “And the defendant or defendants in such action, shall be allowed to plead or offer in evidence, any matter of defence which he or they might do in any personal action of trespass vi et armis;” and also to strike out the 2d and 3d sections of said bill.

At two o’clock, P. M., Mr. Harris moved an adjournment.

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

The yeas and nays being required thereon by Messrs, T. D. Brown and Towles, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell, Beard, Banton, Cavan, Gaines, Garnett, Hanson, Harris, Pratt, Speed, Wall, Wofford, Wright, Young, A., Young, S.—15.

Those who voted in the negative, were—

Mr. Speaker, Messrs. Askins, Bailey, Balingal, Barlow, Bell, Beeler, Coleman, Collins, Conner, Culon, Dohoney, Dougherty, Duncan, Judd, Kerrick, Lightfoot, McKinney, McReynolds, Newell, Quarles.
Mr. J. Brown then moved to lay said bill and amendment on the table. And the question being taken thereon, it was decided in the affirmative. The yeas and nays being required thereon by Messrs. Haggard and Towles, were as follows, viz:

Those who voted in the affirmative, were—


Messrs. Askins, Brown, T. D. Coleman, Field, R. H. Haggard, Hanson, Hatfield, Headley, Holmes, Hudson, Johnston, Kerrick, McKinney, Quarles, Railey,

Those who voted in the negative, were—

THURSDAY, FEBRUARY 3, 1848.

A message was received from the Senate announcing the passage of bills from this House of the following titles, viz:

An act for the divorce of Jesse Fitzgerald.

An act to allow an additional Justice of the Peace to the county of Fleming.

An act to amend the charter of the Licking Bridge Company.

An act authorizing the County Court of Woodford to lay an additional levy on slaves for the purpose of paying an efficient patrol.

An act for the benefit of John B. Embree, of Monroe county.

An act to incorporate the town of Piketon, in Pike county, and for other purposes.

An act to incorporate the town of Ringgold, in Pulaski county.

An act to legalize the proceedings of the Whitley County Court in relation to the appointment of Jailer.

An act in relation to the vacant lands in Wayne county, and for other purposes.

An act to amend the charter of the Paris Fire Company.

An act to enlarge the powers of the Trustees of the town of Uniontown, in Union county.

An act to amend an act, entitled, an act to incorporate the Union White Sulphur Springs Company, approved February 11, 1836.

An act to amend an act, to enlarge the powers of the Trustees of the town of Morganfield, and for other purposes, approved March 2, 1844.

That they had passed bills of the following titles, viz:

An act for the benefit of Francis Giltner, of Carroll county, Kentucky.

An act to amend an act, entitled, an act to increase the powers of the Trustees of the town of Versailles.

An act for the benefit of W. W. Edwards, of Fulton county.

An act authorizing the county of Nicholas to subscribe stock in the Carlisle and Sharpsburg Turnpike Road Company.
1. Mr. Pratt presented the petition of the Trustees of the town of Georgetown, praying an amendment to the laws regulating said town.

2. Mr. R. H. Field presented the petition of the Trustees of the town of Mount Washington, praying the repeal of the act, approved February 22, 1834, for the benefit of Lewis Snapp, and for other purposes.

3. Mr. Bourland presented the petition of Durin M. Alcock, praying to be divorced from his wife, Elizabeth B. Alcock.

4. Also, the petition of Elizabeth B. Alcock, praying to be divorced from her husband, Durin M. Alcock.

5. Mr. Coleman presented the petition of Jesse D. Ruark, praying to be divorced from his wife, Caroline Ruark.

6. Mr. Moore presented the petition of John A. Moore, praying that remuneration be made him for land ceded by him for the location of the Crab Orchard and Cumberland Gap Turnpike Road.

7. Mr. Hatfield presented the petition of Price Snyder, praying that he be permitted to import into this State a slave.

8. Mr. Carlisle presented the petition of sundry citizens of the city of Covington, praying that an additional Justice of the Peace and Constable be allowed to said city.

9. Mr. Towles presented the petition of the Trustees of the town of Henderson, praying that they be permitted to sell certain public ground in said town.

Which were received, the reading thereof dispensed with, and referred; the 1st, 2d, 6th and 9th to the committee on the Judiciary; the 3d, 4th and 5th to the committee on Religion; the 7th to the committee on Propositions and Grievances; and the 8th to Messrs. Carlisle, Eaker and Johnston.

The House resumed the consideration of the bill to divorce Hugh and Rebecca Kirkpatrick.

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

Mr. McKinney, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in this House of the following titles, and had found the same truly enrolled, viz:

An act to incorporate the Flemingsburg and Poplar Plains Turnpike Road Company.

An act for the benefit of Mary Jane Eals, an idiot.

An act for the benefit of M. R. Stealey, late architect of the Penitentiary buildings.

An act for the benefit of Franklin Darnell.

An act for the benefit of James G. Edens.

An act to incorporate the Phi Mu Society, of Shelby College.

An act for the benefit of the late Sheriff, and his deputies, of Owen county.
An act to incorporate the Lexington Female Institute.

An act for the benefit of William P. Ligon.

An act to amend an act, entitled, an act to incorporate a college in Union county, styled the Henry Clay Institute, approved February 7, 1845.

An act for the benefit of the Sheriffs of Bourbon, Clarke, Lincoln, and Fayette counties.

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

An act for the benefit of Eveline Adams.

An act to divorce Joseph L. Craft from his wife Hannah Craft, of Boone county.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. McKinney inform the Senate thereof.

Mr. A. Young, from the committee on Religion, to whom was referred bills from the Senate, of the following titles, viz:

An act to divorce Mary Howard, of Harlan county.

An act divorcing Mary Fenley, of Shelby county.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

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

Mr. A. Young, from the same committee, to whom was referred the petition of Volney Bedford and wife, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Mr. Bowen moved to amend said resolution by striking out "be rejected," and inserting "is reasonable."

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

Ordered, That the committee prepare and bring in a bill in accordance with the prayer of said petition.

Mr. A. Young, from the same committee, to whom was referred the petition of James Crawford, the petition of Leonard Shugart, the petition of Richard Stamp, and the petition of William Gibson, each praying for a divorce, reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. A. Young, from the same committee, to whom was referred the petition of Julia G. Taylor, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Mr. Haufield moved to amend said resolution by striking out "be rejected," and inserting "is reasonable."

And the question being taken thereon it was decided in the affirmative.
Ordered, That said committee prepare and bring in a bill in accordance with the prayer of said petition.

The following bills were reported by the committee on Religion, viz:

A bill for the benefit of Julia A. Williams.
A bill to divorce William W. Hinds.
A bill to divorce Mary Perkins.
A bill to divorce William W. and Nancy Millikin.

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

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.

A message was received from the Governor by Mr. Reed, Secretary of State, announcing that he had approved and signed sundry enrolled bills and a preamble and resolutions from this House, of the following titles, viz:

An act for the relief of George M. Green.
An act for the benefit of Benjamin Berry, Jr., of Union county.
An act to amend the several acts to suppress duelling.
An act to incorporate the Columbian Mining Company, of Crittenden county.
An act to incorporate the Stickney Mining Company, of Crittenden county.
An act to change the time of holding the Clay Circuit Court, and for other purposes.
An act for the benefit of John Thornhill, Betsey Thornhill, Priscilla Thornhill and Mahala Thornhill.
An act to increase the jurisdiction of the Trustees of the town of Carrollton.
An act for the benefit of Samuel Jarvis.
An act to amend an act, entitled, an act to incorporate the Boone Turnpike Road Company, and for other purposes.
An act to incorporate the Cove Spring Academy, in the county of Boyle.
An act for the benefit of William B. Price and others.
An act for the benefit of the widow and heirs of William Peters.
An act to divorce Susan F. Norrell, and for other purposes.
An act for the benefit of John H. Breeding and wife, and for other purposes.
An act for the benefit of Joseph Deere.
An act to run and establish the line between the counties of Livingston and Crittenden, and for other purposes.
An act for the benefit of the Church of Christ, on Chenowith's Run, in Jefferson county.
An act to amend an act, entitled, an act to incorporate the town of LaGrange, approved January 23d, 1840.

Preamble and resolutions in relation to General John Caldwell, late Lieutenant Governor of Kentucky. Approved February 2, 1848.

Mr. A. Young, from the committee on Religion, to whom was referred a bill from the Senate, entitled, an act for the benefit of Henry Trunnel, 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 disagreed to.

Mr. Barlow, from the committee on the Penitentiary, made the following report, viz:

The committee on the Penitentiary, to whom were referred resolutions of enquiry in relation to the Penitentiary; its management; losses by fire, &c.; have had the same under consideration, and submit the following report:

With the view to afford to the Legislature reliable information in regard to the various subjects embraced in the resolutions, the committee caused to appear before them, the Clerk of the Penitentiary, an officer of acknowledged integrity, and who, from his situation and relations to the State, is best able to afford full and satisfactory evidence. This officer is appointed by the Governor, with the advice and consent of the Senate, and is required, by law, to keep full and fair accounts between the State and the Keeper of the Penitentiary; to post the books at least once a week; and to secure his fidelity to the trust reposed in him, is required to execute bond in the penalty of ten thousand dollars, and is subjected to heavy penalties for neglect of his duties, or for misdemeanors in his office. He is entirely independent of the Keeper, and free from his control and influence. From the testimony of this officer, and a full examination of the subject, the committee submit each resolution, with an answer; this course was deemed best, in order that the subject of each resolution could be understood at a glance.

1st. "What amount the State has lost by the burning of the prison in 1844, making their estimates upon the basis of the calculation made by the Commissioners of the Sinking Fund, as far as it is applicable to the subject."

The estimates made by the Keepers, soon after the occurrence, and reported to the Commissioners of the Sinking Fund, and through them to the Legislature of 1844-5, as will be seen by the Journal of that session, were as follows: Loss in stock, tools and machinery, left in the prison by the late Keeper, estimated by Messrs. Apperson and Bullock, valuation was: stock, $10,565 87; tools, &c., $3,275 88; machinery, $2,120; total, $15,961 75. The loss in the same articles, as valued by Messrs. Glover, Needham, and others, was: stock, $4,622 70; tools, &c., $1,554 41; machinery, $1,380 50; total value, $7,557 61.

The loss in stock, tools, machinery and manufactured articles, furnished by the present Keeper, was: stock, $5,370 63; tools, $488 97; machinery, $554 62; total value, $6,413 22. The total aggregate of loss, taking the estimate of Apperson and Bullock, $22,355 97. The entire loss, taking the estimate of Glover, Needham, and others, $13,981 83. These estimates are, as it will be perceived, exclusive of the buildings destroyed. The committee on the Penitentiary, of the Senate, (see Journal of session, 1844-5,) supposed the value of the buildings destroyed would amount to $10-
000; the present Keeper, however, has erected buildings to supply the place of those destroyed, on a much larger scale, and in every respect vastly superior to the old, (when they were first erected,) both in materials and workmanship, for the aggregate sum of $13,066.60.

2d. "Whether the present Keeper and his late partner, now deceased, have been released by act of the Legislature, or otherwise, from their responsibilities, or any of them, to the State, in consequence of said burning."

By an act of the Legislature, entitled, "an act concerning the Penitentiary," (Laws 1844-5,) the Keepers are released from all liability to the State, on account of the burning of the Penitentiary, except in so much as they are legally bound, as partners, to bear one third of said loss.

3. "Whether any of the prisoners, required by law to be kept confined in their cells, were allowed to be at large in the prison during the night of said burning? How many persons have escaped, and how many have been killed in attempting to escape, since the prison came under the control of the present Keeper and his late partner?"

It seems, from an examination of the report of the committee on the Penitentiary, of the Senate, made at the Session of 1844-5, that a custom had prevailed in the Penitentiary, under former Keepers, to occasionally permit some convicts to remain out of their cells during the night, and that the present Keeper and his late partner, at the time of the fire, had not discontinued that custom; and on the night of the burning, there were some of the convicts out of their cells, who, at the time, were sick, and who were left out from necessity, and from motives of humanity. It was, also, a custom to receive into the prison, for safe keeping, slaves, and at the time of the burning there were several in the prison. This custom of permitting convicts to remain out of their cells, was denounced by the committee, and has been discontinued ever since. Eight prisoners have escaped: three of them from the stone quarry, by carelessness of the guard, for which the guard was discharged; two of them escaped from the hospital when they had the small-pox; one who was permitted to wait in the offices escaped, and two scaled the wall. There was one prisoner killed in attempting to escape from the guard; but the committee cannot express any blame towards the guard who shot him, as the prisoner was engaged in business that rendered it absolutely necessary to be without the wall, and it appears he knew that if he attempted to escape it was the duty and positive order of the guard to shoot. A jury investigated the matter, and the guard was acquitted.

4th. "What amounts the said Keepers have paid to the State or to the Commissioners of the Sinking Fund, either for interest on their bond for $25,000, or upon their guarantee to the State of at least $5,000 per annum of profit; and how paid, in money, property, or labor of the convicts?"

The Keepers did not receive the articles for which the bond for $25,000 was given, and they considered this bond as void; they have never been asked to comply with its conditions. The question in relation to whether they are liable on this bond, is supposed to be involved in a suit now depending in the General Court, instituted under a resolution of the Legislature, passed at its session of 1844-5. The Legislature, at its session of 1845-6, loaned to the present Keepers $10,000 in money, in lieu of the $25,000 in property, promised by the act under which they were elected. The Keepers gave the required bond for this loan, and have regularly paid the interest thereon in money, semi annually, as it became due. The Keepers have settled annually
with the Commissioners of the Sinking Fund as required by law. The first
year, ending 1st March, 1845, the profits amounted to $3,305 62; the sec-
ond year, ending 1st March, 1846, the profits amounted to $4,854 31. By an
act of the Legislature, approved Feb. 23d, 1846, the Keepers were released
from so much of the guarantee of $5,000, as the entire profits of the two
years last mentioned, fell short of that sum—the State taking the entire pro-
fits of those years—and the Keeper receiving not one cent for his labor for
all that time, and for the use of capital furnished; and in short, his whole ex-
penses. These sums were, by order of the Commissioners of the Sinking
Fund, entered to the credit of the State's account with the Penitentiary,
making an aggregate of $8,059 63, on settlement with the Commissioners
the third year, ending on the 1st March, 1847. The State's portion of the
profits of the year amounted to $5,380 35, which amount, by order of the
Commissioners, was entered to the credit of the State on the books of the
prison, in the same manner as in previous settlements, the State still being
in debt to the Penitentiary for buildings, &c.

5. "What amounts, if any, in money or property, has been loaned or giv-
to them, or on what account by the State?"
Nothing has been given the present Keeper or his late partner, either in
money or property, by the State. The Legislature loaned them $10,000 as
before stated, in lieu of the $25,000 promised by the act under which they
were elected.

6. "What amounts have been appropriated to the Keepers to aid them in
building, or to the Commissioners of the Sinking Fund, to be thus applied?"
In 1844-5, five thousand dollars was appropriated to aid the Keeper in
the erection of buildings; and in 1845-6, six thousand dollars was appro-
priated for the purchase of an additional lot for the use of the Penitentiary,
and to aid them in extending the walls and erecting buildings. $3,400 of
this last sum was paid by the Commissioners for the lot, and the sum of
$3,600 was in aid of extending the walls and erecting buildings.

7. "What is the aggregate amount lost by burning, and expended by the
State for tools, machinery, implements of trade, building and improvements
upon the prison during the present term of lease? and that they also report
such other facts as may enable the House fully to understand the present
situation of said Penitentiary."

The committee have answered the first part of this resolution in reply to a
previous one. The amount which has been charged to the State, during the
present term of lease, as shown by the statement of the Clerk of the Peniten-
tary, and as is believed to be correct by the committee, are as follows:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For buildings, &amp;c.,</td>
<td>$24,317 23</td>
</tr>
<tr>
<td>For machinery, &amp;c.,</td>
<td>5,567 30</td>
</tr>
<tr>
<td>For extension of prison wall</td>
<td>4,731 00</td>
</tr>
<tr>
<td>To which may be added cost of lot</td>
<td>2,400 00</td>
</tr>
<tr>
<td>Filling up and grading new part of yard</td>
<td>370 00</td>
</tr>
<tr>
<td>Fire engine, hose, cisterns, (cistern not finished,) buckets, &amp;c.,</td>
<td>1,109 70</td>
</tr>
<tr>
<td>Stone sewer for draining yard</td>
<td>200 00</td>
</tr>
<tr>
<td>Cutting and fixing windows in cells</td>
<td>268 40</td>
</tr>
<tr>
<td>Repairing roof of office and doors, locks, &amp;c.,</td>
<td>132 54</td>
</tr>
<tr>
<td>Total</td>
<td>$39,096 17</td>
</tr>
</tbody>
</table>
The charges made against the State have all been authorized by law, and
directed by the Commissioners of the Sinking Fund. The tools on hand
have not been charged to the State, but are the joint property of the State
and present Keeper; no inventory has ever been made of them. Some por-
tion of this expenditure was rendered necessary in consequence of the burn-
ing of the prison, but a considerable portion of it would have been neces-
sary, and is not to be attributed to the burning, as may be readily seen from
the facts set forth in this report.

8. "Resolved, That the said committee report how much said institution
has paid into the Treasury and drawn from it the last 20 years."

From the years 1827 to 1836, the Penitentiary paid into the Treasury
the sum of $7,715.90, as appears by the 2d Auditor's statement hereto at-
tached, marked [A.]. On the 21st November, 1838, there was paid to the
Treasurer of the Commissioners of the Sinking Fund, $5,000; from Joel
Scott, in 1843, the sum of $4,378.55; in 1839, from T. Theobald, $750; in
1840, $1,500; in 1841, $1,500; in 1842, $1,500. There has been paid by
the present Keeper, for interest on the loan to him, $900, as appears by 1st
Auditor's statement, marked [B.]. The amount drawn from the Treasury,
during the present lease, in 1845, to aid them in the erection of buildings,
&c., $5,000; in 1846, to purchase lot and aid in buildings, &c., $6000; loan
to Craig & Henry, at an interest of 6 per cent., to aid them to carry on the
business of the Penitentiary, and to be refunded 1st of March, 1849, $10,-
oo, as appears from 2d Auditor's statement, marked [C.]

9. "Resolved, That the committee enquire of the present Keeper the
amount of capital invested by himself, and what his profits have been since
he has had it under his management?"

The committee submitted to the present Keeper the above resolution, to
which he makes the following response:

"In answer to the 9th resolution, I would most respectfully state, that
when we first entered the institution it was in a destitute condition, the ma-
cinery worn and out of order, tools worn out, prisoners destitute of bed
clothes and wearing apparel, the stock, of scarcely any value or amount.
The capital set apart by the Legislature, in unsaleable articles, at more than
twice their retail value, we could not of course take. I furnished $6,000 in
money to enable the institution to commence business, and soon afterwards
about $4,000 more. The fire destroyed all, and greatly affected our credit.
By the timely countenance and aid of our friends, we were enabled to over-
come these appalling difficulties, and again go to work. The first thing to
be done, was the erection of work shops. The State furnished $5,000 for
this purpose, and the labor of the convicts and our labor supplied the bal-
ance. The two first years we failed to make a profit equal to the guarantee
to the State of $5,000; but all the institution did make, the State received,
leaving us with a loss of two years labor, and heavy expenses of a family.
For the last year, the profits of the institution have increased; but at this
time, exclusive of two years labor, and expenses of a family, I have lost, in
the concern, not less than from $6,000 to $7,000. I am bound by law to fur-
nish all the capital necessary to carry on the business of the Penitentiary. Its
business requires a capital of from $15,000 to $20,000. Upon this I am com-
pelled to pay interest, the State paying none. Whether the business for the
last and present year shall indemnify me for my expenditures in capital and
interest, I cannot certainly ascertain. I shall, however, be highly gratified,
if, at the end of five years labor, I can leave the institution with the loss of five years devoted labor, and a loss of not less than $5,000 in money."

In reference to escapes from the Penitentiary, the committee would remark, that they are incident to all institutions of the kind, and taking the whole time the present Keeper has had charge of the institution, are not as numerous as during the time of former Keepers, nor more numerous than in Penitentiaries of other States. The committee do not believe that any blame is to be attached to the Keeper on this score; his conduct in the management of the institution has been marked by energy and fidelity.

The committee have also had under consideration the address of Jesse Bayles, to them referred, and submit the following statement of facts.

By reference to the act under which the present Keeper of the Penitentiary was appointed, it will be seen, that the Commissioners of the Sinking Fund were required to appoint two disinterested persons to value, faithfully and impartially, at a fair wholesale cash value, the raw material, stock, and manufactured articles on hand in the Penitentiary. Under this provision of the law, an appointment was made. The commissioners, thus appointed, made an inventory and valuation, but it was so excessive and unjust, that the Keepers refused to accept the portion of the stock, &c., set apart for the State. They were, however, required by the Commissioners of the Sinking Fund, to execute a receipt for all the articles contained in the inventory made by these commissioners, as a condition precedent to their admission into possession of the Penitentiary. This they executed, but at the same time protested against it; a full history of this whole matter will be found by reference to a report made by the committee on the Penitentiary to the Senate, (see Senate Journal of 1844-5, page 161:) (Reports of session 1844-5, page 381.)

The Keepers of the Penitentiary never did receive from the State $25,000 in materials, &c. Shortly after they came into possession, under their contract, the Penitentiary was consumed by fire, destroying all of the buildings except the cells and offices; all the materials and property provided by the present Keepers, amounting to $6,394.22, was also consumed. After the fire, the Keepers, with the approbation of the Commissioners of the Sinking Fund, went on to erect one of the workshops. The price charged for this work, was carefully examined by the committee of the Senate, and reported by them to be fair and reasonable.

By an act, entitled, "an act concerning the Penitentiary," laws 1844-5, page 53, the Commissioners of the Sinking Fund are required to allow the Keepers credit for the buildings and machinery erected in the Penitentiary, at the value reported to be fair and reasonable, by the committee, and as stated in the annual report of the Keepers; and the Commissioners, the Governor concouring, are authorized to erect other buildings, machinery and improvements, to be done by Craig & Henry during that year, not to exceed $10,000 in value, exclusive of the buildings, &c., theretofore erected. This act appropriates to the Keepers, to purchase building materials, and make said improvements, the sum of $5,000, provided the Keepers first execute to the State, bond in the penalty of $10,000, conditioned to re-pay the same into the Treasury out of the profits of the Penitentiary. The act also releases the Keepers from all liability to the State, on account of the burning of the Penitentiary, except in so much as they are legally bound, as partners, to bear one third of said loss.
At the session of the Legislature of 1845-6, the committee on the Penitentiary, of the Senate, recommend, as necessary to the success and permanent interest of the Penitentiary, the purchase of a lot, owned by A. P. Cox, and the extension of the yard, and the erection of other buildings. At this time, it will be seen from said report, that the Keepers were in advance to the State, on account of buildings, the sum of $11,190 65. It also appears that the Keepers, after paying over to the State the entire profits, fell in debt, on account of their guarantee of $5,000, the sum of $1,794 38. This failure on the part of the Keepers to realize a profit equal to the guarantee, is attributed by the committee, to the failure of the State to furnish the capital to be furnished on her part, and the disastrous consequences of the fire. By an act passed at the same session, the Governor is authorized to purchase the lot of ground recommended by the committee at $2,400; to cause to be extended, the walls of the Penitentiary, at a cost of $4,731; to erect an eating house and chapel at $3,000; a cistern at $200; to repair the roofs of the offices and place windows in wall which surrounds the cells. And for all this the sum of $6,000 was appropriated. The Commissioners of the Sinking Fund are also directed to give credit to the Keepers for $1,794 38, which they failed to make, in consequence of the misfortunes before mentioned, less the sum of $5,000 agreed to be paid to the State as her nett profits of the institution; and they were directed to allow the Keepers credit for whatever sum the entire profits of the institution should fall short of the $5,000 agreed to be paid the State for the next year, provided it did not exceed the sum of $1,794 38, the amount of the deficiency of the previous year as thus ascertained. The deficiency, however, of the next year, only amounted to about $145, and this was all the credit claimed or allowed. This act also loaned to the Keepers the sum of $10,000, for and during their term of lease, at an interest of 6 per centum per annum, and for which the Keeper was required to execute his bond in the penalty of $20,000, conditioned to pay the interest semi-annually, to the Commissioners of the Sinking Fund, and the principal at the expiration of his term.

By an act, approved March 1, 1847, the Keeper is required to build, out of the State’s profits of the Penitentiary, a blacksmith’s shop at $2,000, and a sewer at $200.

In regard to the only remaining charge against the Keeper, made in the address, the committee refer to the entirely satisfactory statement made by the Clerk of the Penitentiary, in answer to their enquiries, which statement marked [D.] is made part of this report.

The committee, in view of all the facts in relation to the charges contained in the address, are constrained to say, that they are wholly unsatisfied, as will be seen by reference to the documents herein referred to; and that their examination has fully satisfied them, that the business of the Penitentiary has been conducted, by the present Keeper, with strict fidelity, and with an anxious wish to improve the condition of the institution and promote the interest of the State. All of which is respectfully submitted,

J. S. BARLOW, Chairman.
R. S. BOYD,
ALFRED JOHNSTON,
GEO. GRUBB,
E. L. COCKRELL,
JAMES BILDERBACK,
WM. H. GRAINGER,
REVENUE DEPARTMENT, AUDITOR'S OFFICE, FRANKFORT, 18th January, 1848.

The above are all the amounts paid into the Treasury by the Agents of the Kentucky Penitentiary, from 1827 to this date, through this Department.

THO. S. PAGE, Second Auditor.

[.]

A.]

1827.—October 31, Paid by William Holeman, Agent, $457.57
1828.—January 31, Paid by William Holeman, Agent, 985.00
1829.—October 28, Paid by William Holeman, Agent, 36.25
1830.—January 9, Paid by William Holeman, Agent, 34.28
1830.—October 23, Paid by William Holeman, Agent, 34.28
1830.—December 23, Paid by William Holeman, Agent, 45.71
1836.—May, Paid by Joel Scott, Agent, 6,000.00
1836.—December, Paid by Joel Scott, Agent, 800.00

$7,715.09

[.]

B.]

AUDITOR'S OFFICE, January 18th, 1848.

By reference to the books of the Commissioners of the Sinking Fund, the following facts appear, to wit:

On the 21st November, 1838, there was paid to the Treasurer of the Commissioners of the Sinking Fund, $5,000, as profits of the Penitentiary: the books do not show by whom or how this sum was paid.

There was received from Joel Scott, former Keeper, in the year 1843, the sum of $4,378.55, and in the year 1844, the sum of $1,000.

There was received from Tho. S. Theobald, late Keeper, interest on the loan made to him, as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1839</td>
<td>$750.00</td>
</tr>
<tr>
<td>1840</td>
<td>1,500.00</td>
</tr>
<tr>
<td>1841</td>
<td>1,500.00</td>
</tr>
<tr>
<td>1842</td>
<td>750.00</td>
</tr>
<tr>
<td>Total</td>
<td>$4,500.00</td>
</tr>
</tbody>
</table>

There was received from Craig & Henry and Newton Craig, interest on the loan to them, as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1846</td>
<td>$300.00</td>
</tr>
<tr>
<td>1847</td>
<td>600.00</td>
</tr>
<tr>
<td>Total</td>
<td>$900.00</td>
</tr>
</tbody>
</table>

The cost of materials and workmanship in erecting new buildings, in place of those destroyed by fire, as will be seen by reference to the proceedings of the Commissioners of the Sinking Fund, and by Reports 1844-5, page 332, is $5,668.35

For temporary workshops: see said Reports, page 354, 870.42

Additional buildings: see Session Acts 1844-5, page 83, section 2, $6,589.37

Extras on ditto: per records of Sinking Fund, 10,000.00

Building wall around lot bought of A. P. Cox, 671.11

$21,941.48

The above does not include any of the buildings erected in 1847.

Respectfully submitted,

H. I. BODLEY, Auditor.
1845.—April 30, Craig & Henry, Warrant under act 10th February, 1845, - $5,000 00
1846.—March 16, Craig & Henry, Warrant under act 23d February, 1846, - $6,000 00
1846.—March 16, Craig & Henry, Warrant under act 23d February, 1846, - $10,000 00

The above is the total amount that has been paid to the present Keepers of the Penitentiary, through this Department, since they were appointed.

THO. S. PAGE, Second Auditor.

J. S. BARLOW, Esq.,
Chairman of the committee on the Penitentiary.

Sir—In the memorial of Mr. Bayles to the members of the Legislature, which was referred, I understand, to your honorable committee, he expresses himself at a loss to understand, "how the fact could be assumed, that the nett profits of the Prison did not amount to $5,000, less the sum of $1,794 38, in the year 1844; when, according to the report made by the Clerk of the Penitentiary, it will be seen, that the nett earnings of the Prison, from the 1st day of March, 1844, to the first day of December, 1844, is $34,436 78. And statement (C.) shows that the assets of the Institution, after deducting liabilities, to be, on the 1st of December, 1844, the sum of $17,244 85."

In the ingenious manner in which these different amounts are thrown together and presented, it would seem that there was something wrong; but a few simple statements, by way of explanation, will convince any unprejudiced mind to the contrary. 1st. The nett earnings of the prisoners from March to December, 1844, are estimated in exhibit (B.) at $34,496 78. This does not mean the profits of the Prison during that time, as Mr. B. would have you infer, but the statement is given to show the whole amount of labor done by the prisoners during the time it embraces, by estimating, first, the entire gross proceeds of their labor during the year, and then deducting the cost of raw materials, to show the actual amount of labor done; and here, in this connection, the word nett is used to express the labor upon an article, when the cost of the raw material from which it is manufactured, is taken off; of course, all the expenses of the Prison during the time, and its liabilities at the end of the time, and sundry other matters, as the tables alluded to plainly show, should be deducted, to arrive at the profits of the year.

If Mr. Bayles should be elected Keeper, and estimate the profits of the Institution by the same rule of calculation which he has pursued in his memorial, he will find himself sadly deficient in resources to cover his figures. A simple reading of the statements alluded to, by any one competent to judge, will explain this whole matter. I made out this statement the first year, because I noticed it was customary to do so, in the reports of the Eastern Prisons, and I thought it would be acceptable to our Legislature; and, moreover, we desired to withhold nothing, but to make as full an expose of our acts and doings to the Representatives of the largest partner in the firm, as we could; but I found that it was not generally understood, but liable to misconstruction, and, therefore, discontinued it in after years.
In answer to the second mystery—how the profits were reported to the Legislature at $17,244 35, and settled with the Commissioners of the Sinking Fund at $3,205 62? The facts being fairly stated, it is easily explained, and the difference reconciled. The report made to the Legislature was only up to the 1st day of December, 1844. The settlement with the Commissioners of the Sinking Fund was made on the Ist of March, 1845, and up to that date—three months afterwards. This interval was in the winter months, immediately after the fire, and the Prison being unprovided, at that time, with work shops, tools or machinery, half sufficient for its business operations, necessarily sunk money every day of the time, and for months thereafter; besides this, there were many causes which contributed to the rapid decrease of profits. Bagging and rope depreciated rapidly in value, and the estimates which we had made upon our stock on hand, on the 1st of December, were of course deeply affected by this decline. The outstanding accounts against the Prison, which had not been rendered on the 1st day of December, and the aggregate of which we were compelled to suppose at that time, being all rendered before the 1st of March, and the actual amount ascertained, proved a much larger liability than we had anticipated in our first estimates; besides all this, this interval happened at a season of the year when heavy outlays are always made by the Prison, for fuel, prisoners clothing, and for the annual supply of pork for the Prison, &c., causing a heavy drain upon its resources. Taking all these things into consideration, it is not surprising that the difference existed.

These are, literally, the facts in the case, in which I am in no wise interested to pervert, and the same, identically, which were presented to the Governor, and to the Commissioners of the Sinking Fund, at the time, and to the Legislature at its next session, to all of whom it proved entirely satisfactory.

Respectfully,

CHA'S. S. WALLER, Clerk Pen'ty.

Ordered, That the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

Mr. Hughes, from the committee appointed to prepare and bring in the same, reported a bill to fix the ratio and apportion the representation for the next four years.

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

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Ordered, That said bill be made the special order of the day for Wednesday next, and that the Public Printer forthwith print 150 copies of said bill for the use of the members of the General Assembly.

The House then, according to order, resolved itself into a committee of the whole, on the bill to abolish the militia system and to revise and permanently establish common schools. Mr. Towles in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Towles 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.

And then the House adjourned.
FRIDAY, FEBRUARY 4, 1848.

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 Clerk of the Campbell Circuit Court.

An act for the benefit of Ministers of the Gospel.

An act to incorporate the Master and Wardens of Wingate Lodge, No. 161, at Simpsonville, in Shelby county.

An act to incorporate the trustees and stockholders of the Doane and Gracy fund, in the city of Covington.

An act for the benefit of Joseph Riddle, of Cumberland county.

An act for the benefit of the Taylor Guards, of Mercer county.

An act for the benefit of the heirs of Theophilus D. Stark, deceased.

An act for the benefit of Harrison Daniel, former Sheriff of Jessamine county.

An act to extend the town of Boonville, in Owsley county, and for other purposes.

An act for the benefit of Henry G. Black, Surveyor of Ballard county.

An act to amend the charters of the Louisville Turnpike and the Shelbyville Turnpike Road Company.

An act for the benefit of Shackelford and Pullen.

An act for the benefit of Clement Conner, late Sheriff of Greenup county.

With amendments to the three last named bills.

That they had passed bills of the following titles, viz:

An act to amend an act, entitled, an act to establish the town of Brooks-ville, in Bracken county.

An act for the benefit of Joseph C. Harrison, of Boone county, and others.

An act for the benefit of Martin Mannon, of McCracken county.

An act increasing the powers of the Trustees of the Princeton Semi-nary, and for other purposes.

An act to incorporate the Walnut Street Christian Church, of the city of Louisville.

An act to incorporate a road from Washington to Murphysville, in Mason county.

An act to incorporate a company to construct a turnpike road from Cynthiana, in Harrison county, to Newtown, in Scott county, and for other purposes.

An act for the benefit of Maria Graves, of Boone county.

An act to incorporate the Lexington Female High School.
An act to amend the laws concerning the town of Greenville, in McMullenburg county.

An act to amend an act, entitled, an act appropriating six thousand acres of land, west of the Tennessee river, for the erection of a bridge across Pittman's creek, in Green county, approved February 20, 1835.

An act to amend the charter of the town of Hardinsburg.

An act to amend the road law of Jefferson county.

1. Mr. M. E. White presented the petition of George Sears and others, praying that additional compensation be allowed said Sears for apprehending Samuel Jarvis, a fugitive from justice.

2. Mr. Berry presented the petition of sundry citizens of Woodford county, praying the passage of a law incorporating a Turnpike Road Company to construct a road from Versailles to Midway.

3. Mr. Moore presented the petition of William Jackson, Sheriff of Laurel county, praying that further time be allowed him to return his delinquent list.

4. Mr. S. Young presented the petition of sundry citizens of Nelson county, praying the appropriation of the fund arising from the sale of the Seminary lot, in Bardstown, to the improvement of the public roads in said county.

5. Mr. Grainger presented the petition of Joel Jones, praying to be divorced from his wife, Dicey Jones.

Which were received, the reading thereof dispensed with, and referred: the 1st to the committee on Claims; the 2d to the committee on Internal Improvement; the 3d to the committee on the Judiciary; the 4th to the committee on Propositions and Grievances; and the 5th to the committee on Religion.

Mr. Wall, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to incorporate the Lexington Cemetery.

An act for the divorce of Jesse Fitzgerald.

An act to allow an additional Justice of the Peace to the county of Fleming.

An act to legalize the proceedings of the Whitley County Court in relation to the appointment of Jailer.

An act to amend the charter of the Paris Fire Company.

An act to amend an act, to enlarge the powers of the Trustees of the town of Morganfield, and for other purposes, approved March 2, 1844.

An act authorizing the County Court of Woodford to lay an additional levy on slaves for the purpose of paying an efficient patrol.

An act to incorporate the Pisgah church, in the county of Woodford.

An act to incorporate the town of Ringgold, in Pulaski county.
An act for the benefit of John B. Embree, of Monroe county.
An act to amend the charter of the Licking Bridge Company.
An act to enlarge the powers of the Trustees of the town of Uniontown, in Union county.
An act to amend an act, entitled, an act to incorporate the Union White Sulphur Springs Company, approved February 11, 1836.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Wall inform the Senate thereof.

The Speaker laid before the House the annual report of the Kentucky and Louisville Mutual Insurance Company, which is as follows, viz:

**The Kentucky and Louisville Mutual Insurance Company.**

*Report of the condition, progress and affairs of said Company, up to the 30th of November, 1847, inclusive, viz:*

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amount insured, 870 policies, -</td>
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<tr>
<td>Deduct amount of policies discharged by transfer of property or otherwise,</td>
<td>715,400 00</td>
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<tr>
<td></td>
<td>$1,652,892 00</td>
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<tr>
<td>Amount insured on merchandise, 27 policies, -</td>
<td>$35,200 00</td>
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<tr>
<td>Deduct amount of merchandise, (18—9 expired,)</td>
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<tr>
<td></td>
<td>16,300 00</td>
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<tr>
<td>Amount at risk,</td>
<td></td>
</tr>
<tr>
<td>Amount of premium notes, -</td>
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</tr>
<tr>
<td>Deduct amount of premiums discharged, -</td>
<td>37,908 88</td>
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<tr>
<td></td>
<td>$109,097 02</td>
</tr>
<tr>
<td>Received on premium notes, -</td>
<td>$19,138 94</td>
</tr>
<tr>
<td>Received for 870 policies, $1 each, -</td>
<td>870 00</td>
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<tr>
<td>Received for 27 policies on merchandise, -</td>
<td>27 00</td>
</tr>
<tr>
<td>Received for premium on merchandise, -</td>
<td>1,061 12</td>
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<tr>
<td>Received for dividends on bank stock, -</td>
<td>228 87</td>
</tr>
<tr>
<td></td>
<td>$21,323 92</td>
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<tr>
<td>Paid expense account, -</td>
<td>$12,593 64</td>
</tr>
<tr>
<td>Paid for losses, -</td>
<td>5,336 45</td>
</tr>
<tr>
<td>Paid commissions to agents, -</td>
<td>280 34</td>
</tr>
<tr>
<td>Paid for stock in Bank of Kentucky, -</td>
<td>2,250 00</td>
</tr>
<tr>
<td>Due from agents, -</td>
<td>131 17</td>
</tr>
<tr>
<td>Cash, balance, -</td>
<td>432 32</td>
</tr>
<tr>
<td></td>
<td>$21,323 92</td>
</tr>
</tbody>
</table>

**Balances.**

<table>
<thead>
<tr>
<th>Debits</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>To bills receivable, -</td>
<td>$90,193 71</td>
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<tr>
<td>To cash, -</td>
<td>432 32</td>
</tr>
<tr>
<td>To commission account, -</td>
<td>260 34</td>
</tr>
<tr>
<td>To expense account, -</td>
<td>12,593 64</td>
</tr>
<tr>
<td>To profit and loss account, -</td>
<td>5,336 45</td>
</tr>
<tr>
<td>To stock in Bank of Kentucky, -</td>
<td>2,250 00</td>
</tr>
<tr>
<td>To agents accounts, -</td>
<td>131 17</td>
</tr>
<tr>
<td></td>
<td>$111,593 64</td>
</tr>
</tbody>
</table>

29
At a meeting of the President and Directors of the Kentucky and Louisville Mutual Insurance Company, at their office in the city of Louisville, on the 10th day of December, 1847, the President of this Company submitted to the Board, a statement of the condition, progress and affairs of this Company, which, after being read, examined and approved, was adopted; and the President is directed to furnish a copy of the same to the General Assembly of this State, agreeably to the requisition of the 22d section of the charter of this Company.

OFFICE OF THE KY. AND LOUISVILLE MUTUAL INSURANCE CO.

Louisville, February 2, 1848.

SIR:

In obedience to the requisition of the 22d section of the charter of this Company, and the order of the Board, I herewith transmit to you the foregoing report of the condition, progress and affairs of this Company, from the commencement of their business up to and including the 30th of November last, and request that you will lay the same before the body over which you preside.

I have the honor to be,

Very respectfully, &c.,

WILLIS STEWART, President.

To the Hon. JAMES F. BUCKNER,

Speaker of the House of Representatives.

Mr. Williams, from the committee on Religion, to whom was referred a bill from the Senate, entitled, an act for the benefit of Calvin and Mary Johnson, of Clinton county, and Elizabeth Ann Deacon, of Bullitt county,

Reported the same without amendment.

The said bill was then amended.

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

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass and the title be amended by adding after the word "Deacon," the words "and Thomas Deacon."

Mr. Harris, from the committee on Ways and Means, to whom was referred the petition of Joel Sweeney,

Reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Mr. Wolford moved to amend said resolution by striking out "he rejected," and inserting "is reasonable."

And the question being taken thereon, it was decided in the affirmative.
Ordered, That the committee prepare and bring in a bill in accordance with the prayer of said petition.

Mr. Hughes moved to suspend the rules in order to take up, from the orders of the day, the resolution fixing on a day for the final adjournment of the General Assembly.

And the question being taken thereon, it was decided in the negative, it requiring a majority of two thirds to suspend the rules.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Speaker, Messrs. Bailey, Beard, Berry, Bowen, Brown, J., Cavan, Combs, Culton, Gaines, Grainger, Haggard, Hogg, Judd, Kerrick, Lightfoot, Miller, Moore, Pearce, Price, Quarles, Smith, Soery, Talbutt, Thomas, Towles, Wright, Young, S.—28.

Mr. Harris, from the committee on Ways and Means, to whom was referred the petition of Charles F. McKinney, the petition of Theodore Hopwood, the petition of William H. Eubank, and the petition of Thomas Atkins, Jr., reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which 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—A bill for the benefit of Nathaniel D. Burks and Magdalen Burks.

By same—A bill to divorce William Humphreys, of Hickman county.

By the committee on Ways and Means—A bill for the benefit of David Snowden, former Sheriff of Owsley county.

By same—A bill for the benefit of Thomas B. Powell, of the county of Boone.

By same—A bill for the benefit of John Judy.

By same—A bill for the benefit of William D. Mitchell, Clerk of the Oldham Circuit and County Courts, and others.

By same—A bill for the benefit of Frederick Gosney.

By same—A bill for the benefit of Joel Sweeney.

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

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.

Mr. Collins, from the committee on Internal Improvement, to whom was referred a bill from the Senate, entitled, an act to facilitate the construction of the Electric Telegraph,

Reported the same with amendments.

Which were concurred in.

Ordered, That said bill, as amended, be made the special order of the day for Monday next, and that the Public Printer forthwith print 150 copies of said bill, as amended, for the use of the members of the General Assembly.

On motion of Mr. Towles, leave of absence, until Monday next, was granted to Mr. McKinney.

Mr. Collins, from the committee on Internal Improvement, to whom was referred a bill for the benefit of the Maysville and Mountsterling turnpike road,

Reported the same without amendment.

The said bill reads as follows, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the passage of this act, all the tolls and moneys received of the Maysville and Mountsterling Turnpike Road Company, after defraying the expenses thereof, shall be appropriated to the further construction of said road, until the same shall be completed: Provided, That the individual stockholders, or those of them holding a majority of the stock, shall assent thereto, in the manner hereinafter provided for: and provided also, That further subscriptions of stock, in said road, shall be
made equal to such residue of profits received by the Company, and shall be paid in when called for, pursuant to the original act incorporating said Company.

Sec. 2. That at any time, before the first day of July, 1848, a meeting of the stockholders shall be called, to be held at Flemingsburg, notice thereof being given for three weeks previously in the newspapers published at Maysville and Mountsterling, in order to ascertain their will in regard to a surrender of the profits of the road for the purpose aforesaid; at which meeting the President of the Company shall take the votes offered, and if a majority be in favor of surrendering the profits as aforesaid, he shall certify the polls and cause the same to be recorded on the books of the Company; and so soon, thereafter, as practicable, the President and Directors shall proceed to the further construction of the road: first, finishing that part which has been graded in Montgomery county, and then applying the funds to such other portions as, in their judgment, shall seem best for the interest of the Company.

Sec. 3. That if the Directory of said road shall deem it advisable, they shall have power to extend the maximum grade to three and a half degrees, and limit the width to twenty four feet for the grade and sixteen feet for the rock, on all that part of the road now unfinished.

Sec. 4. That if the said Directory shall think proper, and there be not enough of stock subscribed, with the tolls of the road, to complete the road in reasonable time, they may grade the balance after completing the part now graded in Montgomery county, and the same may be used until the Company shall be able to complete it; but in this case only half toll shall be charged on such part not completed with the rock.

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

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed, The question was then taken on the passage of said bill and decided in the affirmative.

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

Those who voted in the affirmative, were—

Those who voted in the negative, were—

Messrs. Abell, Coleman, Johnston,
Askins, Dohoney, Judd,
Barlow, Floyd, Lightfoot,
Beeler, Grundy, Quarles,
Bourland, Haggard, Railey,
Boulware, Harreld, White, D. P.
Bowling, Headley, White, M. E.
Bozarth, Hudson, Woosley—24.

Resolved, That the title of said bill be as aforesaid.

A message was received from the Governor, by Mr. Reed, 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 to incorporate the Flemingsburg and Poplar Plains Turnpike Road Company.
- An act for the benefit of Mary Jane Eals, an idiot.
- An act for the benefit of M. R. Stealey, late architect of the Penitentiary buildings.
- An act for the benefit of William P. Ligon.
- An act to incorporate the Lexington Female Institute.
- An act for the benefit of the Sheriffs of Bourbon, Clarke, Lincoln and Fayette counties.
- An act to amend an act, entitled, an act to incorporate a College in Union county, styled the Henry Clay Institute, approved February 7, 1845.
- An act for the benefit of the late Sheriff, and his deputies, of Owen county.
- An act to incorporate the Phi Mu Society, of Shelby College.
- An act for the benefit of James G. Edens.
- An act for the benefit of Franklin Darnell.

Approved February 3, 1848.

The House again resolved itself into a committee of the whole, on the bill to abolish the militia system and to revise and permanently establish common schools, Mr. Towles in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Towles reported that the committee had, according to order, had under consideration the bill aforesaid, and had instructed him to report the same to this House without amendment.

Mr. T. D. Brown then offered an amendment as a substitute for said bill.
Ordered, That said bill and amendment be referred to Messrs. Price, Hanson, Hardy, Elliott, Haggard, Smith, Gaines, McReynolds, T. D. Brown and Barlow.

And then the House adjourned.

SATURDAY, FEBRUARY 5, 1848.

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 Judge of the 2d Judicial District.
An act to amend the law concerning processioning lands and to perpetuate the evidences of land boundaries.
An act concerning conveyances.
With amendments to the last named bill.
That they had passed bills of the following titles, viz:
An act to incorporate the Missionary Society of the Methodist Episcopal Church South.
An act for the benefit of Isaac Bush.
An act for the benefit of the heirs of Hubbard B. Smith, deceased.
An act for the benefit of James M. Shelly, Robert Jarred, and others.
That they had received official information from the Governor, that he had approved and signed enrolled bills originating in the Senate of the following titles, viz:
An act to divorce Joseph L. Craft from his wife, Hannah Craft, of Boone county.
An act for the benefit of Eveline Adams.
Approved February 3, 1848.

1. Mr. Boyd presented the petition of Caroline Ruark, praying to be divorced from her husband, Jesse D. Ruark.
2. Mr. Collins presented the memorial of sundry citizens of Mason county, praying the charter of a company to make a turnpike road from the Fleming turnpike road, through Helena, to the upper Blue Lick road.
3. Mr. Smith presented the petition of John Askins, &c., of Garrard county, praying to be allowed to set aside a deed of trust.
Which were received, the reading thereof dispensed with, and referred: the 1st to the committee on Religion; the 2d to the committee on Internal Improvement; and the 3d to Messrs. Smith, Hughes and Allin.
Mr. Smith, from the select committee, to whom was referred the preamble and resolutions in relation to the annual message of the Governor.

Reported the same with the following amendment as a substitute for said preamble and resolutions, viz:

WHEREAS, His Excellency, the Governor, in his recent annual communication to the Legislature, made honorable mention of the conduct of the officers and soldiers of the 2d Regiment of Kentucky Volunteer Infantry at the Battle of Buena Vista; and whereas, it appears that he has omitted to make such mention of the Kentucky Cavalry. Therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That while we contemplate with profound feelings of gratitude and pride, the devoted gallantry which marked the conduct of the 2d Kentucky Infantry, the Regiment of McKee, of Clay, of Willis, and their immediate companions in arms and in death on the field of Buena Vista; and while we yield our cordial tribute of sympathy and grief for their glorious and untimely fate, we also exist in the generous chivalry which impelled the gallant young Vaughn, and his companions of the Kentucky Cavalry, to meet amid squadrons of the enemy, on the same bloody field, a fate as full of honor and as premature; and that we claim the laurels won by both the regiments on that eventful day, as the heritage of Kentucky's historic fame, a glorious unity, not to be divided or diminished.

Resolved further, That the General Assembly cannot omit to proclaim their admiration of the early and energetic patriotism of the Louisville Legion, which led them first to the plains of Mexico, and nobly to sustain their position at the storming of Monterey, and of their humane and gallant bearing when garrisoned in that city, which induced the inhabitants to appeal to the general-in-command to continue them in that garrison, alleging that they felt entirely secure in their persons, families, and property, when guarded and protected by Kentuckians.

Resolved further, That we will not withhold our admiration of the patriotic energies and perseverance of the Independent Company of Kentucky Volunteers, commanded by Capt. John S. Williams, in their wonderful march to Mexico, and their chivalry and bravery displayed in storming the guarded and fortified heights of Cerro Gordo, while we mourn the loss of so many of that gallant little band.

Resolved further, That while we make public demonstrations of our admiration of the heroes who have fallen on the field in the bloody war with Mexico, we mourn the untimely fate of those, and many they are, who have died afar from the homes of their youth, under the influence of the burning sun and fœtid morasses of a foreign land, and feel that they too have a right to our sympathy and admiration.

The question was first taken on the adoption of the resolutions of said amendment, and decided in the affirmative.

Mr. Towles moved the following as a substitute for the preamble of the amendment, proposed by the committee.

WHEREAS, His Excellency, the Governor of this Commonwealth, in his late annual message, has made honorable mention of the officers and soldiers of the 2d Regiment of Kentucky Volunteer Infantry, and spoken in terms of commendation of their courage and conduct at the battle of Bue-
and whereas, he has (through an accidental inadvertence, and as we doubt not, without any intention on the part of His Excellency, to cast any slight or imputation upon any other corps of Kentucky troops who have served in the present war with Mexico,) omitted to make such mention of other gallant troops from Kentucky, who have shed their blood and lost their lives in that war. Therefore, And the question being taken on adopting the same, it was decided in the affirmative. Mr. Hughes then moved to lay said preamble, as amended, on the table. And the question being taken thereon, it was decided in the affirmative. The yeas and nays being required thereon by Messrs. Smith and Duncan, were as follows, viz: Those who voted in the affirmative, were—


Those who voted in the negative, were—

An act for the benefit of Henry G. Black, Surveyor of Ballard county.

An act in relation to the vacant lands in Wayne county, and for other purposes.

An act to extend the town of Boonville, in Owsley county, and for other purposes.

An act for the benefit of Joseph Riddle, of Cumberland county.

An act for the benefit of the Clerk of the Campbell Circuit Court.

An act for the benefit of Ministers of the Gospel.

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

An act to incorporate the Trustees of the Bethlehem Cumberland Presbyterian Church, in Caldwell county.

An act for the benefit of William T. Long, of Clinton county.

An act for the benefit of William G. Pierce, of Trimble county.

An act to amend an act, entitled, an act to incorporate the Dry Run and Covington Turnpike Road Company.

An act to divorce Mary Howard, of Harlan county.

An act divorcing Mary Fenley, of Shelby county.

An act to divorce Sarah Lane, and others.

An act to incorporate the Cave Hill Cemetery, of Louisville.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Bailey inform the Senate thereof.

A message was received from the Senate, announcing the passage of a bill, entitled, an act to provide for a settlement with the present Keeper of the Penitentiary, the election of a Keeper or Keepers, and for other purposes.

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

By Mr. Carlisle—1. A bill to legalize the proceedings of the Graves County Court.

By Mr. Bell—2. A bill to legalize the proceedings of the Ohio County Court at its January term, 1848, and for other purposes.

By Mr. Wilson—3. A bill supplemental to an act, entitled, an act further to protect the rights of married women, approved February 23, 1846.

By Mr. Chilton—4. A bill for the benefit of Davenport Jones, of Christian county.

By Mr. Collins—5. A bill to change the name of Henry Moore Henry, to that of Francis Grey Henry.

By Mr. Carlisle—6. A bill allowing additional Justices of the Peace, and Constables, to certain counties.

By Mr. McReynolds—7. A bill to amend an act, entitled, an act for the benefit of Nancy Pointer, approved February 25, 1847.

By Mr. Haggard—8. A bill for the benefit of the Sheriff of Cumberland county.
By Mr. Wintersmith—9. A bill to amend the execution laws as to property exempted therefrom.

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

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 2d, 4th, 5th, 6th, 7th and 8th were severally ordered to be engrossed and read a third time; and the 3d and 9th were referred to the committee on the Judiciary.

The rule of the House, constitutional provision and third reading of the 1st, 2d, 4th, 5th, 6th, 7th and 8th bills having been dispensed with, and the same being engrossed.

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

The amendments proposed by the Senate to bills from this House of the following titles, viz:

An act to change a part of the State road in Marshall county, between Gray's ferry and Paducah.

An act for the benefit of the Sheriffs of Nicholas, Barren, Floyd and Boone counties.

An act to amend the charters of the Louisville Turnpike Company and the Shelbyville Turnpike Road Company.

An act for the benefit of Shackelford and Pullen.

An act for the benefit of Clement Conner, late Sheriff of Greenup county.

Were taken up, twice read and concurred in.

The amendments proposed by the Senate to a bill from this House, entitled, an act to increase the revenue, were twice read and disagreed to.

The amendments proposed by the Senate to a bill from this House, entitled, an act concerning conveyances, were referred to the committee on the Judiciary.

Bills from the Senate of the following titles, viz:

1. An act to incorporate the Frankfort and Lawrenceburg Turnpike Road Company.

2. An act for the benefit of the widow and heirs of Jeremiah Joyner, deceased.

3. An act for the benefit of Robert S. Taylor, and others.

4. An act increasing the powers of the Harrison County Court.

5. An act authorizing Jeremiah P. Richards to sell certain lands in Carter county, and for other purposes.

6. An act to incorporate the Clark's Run and Salt River Turnpike Road Company.

7. An act to amend the charter of the Bourbon Agricultural Society.

8. An act to appropriate the dividends of the Bardstown and Louisville, and the Bardstown and Green River Turnpike Roads, to the completion of the road between Bardstown and Glasgow.
10. An act to change the time of holding the Hopkins County Court.
11. An act for the benefit of Sarah Jane Acuff, of Calloway county.
12. An act to divorce William R. Ennis from his former wife, and for other purposes.
13. An act for the benefit of James M. Anderson.
15. An act to incorporate the Logan Manufacturing Company.
16. An act for the benefit of Francis Giltner, of Carroll county, Kentucky.
17. An act to amend an act, entitled, an act to increase the powers of the Trustees of the town of Versailles.
19. An act authorizing the county of Nicholas to subscribe stock in the Carlisle and Sharpsburg Turnpike Road Company.
20. An act to amend an act, entitled, an act to establish the town of Brooksville, in Bracken county.
21. An act for the benefit of Joseph C. Harrison, of Boone county, and others.
22. An act for the benefit of Martin Mannon, of McCracken county.
23. An act increasing the powers of the Trustees of the Princeton Seminary, and for other purposes.
24. An act to incorporate the Walnut Street Christian Church, of the city of Louisville.
25. An act to incorporate a road from Washington to Murphysville, in Mason county.
26. An act to incorporate a company to construct a turnpike road from Cynthiana, in Harrison county, to Newtown, in Scott county.
27. An act for the benefit of Maria Graves, of Boone county.
28. An act to incorporate the Lexington Female High School.
29. An act to amend the laws concerning the town of Greenville, in Muhlenburg county.
30. An act to amend the road law of Jefferson county.
31. An act to amend an act, entitled, an act appropriating six thousand acres of land, west of the Tennessee river, for the erection of a bridge across Pitman's creek, in Green county, approved February 20, 1835.
32. An act to amend the charter of the town of Hardinsburg.
33. An act to incorporate the Missionary Society of the Methodist Episcopal Church South.
34. An act for the benefit of Isaac Bush.
35. An act for the benefit of the heirs of Hubbard B. Smith, deceased.
36. An act for the benefit of James M. Sheely, Robert Harrelld, and others,

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

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 6th, 8th, 13th, 25th, 26th, 30th and 31st were referred to the committee on Internal Improvement; the 2d, 3d, 4th, 5th, 9th, 15th, 17th, 19th, 20th, 21st, 22d, 23d, 24th, 29th, 32d, 33d, 34th and 35th to the committee on the Judiciary; the 7th to the committee on Agriculture and Manufactures; the 10th and 19th were severally ordered to be read a third time; the 11th and 12th to the committee on Religion; the 14th, 27th and 36th to the committee on Ways and Means; the 16th to the committee on Federal Relations; and the 28th to the committee on Education.

The rule of the House, constitutional provision and third reading of the 10th and 19th bills having been dispensed with,

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

A bill from the Senate, entitled, an act to provide for a settlement with the present Keeper of the Penitentiary, the election of a Keeper or Keepers, and for other purposes,

Was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Ordered, That said bill be referred to the committee on the Penitentiary, with instructions to report the same to the House on Monday next at 12 o'clock, M.

On motion of Mr. Hughes,

Resolved, That on Monday morning it shall be in order, after the reception of petitions, to receive reports from select committees, and then proceed with the call of the counties.

Mr. Moore, from the select committee, made the following report, viz:

The Committee to whom was referred leave to bring in a bill to authorize a Geological Survey of the State, have had the subject under consideration, and beg leave to report—

That, whilst they have not had it in their power to give the subject their undivided attention, nor to allow to it the time which its importance demands, yet they have given it sufficient investigation to enable them to state that, in their opinion, no measure can be presented for legislative action, involving more extensively the best interests of the Commonwealth.

It is a measure in which the whole State, and every portion of it, is more or less interested. It is not local in its benefits, nor restricted in its advantages. It does not propose a mere temporary good, but a lasting benefit to the whole Commonwealth.
Your Committee believe that there are but few states in the Union, in which a greater amount of mineral wealth may be found than in Kentucky; and yet, it seems that less has been done by legislative authority and assistance to aid in its development, than in any of the sister States.

Whilst large sums of money have, from year to year, been expended upon measures of far less importance, and many of doubtful utility—whilst the public mind has been occupied with subjects of minor consideration, the vast mineral resources of the State have been comparatively neglected.

The State has exhibited a very liberal spirit in works of internal improvement. Large sums of money have been thus expended. They, of course, to a considerable extent, are partial in their benefits. Some sections of the State derive more benefit from them than others. It is now proposed to adopt measures by which the general usefulness of these works may be greatly promoted, and their productiveness largely increased.

Your Committee believe that, by making a Geological Survey of the State, so as to show the locations and boundaries of the mineral regions, it will greatly stimulate and encourage private enterprise and capital in the manufacture and application of the various minerals, with which the State abounds, to the many useful purposes of life.

Such a survey, as your Committee now feel disposed to suggest, can be made at a very inconsiderable cost, and they have no hesitation in recommending it to be done. Whether it ought not to be followed by a more comprehensive and thorough survey, is a question which can be hereafter settled.

Your Committee here incorporate, as a part of their report, the answer of David Christy, to a letter written to him upon the subject by G. W. Craddock, which has been furnished to us by the latter gentleman:

"FRANKFORT, Jan. 20, 1848.

"Dear Sir—In reply to your inquiries, I shall study brevity. The geology of Kentucky, unlike many other districts, is easily understood. The laborious and expensive surveys of some of the older States, in efforts to develop their mineral resources, has made the task comparatively an easy one for those who have the work yet to perform. These investigations have determined the character of the formations in the United States, and the range of the minerals, so fully, that the Geologist, who has had access to collections of the fossils of the several formations, can at once distinguish them from each other, whenever he meets with them, and can pronounce, with a good degree of certainty, what minerals or metals, may, or may not, be expected at any given point. Where the strata have been disturbed and broken up, or overturned, by volcanic agencies, the work of the Geologist becomes complicated, and time is required to make an intelligible survey. But where the strata are horizontal, as is the case throughout nearly all of Kentucky, the work of a survey may be accomplished with greater rapidity, if the Geologist is not required to make collections of the fossils and the minerals.

"Such a survey as will enable the citizens to ascertain the mineral value of their lands, would, in a good degree, be afforded by the construction of twelve or fifteen sections, such as those to which you refer. These sections should radiate from Frankfort to the limits of the State, passing through the mineral districts only. The first might extend to the mouth of Big
Sandy, and the second to Cumberland Gap, and a third to Smithland. Other sections, to any number required, might occupy the intervening points.

"The survey and construction of six such sections can be made for $1,200. I have already prepared two such, which extend across Kentucky, copies of which are at your disposal. I have also a very full suite of the fossils belonging to your formations, which I will loan to a suitable artist, to be used in preparing drawings and engravings upon wood, because I am anxious to see them published. I have had a few of them engraved, and will leave prints of some of them with you. The engravings of the six sections, and the fossils necessary to illustrate a report, would cost about $400. The report need not extend beyond 200 pages.

"Such a survey, as is here suggested, would be only the necessary precursor of a more minute Geological Survey, to be made hereafter, should the State desire it.

"The chemical analysis of ores and of coal, constitutes one heavy item in Geological Surveys. But this tax, in the present case, could be left to fall upon those who were to reap the benefit. Each man could pay for the analysis of his own minerals. The usual fee, I believe, is $5 for each mineral. Any of your chemical professors, in your colleges, can make the analysis.

"I have thus endeavored to point out to you the most economical, and, at the same time, the most useful plan of a Geological Survey of your State.

"Yours, respectfully,

"DAVID CHRISTY.

"G. W. CRADDOCK, Esq."

It will thus be seen, that a survey, such as is suggested by Mr. Christy, may be made at but little expense, and which, possibly, will be sufficiently extensive to answer all practical purposes.

One of the great objects to be accomplished is, to furnish the citizens a map or chart by which those who may desire to engage in such pursuits, may be able to know where to search for the particular mineral desired. When we consider the very large sums which other States have expended in making Geological Surveys, and the benefits resulting from them, your Committee cannot, for a moment, hesitate in the belief that you will appropriate a sufficient sum to make such a survey as they have recommended.

Ordered, That the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

Mr. Moore, from the same committee, reported a bill for a Geological Survey of the State,

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

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Ordered, That said bill be made the special order of the day for Thursday next, and that the Public Printer forthwith print 150 copies of said bill for the use of the members of the General Assembly.

And then the House adjourned.
MONDAY, FEBRUARY 7, 1848.

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 Calvin and Mary Johnson, of Clinton county, and Elizabeth Ann Deacon, of Bullitt county.

That they had passed bills from this House, of the following titles, viz:

- An act to establish an additional precinct in Wayne county.
- An act to change the place of voting in the Christiansburg precinct, in Shelby county.
- An act to establish election precincts in the county of Mason.
- An act for the benefit of the Somerset Academy.
- An act to legalize an order of the Fayette County Court at their July Term, 1847.
- An act to divorce Edward R., and Elizabeth Sumpter.
- An act to divorce Hugh and Rebecca Kirkpatrick.
- An act to establish two additional precincts in Knox county.
- An act to change the place of voting in an election precinct in the county of Henderson.
- An act to amend the law regulating the taxation of costs in appeal cases. With amendments to the three last named bill.
- That they had passed bills of the following titles, viz:
  - An act appropriating six hundred dollars to improve the navigation of the South fork of the Kentucky river at or near the Narrows.
  - An act to incorporate the Grand Division of the Sons of Temperance of Kentucky.
  - An act to divorce Elizabeth Morgan, of Trimble county, and George W. Aydelott, of Hickman county.
  - An act to amend the charter of the Turnpike Road Company between Bell's Tavern and Bowlinggreen.
  - An act to provide for the improvement of the road from Munday's landing to Harrodsburg.
  - An act to incorporate the Flemingsburg and Mount Carmel Turnpike Road Company.

1. Mr. Bush presented the petition of sundry citizens of the town of Winchester, in Clarke county, praying the incorporation of a Fire Company in said town.

2. Mr. Hardy presented the remonstrance of sundry practical printers of this State, against any reduction of the prices paid for the public printing.
3. Mr. Barlow presented the petition of William H. Curtis, who is a minor, praying that he be authorized to convey certain real estate.
4. Mr. Grubb presented the petition of Nancy Dyre, praying to be divorced from her husband, William B. Dyre.
5. Mr. Hudson presented the petition of Riley Long, of Wayne county, praying the passage of a law legalizing his acts in importing into this State certain slaves.
6. Mr. Williams presented the petition of sundry citizens of Morgan county, praying a change in the time of holding the County Court of said county.
7. Mr. Smith presented the petition of Sarah Wood, praying that she be divorced from her husband, John Wood.
8. Mr. Conner presented the petition of sundry citizens of Bath county, praying a change in the place of voting in an election precinct in said county.
9. Mr. Carlisle presented the petition of sundry citizens of Kenton and Boone counties, praying an amendment to the laws for preventing the escape of slaves from this State.
10. Mr. Williams presented the petition of Stephen Bishop, praying to be divorced from his wife, Elizabeth Bishop.

Which were received, the reading thereof dispensed with, and referred; the 1st to the committee on Propositions and Grievances; the 2d to the committee on Printing; the 3d to Messrs. Barlow, Haggard and Dougherty; the 4th, 7th and 10th to the committee on Religion; the 5th to the committee on the Judiciary; the 6th to Messrs. Williams, Dougherty and Hughes; the 8th to the committee on Privileges and Elections; and the 9th to the committee on Federal Relations.

On motion of Mr. J. Brown, leave of absence until to-morrow, was granted to Mr. Ballingal.

A message was received from the Governor by Mr. Reed, Secretary of State, transmitting a letter from Gen. Z. Taylor, which is as follows, viz:

_Gentlemen of the Senate and House of Representatives:_

I avail myself of the earliest opportunity to lay before you a letter received last Saturday evening from Maj. Gen. Zachary Taylor, in answer to a resolution of the General Assembly inviting him to visit the Capital of Kentucky during the present session of the Legislature.

WM. OWSLEY.

_FEBRUARY 7, 1848._

_BATON ROUGE, LA._

_January 24, 1848._

_Sir: I have the honor to acknowledge the receipt of your Excellency's letter of the 12th inst., enclosing to me a copy of the preamble and resolutions adopted by the Legislature of Kentucky, in which they have been pleased to invite me to visit that body during its present session._

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I beg to assure your Excellency that this high evidence of the kind regard which exists towards me among my fellow citizens of Kentucky, has been received by me with emotions of the liveliest gratitude; and I have to request that you will convey to them, through this distinguished body, my profound acknowledgments for so unmerited an honor.

A just sense of my obligations to your patriotic State, and a recollection of the many old friends and acquaintances that I have among you, strongly urge me to yield to the flattering request contained in the resolutions before me; but, I regret to inform you, that the circumstances under which my present leave of absence was obtained, render it so clearly proper, in my opinion, that I should remain in or near this place until I am again required for duty, that I am constrained to forego this pleasure. With my best wishes for your health and success through life, I have the honor to be,

With great respect,

Your Excellency's obt serv't,

Z. TAYLOR.

To his Excellency, Wm. Owsley, Governor of Kentucky, Frankfort, Kentucky.

The Speaker laid before the House the response of John R. Allen, Superintendent of the Lunatic Asylum, to a resolution from this House, which is as follows, viz:

KENTUCKY LUNATIC ASYLUM, February 2, 1848.

To the Honorable, the House of Representatives:

In accordance with a Resolution of the House of Representatives, requesting my opinion as to the propriety of establishing a Lunatic Asylum in the Southern portion of this State, the following response is very respectfully submitted.

To me there are two questions to be discussed in determining this subject, viz: Is it necessary—is it politic, to erect another Asylum?

To the first question, we respond, that there are, without doubt, in the State, 800 lunatics, and almost as many idiots. One half of this number are paupers, and entitled to our charity—a number greater than the present Asylum can accommodate by 200. Of these, however, but a few over one half have been sent to this Asylum. For this there are several reasons. Undoubtedly the location has its influence, as an examination of the records shows a very large majority of patients to have been committed from the adjoining and most accessible counties, while there is no reason why there should be a greater number of lunatics in them. Another reason is, that insanity has but recently, in this State, attracted much attention to its curative treatment in the hospital. The safe keeping of the insane, seems alone to have been the object of this Institution for many years, and, of course, was considered by the community but as a better prison, and the inmates were treated, at best, but under a mitigated prison discipline. The horrors of a bedlam or madhouse, as such places were called, and are still denominated by the public generally, deterred many, and still deter hundreds, from placing their insane friends under its treatment. These prejudices are now rapidly giving away, and in a very few years, many more lunatics will require accommodation; and, as they are among us, provision must be made
I think an Asylum, properly located, the best way of meeting this necessity.

In regard to the second question, "Is it politic?" I would answer, first, that it is, I believe, admitted by those most conversant with the proper treatment of insanity, that 250 patients are as many as should ever be congregated in one house. The health and comforts of a greater number cannot be well guarded by any one Superintendent. The general supervision of a larger establishment, cannot be given by one man with justice to himself or his patients. The present Asylum has now that number, which will, no doubt, be considerably increased during the year, and in a few years reach 500, if the number increases as it has in two years past, and large additional buildings must be required.

To provide for so large a number, the present Asylum is somewhat unfavorably located, economically considered. Among the heaviest items of expense in such Institutions, is fuel—a large amount of which must always be consumed. This already costs a very high price here, and must continue to advance as it becomes more scarce, while the consumption must increase with our number of inmates.

Another object of the first importance to such an Asylum, is a farm. It is important as affording healthful and useful exercise to a large number of lunatics; and more so, for the supplies obtained at the least possible cost, most of them being raised by lunatic labor. A farm cannot be had convenient to this Asylum, but at an exorbitant price, and then without wood: so that, neither fuel or ground can be obtained but at the highest cost. In many parts of the State, both can be obtained at very low prices, if not for nothing, as an inducement to locate an Asylum in their vicinity.

Again: it should not be overlooked, that of the 250 patients in the present Asylum, only between 40 and 50 are boarders, or paying patients, while there are 300 or 400 in the State, supported at their own cost. Now this is a large number of our unfortunate fellow-citizens, many of whom are treated with cruelty, and most with unnecessary severity. Where interest does not cause their abuse, ignorance of the proper mode of controlling them does, and an amount of suffering is produced inconsistent with the character of a benevolent people, and the obligation of government to its subjects.

We do not wish, on the part of the laws, an undue interference in family matters, nor encroachment upon the sacred rights of the domestic sanctuary, but where such a number of helpless citizens are subject to unnecessary abuses, it is but right that some ostensible responsibility should some where rest for their redress. Is not an Institution, under the direction and control of the Legislature, the proper place for them? But, admitting that no legal interference should be exercised in such cases, a suitable Asylum, would, as it everywhere has, when tried, invite into its wards, as the cheapest and most comfortable residence for the insane, all who had means or had not; and a much larger proportion of paying patients being admitted, the demand from the public treasury would not increase with the whole number accommodated, but with that of the paupers.

By far the most important consideration, however, connected with this project is, that it will afford every inducement for bringing the insane under treatment, at a period in their complaint, when a cure may pretty certainly be expected. It is an ascertained fact, that from 85 to 90 per cent. of cases
of insanity may be cured with proper treatment, if commenced a short time after the attack; and it is equally true, that very few recover after a few months has elapsed before they are sent to hospitals. Recent cases generally recover within the first year, if treated, while chronic cases generally become incurable. Thus the comparative cost of maintaining the two classes, is as the expenses of a few months is to those of a life time, but little abbreviated by insanity. By reference to the reports of this Institution for the years 1845-'46, tables will be found exhibiting the comparative cost of — recent cases cured; — old cases, now incurable, which probably would have been relieved, if timely means had been resorted to. The difference between the average cost of each old and recent case, is —. The aggregate cost of — old cases, —; of — recent cases, —. The latter are now useful members of society, the former still requiring public charity. Such being true, it will be readily admitted, that if such results can be averted, good policy, economy, and humanity, demand the effort.

As before intimated, all the horrors and cruelties of bedlam, are still in the minds of a large majority of our citizens, associated with this Institution, built as it was, when lunatics were viewed as ferocious beasts, and treated as such. It seems impossible to eradicate such prejudices, however antiquated, from the minds of the community; and hence, lunatics are rarely sent here, until every hope of recovery is gone, and their friends can no longer control, or are unwilling to be troubled with them. In my mind, the most effectual, if not the only way to overcome these needless fears of the people, is the erection of an Asylum, upon the best approved plan, which starting with the modern and more rational views of the nature and treatment of insanity, and reared under the supervision of the community, with its arrangements for comforts and conveniences displayed before them, indicating in every way its designs, and its adaptation to its ends.

Such an Institution, under strict legislative scrutiny, and directed by those whose characters were favorably known as kind and benevolent, who would see to it, that the laws of kindness and humanity were its governing code, I confidently believe would so re-act on the public mind, as to hasten to its benign influences, all whom a mysterious Providence might afflict with that most terrific of disorders — insanity. This has been the effect elsewhere, and such would be the result with us.

Very respectfully,

JNO. R. ALLEN.

Ordered, That the Public Printer forthwith print 150 copies of said response for the use of the members of the General Assembly.

The Speaker laid before the House a communication from the President of the Board of Internal Improvement, which is as follows, viz:

OFFICE OF THE BOARD OF INTERNAL IMPROVEMENT.

February 7th, 1848.

To the Hon. James F. Buckner,

Speaker of the House of Representatives.

Please lay the enclosed report before the House of Representatives.

Respectfully,

Your ob't serv',

THOMAS METCALFE, P. B. L. I.
In obedience to the joint resolutions of the Senate and House of Representa­tives, approved the 29th ult., requiring the Board of Internal Improvement "to engage the services of a competent engineer, and ascertain the cost of repairing and putting in a condition, according to the most approved plan of running steam-cars, the Lexington and Ohio Railroad," &c., the Board called upon C. N. Warren, Esq., Civil Engineer, for the purpose of obtaining from him such information as he could furnish, from certain surveys and documents, understood to be in his possession, applicable to the case; and we are indebted to the politeness of Mr. Warren for the information and estimates contained in the accompanying letter over his signature. This estimate of Mr. Warren is for a line of road commencing at the wharf on the river, and running along the present track on Broadway to a point near its junction with Main street—thence, passing through a tunnel under the Turnpike, to the side of the cliff next to the river—thence up the side of the cliff, passing below the Cemetery, and continuing until it connects the new with the old line, at the distance of three and a half miles.

Still further to enable the Board to report whether there was not "a more practicable route than the present, of reaching the Kentucky river," we availed ourselves of the services of Thomas Conn, Esq., Superintendent of the Kentucky River Navigation, who, with the assistance of some chain carriers and rodmen, made an examination of three different routes, as will be seen in the accompanying report over his signature.

From the report of Mr. Conn, it will be seen that the most practicable route for approaching the river is at a point nearly opposite Mrs. Hickman's stable, situated on the slope of the hill on the side of the Turnpike. By making this point the terminus of the Railroad upon the river, the cost of construction will be many thousand dollars less than by running it to the present wharf, or to any other point within the limits of Frankfort, provided no difficulty should arise in acquiring the right of way through the streets, and in obtaining lands suitable for a wharf, warehouse, &c. If the object is to connect the Railroad, belonging to the State, with her slackwater navigation, without regard to the contemplated Louisville and Frankfort Railroad, it is not to be doubted that this route and this terminus of it is much the most fit and suitable that can be had. It is the best grade, the shortest and cheapest route, dispensing with any tunnel, a good location for a wharf, and such other improvements as may be required. It appears that by the charter granted to the Louisville and Frankfort Railroad Company, the State has surrendered her right of way from St. Clair street, in front of the Capitol, along Broadway to the river, together with her lands, warehouse and wharf, to that Company—thus disconnecting her own Railroad from her slackwater navigation, at the point where the Railroad terminated. She has now no alternative but to connect the road with the river near the stable alluded to, or, at an increased cost, to reach some less fit and suitable point.

In reply to the second resolution, requiring the Board to "ascertain, by bids or otherwise, what price can be had for the Railroad, and to give their opinion of the probable effect which its sale would have upon the profits of the navigation of the Kentucky river," the Board would respectfully remark, that it will not be practicable to obtain and communicate the information required, during the present session of the Legislature, as fully and sat-
isfactorily as the resolution contemplates. This part of their duty will be performed, and much more exact and minute estimates prepared for their report to the next session. It is obvious, however, that a surrender of the Railroad to a private Company might have a deleterious effect upon the navigation, unless it is prevented by judicious restrictions in the charter, and a reservation, on the part of the State, of the right, thenceforth, to purchase out the individual or other stockholders, upon such equitable terms and conditions as the Legislative wisdom may dictate, when granting the charter. The interest of the Railroad Company may be made to conflict with that of the navigation, and the State authorities, not having any control over the former, which is a great feeder to the latter, and part and parcel of the same line of improvement, the State would be apt to lose by such a conflict. For instance, at this time, one-half of the whole cost of transportation, between Lexington and Louisville is paid to the Railroad Company—their line of improvement being but 29 miles in length, and that of the State, from Frankfort to the mouth of Kentucky river, 66 miles, besides as many miles more upon the Ohio river. This allotment to the Railroad is more than its equitable proportion of what is received upon the whole line. But by a firm, and not an illiberal, administration of the river improvement, those conflicting interests may be reconciled and made to operate harmoniously enough, by terminating the road at the point intimated, and thereby giving a preference to the navigation in the reception of freight from the cars, over the Louisville and Frankfort Railroad.

How far the honorable Senate and House of Representatives may deem it expedient and proper to guard the interests of the State against the hurtful competition herein intimated, is for their honors to determine. It is believed to be the general practice in other States, and perhaps in all countries, when granting charters to companies to make lines of improvement, in competition with the improvements of the State, carefully to guard against hurtful competition. For instance, if, in New York, a charter is granted to a company, to run a Railroad parallel with a canal owned by the State, the former is restricted against the transportation of freight, except when the canal navigation is obstructed by ice or otherwise. In any event, the Kentucky river will have to yield up the passenger custom to the Louisville Railroad, the tolls upon which, during the past year, was $15,775 88, and was much less than it would have been if the steamers had been running regularly every day of the week—the gross amount of loss to the steamers would have been, during the same period, between three and four times the above sum: all of which operates as a serious drawback upon the full and entire success of the navigation: for it is a matter of the utmost importance, that the business upon the river be increased, instead of diminishing it.

To prove the importance of connecting the Lexington Railroad directly with the river, it may be added, that the cost, at present, of transportation of freight and passengers, between the river and the top of the hill where the cars stop, according to the information of the Board, exceeds $7,000 per annum, besides the increased cost of repairing the Versailles turnpike, consequent upon the destruction occasioned by the cars and hacks of the Railroad. The indispensable necessity for such direct connection will be more apparent, when we reflect that the City of Lexington, and adjacent country, will have to be supplied with the article of coal, taken from the river wharf upon this Railroad.

THOS. METCALFE, P. B. I. I.
To Board of Internal Improvement of Kentucky:

Sirs:—In obedience to your orders, to examine the various routes by which a Railroad may be constructed from the town of Frankfort, to connect with the present Lexington and Ohio Railroad, so as to avoid the necessity of using an inclined plane, and the probable cost of construction, before giving the result of my examinations, I beg leave to state to the Board, that, from the harridan manner in which the surveys were made, that great accuracy could not be observed, and hence the following costs of graduation are only approximate.

The route first examined is the one leading up Brown's bottom, in the direction of the Cove Spring. The elevation of the hill, on this route, (allowing a cut of 15 feet at the top of hill,) is 237 feet; and the distance two miles and 8-10ths, which will give a grade of 84½ feet to the mile. The cost of graduation, on the above 2 and 8-10th miles, would be between fifteen and twenty thousand dollars per mile. The heavy grade on this line will preclude all idea of constructing a road on this route.

The next route examined, is the one leaving the present road 4½ miles from Frankfort, by the Railroad, thence down Vaughn's branch to O'Hara's farm, thence up a small branch, (heading in O'Hara's field,) thence across a low gap and down one of the ravines of Yeatman's branch, thence down Yeatman's branch to a point opposite Macklin's Fork House, thence down the Kentucky river to the crossing of Main and High streets, thence to the Railroad in Broadway street.

The above route I consider the best and most practicable route of any yet surveyed, on account of the grade, which will not exceed 67 feet to the level of Broadway street; and if the road should stop at Mrs. Hickman's Stable, in the town of Frankfort, on the Kentucky river, the grade will not exceed 65 feet to the mile. The whole distance from the Railroad, at the turning off point, is not less than 23,400 feet, or 4 miles and 43-10th to the crossing of Broadway and High streets.

The cost of graduation, on this line, will depend upon the manner of constructing the road. If the point of rock between Yeatman's branch and the Kentucky river shall have to be tunneled, the cost will probably be $12,000 per mile, and the grades as above stated. There is another plan for constructing the road, which, if found practicable upon minute examination, will cost from $1,500 to $2,000 per mile less than the plan for tunnelling, and the grade (from the increased distance,) lessened to about 50 feet or less, to the mile.

There is one other line examined, which leaves the last line above, 4,600 feet from the beginning, and diverges to the right hand, and thence across a gap in Gen. Dudley's field, and down Yeatman's branch to a junction with the other line. The grade, on this line, would be about 75 feet to the mile. The cost of graduation about the same as the other; the distance being the same.

All of which is most respectfully submitted.

THO. CONN.
To Gen. Metcalfe,

President of the Board of Internal Improvement:

To re-lay the track of the Railroad from Lexington to Frankfort, with a heavy rail, it would require, for each mile, as follows:

9,806 tons of iron, at $65,  
5 tons cast iron chains, at $80,  
1 ton wrought iron spikes at $120,  
2,112 cross-ties, locust, at 35 cents,  
5,000 feet oak hewed sills, at 5 cents,  
Labor of laying track, $2 50 per rod.

Total, per mile, $6,373 90

This amount for 28½ miles.

Amount necessary for grading 3½ miles of new road, at $10,000,
Depots at Frankfort.
Wharf at the river, say
Right of way, say
Contingencies, including superintendence, &c., &c.

Total $344,618 35

$300,000 00

I have examined the route down Yeatman's branch, diverging from the present line of road, 3 miles from town, and ascertained the distance to be 3½ miles, and the fall 283 feet. This would allow us to descend into the level of the town of Frankfort by a grade of 80 feet to the mile, which is available for engines of heavy weight. The cost of preparing a road bed for that line, I have estimated at $10,000 per mile, not having had time to make accurate calculations from an instrumental survey. The estimate for right of way is also not based upon any fixed data, but assumed as a maximum. The difficulty of reaching the river, to avoid great labor of transhipment of freight, is well known to you; and at present, I am not prepared to suggest any plan to reduce this labor to the least possible amount.

Very respectfully,  
C. N. Warren.

Ordered, That said communication be referred to the committee on Internal Improvement.

Mr. Price presented the memorial of Jesse Bayles, in relation to the Penitentiary.

Ordered, That said memorial be laid on the table.

Mr. Towles moved the following resolution, viz:

Resolved, That the use of this Hall be tendered to the Rev. Robert J. Breckinridge, Superintendent of Public Instruction, for the purpose of delivering an address to the members of the General Assembly, on Tuesday, the 8th day of February, 1848, at 3 o'clock, P. M., upon the subject of common schools and education generally, and upon the best and most practicable system of public instruction adapted to the wants and resources of this Commonwealth, and other matters connected with the duties of his office.

Resolved, That the Senate be respectfully invited to attend in this Hall and hear said address at the hour above specified.

Ordered, That Messrs. Towles, Moore and Hughes be the committee to inform the Senate.
Mr. Bowling moved to suspend the rule, in order to take up from the orders of the day, the resolution proposed by Mr. Johnston, fixing a day for the final adjournment of the General Assembly.

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

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

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<th>Those who voted in the affirmative, were—</th>
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<td>Mr. Speaker,</td>
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<td>Young, S.—81.</td>
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Those who voted in the negative, were—

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<tr>
<th>Messrs. Brown, J.,</th>
<th>Quarles,</th>
<th>Towles,</th>
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<td>Miller,</td>
<td>Smith,</td>
<td>Young, A.—8.</td>
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<td>Pratt,</td>
<td>Speed,</td>
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The said resolution was then taken up.

Mr. Towles moved to lay said resolution on the table until the 19th instant.

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

The yeas and nays being required thereon by Messrs. Dohoney and Williams, were as follows, viz:
Those who voted in the affirmative, were:

Mr. Speaker,  
Messrs. Abell,  
Askins,  
Beard,  
Bell,  
Beeler,  
Berry,  
Blanton,  
Bowen,  
Bazarth,  
Bullock,  
Collins,  
Combs,  
Conner,  
Culiton,

Mr. Speaker,  
Messrs. Abell,
Askins,  
Beard,  
Bell,  
Beeler,  
Berry,  
Blanton,  
Bowen,  
Bazarth,  
Bullock,  
Collins,  
Combs,  
Conner,  
Culiton,

Mr. Haggard then moved to lay said resolution on the table until Monday next.

And the question being taken thereon, it was decided in the affirmative. The yeas and nays being required thereon by Messrs. Haggard and Towles, were as follows, viz:

Mr. Haggard then moved to lay said resolution on the table until Monday next.

And the question being taken thereon, it was decided in the affirmative. The yeas and nays being required thereon by Messrs. Haggard and Towles, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,  
Messrs. Abell,  
Askins,  
Beard,  
Bell,  
Beeler,  
Berry,  
Blanton,  
Bowen,  
Bazarth,  
Bullock,  
Collins,  
Combs,  
Conner,  
Culiton,
Combs, Pratt, Watersmith, Wolford,
Comner, Price, Wright,
Culton, Quarles, Young, A.
Duncan, Shawhan, Young, S.—46.
Grainger, Smith,
Haggard,

Those who voted in the negative, were—

Messrs. Abell, Cockrell, Holmes,
Allin, Coleman, Hughes,
Barlow, Dohoney, Johnston,
Bilderback, Dougherty, McReynolds,
Blanton, Elliott, Moore,
Bourland, Field, R. H. Railey,
Boulware, Floyd, Short,
Bowling, Garnett, Stephens, J. N.
Bozarth, Grubb, Stevens, J.
Brown, J. Grundy, Thomas,
Brown, T. D. Hamilton, White, D. P.
Bullock, Hardy, Wilson,
Bush, Harrel, Wood,
Carlisle, Headley, Woosley—44.
Chilton,

Mr. Barlow, from the committee on the Penitentiary, to whom was referred a bill from the Senate, entitled, an act to provide for a settlement with the present Keeper of the Penitentiary, the election of a Keeper or Keepers, and for other purposes, reported the same without amendment.

The said bill was then amended.

Mr. Combs moved to postpone the further consideration of said bill until Wednesday next, and that it be made the special order of that day at 12 o'clock, M.

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

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

Those who voted in the affirmative, were—

Messrs. Bilderback, Hanson, Soory,
Bowling, Harrel, Warren,
Bullock, Harris, Wilkins,
Coleman, Hogg, Wilson,
Combs, Judd, Wintersmith,
Culton, Miller, Wood,
Duncan, Pratt, Wolford,
Elliott, Price, Woosley,
Garnett, Railey, Young, S.—29.
Hamilton, Smith,
Those who voted in the negative, were—

Mr. Speaker, Cavan, Ireland;
Messrs. Abell, Chilton, Johnston;
Allin, Cockrell, Lightfoot;
Askins, Collins, McReynolds;
Barlow, Conner, Moore;
Beard, Dohoney, Quarles;
Bell, Field, R. H. Shawhan;
Beeler, Floyd, Short;
Beard, Grubb, Stephens, J. N.
 Berry, Haggard, Stevens, J.
Blanton, Hardy, Talbott,
Bourland, Headley, Taliaferro,
Boulware, Hardy, Thomas,
Bowen, Headley, Wall,
Bozarth, Holmes, White, D. P.
Brown, J., Hudson, White, M. E.
Brown, T. D., Hughes, Williams,
Bush, Hughes, Young, A.—54.

Mr. Bowling then moved a substitute for said bill.

Ordered, That the further consideration of said bill and substitute be postponed until Thursday next, and that they be referred to a committee of the whole for that day.

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 abolish capital punishment.

By Mr. T. D. Brown—2. A bill for the benefit of Elijah Hansbrough, of Hardin county.

By the committee on the Judiciary—3. A bill to establish a Police Court in the town of Mount Vernon.

By Mr. Hughes—4. A bill to establish a State road from Morganfield through Smithland to Paducah.

By Mr. Wall—5. A bill to legalize the proceedings of the Trustees of the town of Owensboro.

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

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, was made the special order of the day for Thursday next; and the 2d, 3d, 4th and 5th were severally ordered to be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of the 2d, 3d, 4th and 5th bills having been dispensed with, and the same being engrossed,

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

And then the House adjourned.
TUESDAY, FEBRUARY 8, 1848.

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 Maysville and Mountsterling turnpike road.
An act for the benefit of James Jenkins, of Warren county.
An act allowing additional Justices of the Peace to Morgan, Owsley, Hardin and Henry counties.
An act to change the name of Nelly S. Craig.
An act to incorporate the Trustees of the Covington Female College.
An act for the benefit of Eliza Cowen.
An act for the benefit of William D. Mitchell, Clerk of the Oldham Circuit and County Courts, and others.
That they had passed bills of the following titles, viz:
An act for the benefit of Jacob Ellington.
An act to incorporate a company to turnpike a road from Mount Eden to Shelbyville.
An act for the benefit of the Sheriffs of Hopkins and Crittenden counties, and the late Sheriff of Hickman county.
An act for the benefit of Catharine Montgomery, of Washington county, and John H. Butler, of Hickman county.
An act for the benefit of Aaron Yeager, of Boone county.
An act to incorporate the Lancaster Cemetery Company.
An act appropriating the dividends on the turnpike road leading from Elizabethtown to the Tennessee line to the completion of said road.
An act to incorporate the Danville and Kentucky River Railroad Company.
An act to amend the Common School law.
An act regulating the terms of the Circuit and County Courts of Taylor, and for other purposes.
An act to incorporate the Lebanon Lodge.
An for the benefit of James L. Ballard and Matilda, his wife.
An act for the benefit of the widow and heirs of H. B. Webb, deceased.
An act to amend the charter of the Franklin Fire and Marine Insurance Company, of Louisville.
An act laying off the county of Trimble into four Constables districts, and for other purposes.
An act establishing election precincts in Taylor county.

Mr. Bourland presented the petition of sundry citizens of Graves county, against adding a part of said county to the county of Marshall.
Which was received, the reading dispensed with, and referred to the committee on Propositions and Grievances.

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

On motion of Mr. Wilson—1. A bill to change the time of holding the Oldham Circuit Courts, and for other purposes.

On motion of Mr. Soery—2. A bill for the benefit of George Grace, of Trigg county.

On motion of Mr. Johnston—3. A bill for the benefit of Millers.

On motion Mr. Harrell—4. A bill to allow an additional Constable to Logan county.

On motion of Mr. Chilton—5. A bill to establish a Lunatic Asylum in the Green River Section.

On motion of Mr. Bailey—6. A bill for the benefit of Martha Jane Webb.

On motion of Mr. Allin—7. A bill to amend in part, and repeal in part, an act, approved February 22, 1834, entitled, an act to amend and reduce into one the several acts concerning private passways in certain counties.

On motion of Mr. Thomas—8. A bill to incorporate the Philomathean Society of the Kentucky Military Institute.

On motion of Mr. Bourland—9. A bill for the benefit of Dr. O. G. Bullit, of McCraken county.

On motion of Mr. Cockrell—10. A bill for the benefit of M. C. Hughes, Surveyor of Owsley county.

On motion of Mr. Hogg—11. A bill to declare the North Fork of the Kentucky river navigable from Brashear’s to Whitesburg.

Ordered, That the committee on the Judiciary prepare and bring in the 1st; Messrs. Soery, Wilson and Johnston the 2d; Messrs. Johnston, Carlisle and Boyd the 3d; Messrs. Harrell, Bowling and McReynolds the 4th; Messrs. Chilton, McReynolds, Bowling and Towles the 5th; Messrs. Bailey, J. Brown and S. Young the 6th; the committee on Propositions and Grievances the 7th; the committee on Education the 8th; the committee on Claims the 9th; Messrs. Cockrell, Conner and McKinney the 10th; Messrs. Hogg, Culton and Pearce the 11th.

Mr. Wintersmith, from the committee on Internal Improvement, to whom was referred bills from the Senate of the following titles, viz:

An act to establish the Cumberland River, Fairview and Green River Road.

An act to incorporate the Lexington and Newtown Turnpike Road Company.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That the same do pass and that the titles thereof be as aforesaid.
Mr. Collins, from the same committee, to whom was referred bills from the Senate of the following titles, viz:

An act appropriating the proceeds of the sale of vacant lands, in Nicholas county, to purposes of Internal Improvement within said county.

An act to amend an act, entitled, an act to establish the Fontaine's Ferry Turnpike Road Company.

An act to change in part the Old State Road from Owingsville to Big Sandy.

An act repealing all laws declaring Bull Skin, in Clay county, a navigable stream.

An act to incorporate the Lebanon, New Market and Springfield Turnpike Road Company.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

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

Mr. Collins, from the same committee, to whom was referred the petition of sundry citizens, praying for a road from Springfield to Covington, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Collins, from the same committee, to whom was referred the bill from the Senate, entitled, an act to continue in force the 4th and 8th sections of an act, entitled, an act to amend the charter of the Louisville and Elizabethtown Turnpike Company, and Covington and Lexington Turnpike Company, reported the same with amendments, which were concurred in.

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

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.

Mr. McKinney from the committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in this House of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of Harrison Daniel, former Sheriff of Jessamine county.

An act for the benefit of the heirs of Theophilus D. Stark, deceased.

An act to incorporate the Master and Wardens of Wingate Lodge, No. 161, at Simpsonville, in Shelby county.

An act for the benefit of the Taylor Guards, of Mercer county.
An act to amend the law concerning processioning lands and to perpetuate the evidences of land boundaries.
An act for the benefit of the Judge of the 2d Judicial District.
An act to divorce Edward R. and Elizabeth Sumpter.
An act for the benefit of Clement Conner, late Sheriff of Montgomery county.
An act to legalize an order of the Fayette County Court at their July Term, 1847.
An act to divorce Hugh and Rebecca Kirkpatrick.
An act to amend the charters of the Louisville Turnpike Company, and the Shelbyville Turnpike Road Company.
An act for the benefit of Shackelford and Pullen.
An act for the benefit of the Somerset Academy.
An act to establish election precincts in the county of Mason.
An act to change the place of voting in the Christiansburg precinct, in Shelby county.
An act to establish an additional precinct in Wayne county.
An act for the benefit of the Sheriffs of Nicholas, Barren, Floyd and Boone counties.
An act to change a part of the State road in Marshall county, between Gray's ferry and Paducah.
An act to incorporate the trustees and stockholders of the Donne and Gracy fund, in the city of Covington.
Whereupon, the Speaker affixed his signature thereto.
Ordered, That Mr. McKinney inform the Senate thereof.
The following bills were reported by the committee on Internal Improvement, viz:
A bill to incorporate the Taylor's Mill Turnpike Road Company.
A bill relating to the road tax in Germantown, and for other purposes.
A bill authorizing the erection of a bridge across the Bayou de Chien, in Fulton county.
A bill to establish a State road from Thomas Dance's tavern, in Pendleton county, to intersect the Colemansville and Covington Road at or near Fiskeburg, in Kenton county.
Which were read the first time and ordered to be read a second time.
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.
Mr. Collins, from the committee on Internal Improvement, reported a bill to change part of the State road leading from Hopkinsville to Morganfield,
Which was read the first time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That so much of the State road, leading from the town of Hopkins-
ville, in Christian county, to Morgantown, in Butler county, which runs along the old road leading from Hopkinsville to Russellville, and lying between the intersection of said Morgantown and old Russellville roads, and the point of intersection of said Morgantown State road and the Green ville road, near F. G. Montgomery's stennery, be and the same is hereby discontinued.

Be it further enacted, That said State road, from the said point of intersection of said road, and the said old Russellville road, shall run south west along said old road to the point of intersection on said old road between the lands of James Ware and John Buckner, and thence along the line between said Buckner's and Ware's lands to the Logan, Todd and Christian Turnpike; and that James Ware, John Buckner, and A. Palmer, be and they are hereby appointed commissioners to lay out said road at least thirty feet wide; and that the surveyor already appointed on said old road, which is by this act discontinued, shall, on or before the first Monday in May, proceed to open said new road and remove obstructions therein; and that the Christian County Court in future appoint a surveyor over said new road as the law requires.

Ordered, That said bill be read a second time.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, Coleman, Newell,
Abell, Collins, Railey,
Allin, Conner, Shawhan,
Askins, Collin, Short,
Bailey, Elliott, Soery,
Barlow, Grainger, Speed,
Beard, Grubb, Talbatt,
Bell, Hamilton, Taliaferro,
Berry, Harrel, Wall,
Biderback, Headley, Warren,
Blanton, Hogg, White, D. P.
Bourland, Hudson, White, M. E.
Bowen, Hughes, Wilkins,
Bozarth, Ireland, Wood,
Carlisle, Judd, Wolford,
Cavan, Kerrick, Young, A.
Christopher, Miller, Young, S.—53.
Cockrell, Moore,

Those who voted in the negative, were—

Messrs. Boulware, Floyd,
Bowling, Garnett, McReynolds,
Brown, T. D. Grundy, Pearce,
Bullock, Haggard, Price,

33
A message was received from the Senate by Mr. Helm, announcing that they were then ready to proceed to the election of Public Officers.

On motion of Mr. Towles,

Ordered, That a committee be sent to the Senate informing them that this House is also ready to proceed to said election.

Ordered, That Messrs. Towles, Pratt and Bush be said committee.

Mr. Hughes nominated Mr. James Davidson as a proper person to fill the office of Treasurer; and after interchanging nominations, the House proceeded to take the vote, when Mr. Davidson received the unanimous vote of this House.

Messrs. Hughes, R. H. Field and Bush were appointed a committee on the part of this House, to act in conjunction with the committee on the part of the Senate, to compare the joint vote and report the result.

After a short time, Mr. Hughes, from said committee, reported that Mr. James Davidson had received the unanimous vote of both Houses.

Whereupon, he was declared duly elected Treasurer of this Commonwealth for the ensuing year.

The House then proceeded to the election of Public Printer.

Mr. Wolford nominated Messrs. A. G. Hodges & Co., and Mr. Haggard nominated Messrs. H. M. McCarty & Co.; and after interchanging nominations, the House proceeded to take the vote, which stood thus:

Those who voted for Messrs. A. G. Hodges & Co., were—

Mr. Speaker, Grainger, Price, 
Messrs. Askins, Hamilton, Shawhan, 
Bailey, Hanson, Short, 
Berry, Harrel, Smith, 
Bourland, Harris, Soery, 
Boulevard, Holmes, Speed, 
Bowling, Hudson, Stephens, J. N. 
Boyd, Hughes, Talbutt, 
Brown, J., Ireland, Taliaferro, 
Brown, T. D., Judd, Thomas, 
Bullock, Kerrick, Towles, 
Bush, Lightfoot, Well, 
Cavan, McKinney, White, M. E. 
Christopher, McReynolds, Williams, 
Cockrel, Miller, Wilkins, 
Collins, Moore, Wood, 
Combs, Pearce, Wollard, 
Culton, Pratt, Young, A.—54.
Those who voted for Messrs. H. M. McCarty & Co., were—

Messrs. Abell, Headley,
Allin, Hogg,
Barlow, Johnston,
Beard, Newell,
Bell, Railey,
Beeler, Stevens, J.
Bilderback, Warren,
Blanton, White, D. P.
Bowen, Wilson,
Bozarth, Wintersmith,
Carlisle, Woosley,
Coleman, Wright,
Conner, Young, S.—39.

Messrs. Haggard, Wolford and D. P. White were appointed a committee on the part of this House, to act in conjunction with a committee on the part of the Senate, to compare the joint vote and report the result.

After a short time, Mr. Haggard, from said committee, reported that the joint vote stood thus:

For Messrs. A. G. Hodges & Co., 79
For Messrs. H. M. McCarty & Co., 50

Whereupon, Messrs. A. G. Hodges & Co. were declared duly elected Public Printers for the ensuing year.

The House then proceeded to the election of a Librarian.

Mr. Harris nominated Mr. Richard D. Harlan; Mr. Smith nominated Mr. John A. Monroe; Mr. Soery nominated Mr. John B. Haydon; Mr. McKinney nominated Mr. William D. Robertson, and Mr. Haggard nominated Mr. Charles F. Reynolds; and after interchanging nominations, this House proceeded to take a vote, which stood thus:

Those who voted for Mr. Harlan, were—

Mr. Speaker, Talbutt,
Messrs. Bailey, Taliaferro,
Beard, Thomas,
Brown, J. Towles,
Brown, T. D. White, M. E.
Collins, Williams,
Combs, Wintersmith,
Duncan, Wright—24.

Those who voted for Mr. Monroe, were—

Messrs. Abell, Pearce,
Allin, Pratt,
Bell, Price,
Beeler, Shawhan,
Bilderback, Short,
Blanton, Smith,
Bowen, Speed,
Those who voted for Mr. Haydon, were—

Messrs. Dohoney, Gaines, Soery—3.

Those who voted for Mr. Robertson, were—


Those who voted for Mr. Reynolds, were—

Messrs. Christopher, Haggard—2.

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Haggard, from said committee, reported that the joint vote stood thus:

For Mr. Harlan, — — — — 41
For Mr. Monroe, — — — — 49
For Mr. Haydon, — — — — 4
For Mr. Robertson, — — — — 34
For Mr. Reynolds, — — — — 4

Mr. Soery then withdrew the nomination of Mr. Haydon, and Mr. Haggard withdrew the nomination of Mr. Reynolds.

No one on nomination having received a majority of all the votes given, the House proceeded to another vote between those on nomination, and it stood thus:

Those who voted for Mr. Harlan, were—

Mr. Speaker, Garnett, Railey,
Messrs. Bailey, Grainger, Soery,
Beard, Hamilton, Talbott,
Brown, T. D. Harris, Taliaferro,
Christopher, Hogg, Towles,
Collins, Hudson, Wall,
Combs, Hughes, White, M. E.
Duncan, Pearce, Williams—24.
Those who voted for Mr. Monroe, were—


Those who voted for Mr. Robertson, were—

Messrs. Askins, Berry, Bourland, Bouliware, Boyd, Cavan, Chilton, Cockrell, Calton, Floyd, Harrel, Holmes, Judd, Lightfoot, McKinney, McReynolds, Moore, Stephens, J. N., Thomas, Wilkins, Wolford, Young, A., Young, S.

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Haggard, from said committee, reported that the joint vote stood thus:

For Mr. Harlan, — 42
For Mr. Monroe, — 54
For Mr. Robertson, — 34

Mr. T. D. Brown read and laid on the table the following resolution, viz:

Resolved by the Senate and House of Representatives, That after the next ballot, the nominee for Librarian, having the smallest vote, shall be dropped on each successive ballot, until an election is had.

The rule of the House requiring joint resolutions to lie one day on the table having been dispensed with, the said resolution was then concurred in.

After a short time, a message was received from the Senate announcing their concurrence in said resolution.

The House again proceeded to take a vote between those remaining on nomination, and it stood thus:

Those who voted for Mr. Harlan, were—

Mr. Speaker, Messrs. Bailey, Beard, Combs, Duncan, Garnett, Railey, Soery, Talblatt.
Brown, T. D. Grainger, Taliaferro,
Cavan, Harris, Towies,
Christopher, Hudson, Wall,
Collins, Hughes, Williams—21.

Those who voted for Mr. Monroe, were—

Messrs. Abell, Elliott, Newell,
Allin, Field, R. H. Pearce,
Barlow, Floyd, Pratt,
Bell, Gaines, Price,
Beeler, Grubb, Shawhan,
Bilderback, Grundy, Short,
Blanton, Haggard, Smith,
Browen, Hamilton, Speed,
Bowling, Hanson, Stevens, J.
Bozarth, Hardy, Warren,
Bullock, Hatfield, White, D. P.
Bush, Hogg, Wilson,
Carlisle, Ireland, Wintersmith,
Coleman, Johnston, Wood,
Conner, Kerrick, Woosley,
Dohoney, Miller, Wright—50.

Those who voted for Mr. Robertson, were—

Messrs. Askins, Harrell, Stephens, J. N.
Berry, Holmes, Thomas,
Bourland, Judd, White, M. E.
Boulware, Lightfoot, Wilkins,
Boyd, McKinney, Wolford,
Chilton, McReynolds, Young, A.
Cockrell, Moore, Young, S.—22.

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Haggard, from said committee, reported that the joint vote stood thus:

For Mr. Harlan, 41
For Mr. Monroe, 58
For Mr. Robertson, 32

No one having received a majority of all the votes given, the House proceeded to take a vote between those remaining on nomination, and it stood thus:

Those who voted for Mr. Harlan, were—

Mr. Speaker, Combs, Pearce,
Messrs. Askins, Culton, Railey,
Bailey, Duncan, Soery,
Beard, Garnett, Talbutt,
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The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Haggard, from said committee, reported that the joint vote stood thus:

For Mr. Harlan, — — — — — 66
For Mr. Monroe, — — — — — 65

Whereupon, Mr. Richard D. Harlan was declared duly elected Librarian for the ensuing year.

The House then proceeded to the election of a Director of the Lunatic Asylum.

Mr. Smith nominated Mr. Nathan Payne, and Mr. T. D. Brown nominated Mr. Richard A. Buckner; and after interchanging nominations this House proceeded to take a vote, which stood thus:

Those who voted for Mr. Buckner, were—

Mr. Speaker, Garnett, Stephens, J. N.
Messrs. Allin, Hanson, Taliaferro,
Askins, Harrell, Towles,
Bailey, Hudson, Wall,

Those who voted for Mr. Monroe, were—

Mr. Abell, Miller, Newell,
Messrs. Elliott, Pratt,
Allin, Price,
Field, R. H., Shawhan,
Bell, Short,
Beeler, Smith,
Gaines, Speed,
Berry, Stephens, J. N.
Grundy, Stevens, J.
Bilderback, Thomas,
Haggard, Warren,
Blanton, White, D. P.
Hardy, Williams,
Borden, Wilson,
Bowling, Wilkins,
Bazath, Wood,
Bush, Woosley,
Carlisle, Wright—57.
Chilton,
Coleman,
Conner,
Doherty,
Dougherty,
Those who voted for Mr. Payne, were—

Messrs. Abell, Conner, Ireland,
Barlow, Culon, Johnston,
Bell, Dohoney, Judd,
Bilderback, Dougherty, Miller,
Blanton, Duncan, Moore,
Boulware, Elliott, Newell,
Boyd, Floyd, Pearee,
Bozarth, Gaines, Price,
Bullack, Grubb, Soary,
Bush, Grundy, Stevens, J.
Carlisle, Haggard, Warren,
Christopher, Hamilton, White, M. E.
Cockrell, Hardy, Wilson,
Coleman, Headley, Wooley,
Collins, Hogg, Young, A.—45.

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Haggard, from said committee, reported that the joint vote stood thus:
For Mr. Payne, — 65
For Mr. Buckner, — 57

Whereupon, Mr. Payne was declared duly elected Director of the Lunatic Asylum.

And then the House adjourned.

WEDNESDAY, FEBRUARY 9, 1848.

A message was received from the Senate announcing the passage of bills from this House of the following titles, viz:

An act to amend an act to regulate the administration and settlement of estates.
An act for the benefit of the heirs of Joshua Wallace, deceased.
An act for the benefit of the Sheriff of Cumberland county.
An act for the benefit of David Snowden, former Sheriff of Owsley county.

With an amendment to the last named bill.
That they had passed bills of the following titles, viz:
An act regulating the mode of proceeding against decedent's estates.
An act to revive and amend the charter of the Shephardsville and Louisville Turnpike Road Company.
An act for the benefit of Capt. Adam D. Stewart and S. L. Alexander, of the United States Army, now in Mexico.
An act for the benefit of Theodore L. Burnett.
An act to amend an act, entitled, an act to establish the town of Petersburg, in Boone county, approved January 7, 1839.
An act to allow additional terms to the Harrison and Estill Circuit Courts.
An act for the benefit of James Sudduth.
An act for the benefit of the Surveyors of Henry and Lewis counties.
An act to amend the several acts concerning the Newport Seminary, and for other purposes.
An act to incorporate the Elizabethtown Female Academy.

An act for the benefit of the heirs of James B. Blair, deceased.
1. Mr. Boyd presented the remonstrance of sundry citizens of Graves county, against the addition of part of said county to the county of Marshall.
2. Mr. Combs presented the petition of the Mayor and Council of the city of Lexington, praying a change in the mode of selecting jurors in the City Court of said city.
3. Mr. Turner presented the petition of sundry citizens of Madison county, praying the divorce of David Vincent from his wife, Mahala Vincent.
4. Mr. Headley presented the petition of Mary A. Gleddhill, praying to be divorced from her husband, James Gleddhill.
5. Mr. McKinney presented the petition of John Wood, praying to be divorced from his wife, Sarah Wood.
6. Mr. Moore presented the petition of Wilkerson Anderson, praying to be divorced from his wife, Armida.
7. Also, the petition of Ann H. Cundiff, praying that her name be changed to Ann H. Reed.
8. Also, the petition of Godfrey Isaacs and others, praying the establishment of a town in Laurel county, on the lands of said Isaacs.
9. Also, the petition of sundry citizens of Pulaski county, praying that an additional Constable be allowed to said county.
10. Also, the petition of John Leathers, praying to be relieved from all liabilities growing out of his first marriage.

11. Also, the petition of John Prewette, praying to be divorced from his wife, Margaret Prewette.

Which were received, the reading thereof dispensed with, and referred; the 1st, 7th, 8th and 9th to the committee on Propositions and Grievances; the 2d to the committee on the Judiciary; and the 3d, 4th, 5th, 6th, 10th and 11th to the committee on Religion.

Mr. Wintersmith asked leave to withdraw the petition, &c., of James Crawford; and the same was withdrawn.

A message was received from the Governor announcing that he had approved and signed sundry enrolled bills which originated in this House, of the following titles, viz:

An act to extend the town of Boonville, in Owsley county, and for other purposes.

An act for the benefit of Joseph Riddle, of Cumberland county.

An act to incorporate the Pisgah church, in the county of Woodford.

An act for the benefit of Henry G. Black, Surveyor of Ballard county.

An act in relation to the vacant lands in Wayne county, and for other purposes.

An act to incorporate the town of Ringgold, in Pulaski county.

An act to amend the charter of the Licking Bridge Company.

An act authorizing the County Court of Woodford to lay an additional levy on slaves for the purpose of paying an efficient patrol.

An act to amend an act, to enlarge the powers of the Trustees of the town of Morganfield, and for other purposes, approved March 2, 1844.

An act to allow an additional Justice of the Peace to the county of Fleming.

An act for the divorce of Jesse Fitzgerald.

An act to enlarge the powers of the Trustees of the town of Uniontown, in Union county.

An act to amend an act, entitled, an act to incorporate the Union White Sulphur Springs Company, approved February 11, 1836.

An act to incorporate the Lexington Cemetery.

An act to legalize the proceedings of the Whitley County Court in relation to the appointment of Jailer.

An act to amend the charter of the Paris Fire Company.

An act for the benefit of the Clerk of the Campbell Circuit Court.

An act for the benefit of Ministers of the Gospel.

An act to incorporate the town of Piketon, in Pike county, and for other purposes.

Approved February 5, 1848.
Mr. Wilkins moved a re-consideration of the vote passing a bill, entitled, an act to change a part of the State road leading from Hopkinsville to Morgantown.

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

The vote dispensing with the third reading and ordering said bill to be read a third time, was then re-considered.

The said bill was then amended.

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

The rule of the house, constitutional provision and third reading of said bill having been dispensed with, and the same being re-engrossed,

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

A message was received from the Senate announcing that they had adopted a resolution concerning the address of the Rev. R. J. Breckinridge.

The said resolution was then twice read and concurred in.

Mr. Wintersmith, from the committee on Internal Improvement, to whom was referred a bill from the Senate, entitled, an act to incorporate the Hopkinsville and Cumberland River Railroad Company, reported the same with an amendment, which was concurred in.

The said bill was further amended.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

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

Mr. Wintersmith, from the same committee, to whom was referred a bill to amend an act, entitled, an act to construct a road from Rochester, at the mouth of Muddy river, in Butler county, to Russellville, in Logan county, reported the same with an amendment, which was concurred in.

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

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.

The following bills were reported by the committee on Internal Improvement, viz:

A bill to incorporate the Paris and Cynthiana Turnpike Road Company.

A bill to incorporate a Turnpike Road Company from Versailles to Midway.

A bill to incorporate the Paris and Combs Ferry Turnpike Road Company.

A bill to incorporate the Springfield, and Perryville, and Danville Turnpike Road Company.

A bill for the benefit of James Davit, Benj. Riddle and Isaac Chenoweth.

A bill to incorporate the Great Crossing and Stamping Ground Turnpike Road Company.
A bill authorizing the erection of an additional toll gate on the Versailles and Anderson Turnpike Road.
A bill to amend the charter of the Oakland Turnpike Road Company.
A bill to incorporate the Spencer county and Louisville Turnpike Road Company, and for other purposes.
Which were read the first time and ordered to be read a second time.
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.
On motion of Mr. Collins,
Ordered, That a message be sent to the Senate asking leave to withdraw the report of this House, announcing the passage of a bill from the Senate, entitled, an act authorizing the county of Nicholas to subscribe stock in the Carlisle and Sharpsburg Turnpike Road Company.
Mr. Wintersmith, from the committee on Internal Improvement, reported a bill to amend the charter of the Frankfort Bridge Company, approved January 25, 1810, which was read the first time.
On motion of Mr. Wright,
Ordered, That said bill be laid on the table.
The Speaker appointed Messrs. Taliaferro, Elliott and Cockrell the committee on the part of this House in pursuance of the resolution of the Senate concerning the address of the Rev. R. J. Breckinridge.
Mr. Wintersmith, from the committee on Internal Improvement, to whom was referred the bill to improve the navigation of Licking river from Lock No. 1 to Lock No. 5, reported the same without amendment.
On motion of Mr. Collins,
Ordered, That said bill and amendment be re-committed to the same committee with instructions to bring in a bill to make sale of the rock in said river to pay for its removal.
The House then resolved itself into a committee of the whole, on the bill to fix the ratio and apportion the representation for the next four years,
Mr. Hughes in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Hughes 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.
Ordered, That the further consideration of said bill be postponed until Monday next.
The House then took up the bill to modify the act of 1833, prohibiting the importation of slaves into this State.
The said bill reads as follows, viz:
Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the passage of this act, the citizens of this
Commonwealth shall be and are hereby privileged and permitted to import and bring into this State, from any one of the States of this Union, any slave or slaves for their own use: Provided, That the person or persons, so importing said slave or slaves, shall, within sixty days after said importation, make oath or affirmation before the Clerk of the county where said slave or slaves were imported, that said slave or slaves were imported in good faith for his, her or their own use and private benefit, and not as merchandise or for speculation or sale; and shall, also, make out a true and correct list of said slave or slaves; and shall, also, make an affidavit, and file the same with the Clerk of the County Court, that the said list is true and correct; which list and affidavit aforesaid shall be recorded by the Clerk in his office; and the Clerk, for recording the affidavit and list aforesaid, shall receive from the person or persons importing said slave or slaves, the sum of fifty cents for one slave, and ten cents for each additional slave, as a fee therefor.

Sec. 2. Be it further enacted, That if any person or persons shall falsely take the oaths prescribed in the first section of this act, shall be deemed guilty of the crime of perjury, and shall, upon conviction, undergo a confinement in the jail and penitentiary house of this Commonwealth for a term of two years.

Sec. 3. Be it further enacted, That all acts or parts of acts, coming within the purview of this act, are hereby repealed.

Mr. Talbutt moved to amend said bill by adding to the 2d section the following proviso, viz:

Provided, Any slaves so imported into this State under the provisions of this act, who may commit felony for which they are tried and executed by the laws of this Commonwealth, shall not be paid for out of the Public Treasury.

Mr. Bailey 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. Haggard and Soery, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Speaker, Messrs. Abell, Allin, Dougherty, Duncan, Elliott, McReynolds, Miller, Moore.
At two o'clock, P. M., Mr. D. P. White, moved an adjournment. And the question being taken thereon it was decided in the affirmative. The yeas and nays being required thereon by Messrs. Towles and Dougherty, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, Elliott, Moore,
Messrs. Allin, Field, R. H., Newell,
Bailey, Gaines, Pearce,
Beard, Garnett, Pratt,
Bell, Grainger, Price,
Beeler, Grubb, Speed,
Bourland, Haggard, Tallutt,
Boulware, Hanson, Taliaferro,
Bowling, Hardy, Thomas,
Bullock, Harrel, Warren,
Bush, Harris, White, D. P.,
Cavan, Holmes, White, M. E.,
Christopher, Judd, Wilkins,
Collins, Kerrick, Wood,
Conner, McKinney, Wofford,
Culton, McReynolds, Young, A.—50,
Dougherty, Miller,

Those who voted in the negative, were—

Messrs. Abell, Coleman, Railey,
Ballingal, Dohoney, Shawhan,
Berlow, Duncan, Soery,
Berry, Floyd, Stephens, J. N.,
Bilderbäck, Grundy, Stevens, J.,
Blanton, Hamilton, Towles,
Bowen, Hatfield, Wall,
Boyd, Headley, Williams,
Bozarth, Hogg, Wilson,
And then the House adjourned.

THURSDAY, FEBRUARY 10, 1848.

A message was received from the Senate announcing that they had passed bills of the following titles, viz:

An act to amend an act for the benefit of Ann L. Clements, approved February 3, 1847.
An act for the benefit of the heirs of Philip Baker.
An act authorizing the Owen County Court to change so much of the State road leading from New Liberty to Cincinnati as runs through the land of Howard Eearly.
An act for the benefit of Nathan Wallace, of Hickman county.
That they had received official information from the Governor, that he had approved and signed enrolled bills originating in the Senate of the following titles, viz:

An act to divorce Sarah Lane, and others.
An act divorcing Mary Fenley, of Shelby county.
An act to amend an act, entitled, an act to incorporate the Dry Run and Covington Turnpike Road Company.
An act for the benefit of William T. Long, of Clinton county.
An act to incorporate the Trustees of the Bethlehem Cumberland Presbyterian Church, in Caldwell county.
An act for the benefit of William G. Pierce, of Trimble county.
An act to divorce Mary Howard, of Harlan county.
An act to incorporate the Cave Hill Cemetery, of Louisville.

Approved February 5, 1848.

1. Mr. Pratt presented the petition of sundry citizens of the town of Stamping Ground, praying an amendment to the laws regulating said town.
2. Mr. Wood presented the petition of F. G. Everett, praying that compensation be made him for injuries sustained by the suspension of his contract for making a part of the Louisville and Nashville turnpike road.
3. Mr. Holmes presented the petition of sundry citizens of Hancock county praying an amendment to the charter of the Seminary of said county.

4. Mr. Warren presented the petition of Jesse Atchison, praying that permission be given him to erect gates across the road from Wyoming to the mouth of Fox's creek.

5. Mr. Bailey presented the petition of sundry citizens of Shelby county, praying the passage of a law permitting Jeptha Bohannon to peddle goods without license.

6. Mr. Hughes presented the petition of sundry citizens of the town of Monticello, praying the passage of a law incorporating said town.

7. Also, the petition of William Mullis, of Wayne county, praying that further time be allowed him to wind up his business as deputy Sheriff of said county.

8. Mr. Coleman presented the petition of Wyatt S. Berry, and others, praying the passage of a law chartering a Lead Mining Company, in Crittenden county.

Which were received, the reading dispensed with, and referred: the 1st to the committee on the Judiciary; the 2d and 4th to the committee on Internal Improvement; the 3d to the committee on Education; the 5th to the committee on Ways and Means; the 6th and 7th to Messrs. Hughes, Hudson and Towles; and the 8th to Messrs. Coleman, Hughes and Towles.

Mr. Hughes moved the following resolution, viz:

Resolved, That the Board of Internal Improvement be requested to give to this House all the information they can in relation to the justice of the claim of R. Williams, late contractor on Lock No. 3, of Licking River Navigation, now prosecuting before the Legislature, and referred to in their report at the commencement of the session.

Which being twice read, was adopted.

Mr. McKinney from the committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in this House of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of the heirs of Joshua Wallace, deceased.

An act for the benefit of the Sheriff of Cumberland county.

An act to amend an act to regulate the administration and settlement of estates.

An act for the benefit of William D. Mitchell, Clerk of the Oldham Circuit and County Courts, and others.

An act for the benefit of Eliza Cowen.

An act to change the name of Nelly S. Craig.

An act to incorporate the Trustees of the Covington Female College.

An act for the benefit of the Maysville and Mountsterling turnpike road.
An act allowing additional Justices of the Peace to Morgan, Owsley, Hardin and Henry counties.

An act for the benefit of James Jenkins, of Warren county.

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

An act to incorporate the Lexington and Newtown Turnpike Road Company.

An act to establish the Cumberland River, Fairview and Green River Road.

An act to amend an act, entitled, an act to establish the Fontaine's Ferry Turnpike Road Company.

An act appropriating the proceeds of the sale of vacant lands, in Nicholas county, to purposes of Internal Improvement within said county.

An act repealing all laws declaring Bull Skin, in Clay county, a navigable stream.

An act to change in part the Old State Road from Owingsville to Big Sandy.

An act for the benefit of Calvin and Mary Johnson, of Clinton county, and Elizabeth Ann Deacon and Thomas Deacon, of Bullitt county.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. McKinney inform the Senate thereof.

Mr. Haggard, from the committee on Education, to whom was referred a bill from the Senate, entitled, an act for the benefit of Common School Commissioners in Mercer county,

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 disagreed to.

Mr. Haggard, from the committee on Education, to whom was referred a bill from the Senate, entitled, an act to incorporate the Lexington Female High School,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

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

Mr. Pratt, from the committee on Military Affairs, to whom was referred a bill to amend the Militia laws, reported the same with an amendment as a substitute for said bill, which was concurred.

The said bill, as amended, reads as follows, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter, brigade inspectors may use discretionary power whether they will or not attend battalion musters; they shall, as heretofore, be required to attend regimental parades; no pay shall hereafter be allowed them for their services for attending any of the above named parades.
Sec. 2. Be it further enacted, That all volunteer or uniform companies, hereafter to be raised, shall not consist of less than sixty four rank and file.

Sec. 3. That all persons who are actively engaged in attending grist mills or public ferrys, shall be exempt from the performance of militia duty while so employed.

Sec. 4. Be it further enacted, That it shall and may be lawful for commandants of regiments, at any time before the first day of February in each year, to place in the hands of the sheriff, or any constable in his county, the list of fines assessed in his regiment, for collection, and take his receipt therefor; and may, from time to time, re-list such as have not been collected; and the sheriff or constable may distrain therefor in the same manner as sheriffs may distrain in the collection of the State revenue; sheriffs or constables shall account for all fines put in their hands for collection in the same manner which sheriffs are now required to account for the same, subject to the same penalties for refusing, and be allowed the same commission for collections, which are now allowed.

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

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.

The yeas and nays being required on the passage of said bill by Messrs.

T. D. Brown and Harris, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, Dohoney, Moore,
Abell, Dougherty, Newell,
Bailey, Duncan, Pearce,
Ballingal, Eaker, Pratt,
Barlow, Elliott, Railey,
Beard, Field, J., Shawhan,
Bell, Floyd, Smith,
Beeler, Gaines, Soery,
Berry, Grainger, Speed,
Bilderback, Grubb, Stephens, J. N.
Blanton, Haggard, Stevens, J.
Bowen, Hamilton, Talbott,
Boling, Hanson, Thomas,
Bozarth, Hardy, Turner,
Brown, J., Harrell, Warren
Bullock, Hatfield, White, D. P.
Bush, Headley, White, M. E.
Carlisle, Hogg, Williams,
Cavan, Holmes, Wilkins,
Chilton, Ireland, Wilson,
Cockrell, Johnston, Wood,
Coleman, Kerrick, Wolford,
Collins, Lightfoot, Woosley,
Combs, McKinney, Wright,
Conner, McReynolds, Young, A.
Culton, Miller, Young, S.—78.

Those who voted in the negative, were—

Messrs. Allin, Grundy, Price,
Bourland, Harris, Short,
Brown, T. D., Hughes, Taliaferro—11.
Garnett, Judd.

Mr. Wintersmith, from the committee on Federal Relations, to whom was referred the petition of sundry citizens of Boone county, asked to be discharged from the further consideration of the same, which was granted.

A message was received from the Governor, 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 John B. Embree, of Monroe county. Approved February 8, 1848.
An act for the benefit of Shackelford and Pullen.
An act to amend the charters of the Louisville Turnpike Company, and the Shelbyville Turnpike Company.
An act to amend the law concerning processioning lands and to perpetuate the evidences of land boundaries.
An act for the benefit of the Judge of the 2d Judicial District.
An act for the benefit of the Taylor Guards, of Mercer county.
An act to incorporate the Master and Wardens of Wingate Lodge, No. 161, at Simpsonville, in Shelby county.
An act for the benefit of the heirs of Theophilus D. Stark, deceased.
An act for the benefit of Harrison Daniel, former sheriff of Jessamine county.
An act to divorce Edmund R. and Elizabeth Sumpter.
An act to divorce Hugh and Rebecca Kirkpatrick.
An act to legalize an order of the Fayette County Court at their July Term, 1847.
An act for the benefit of the Somerset Academy.
An act to establish election precincts in the county of Mason.
An act to change the place of voting in the Christiansburg precinct, in Shelby county.
An act for the benefit of the Sheriffs of Nicholas, Barren, Floyd and Boone counties.
An act to change a part of the State road in Marshall county, between Gray’s ferry and Paducah.
An act to incorporate the trustees and stockholders of the Doane and Gracy fund, in the city of Covington. Approved February 9, 1848.

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 for the benefit of the Board of Internal Improvement.
By the committee on Education—2. A bill for the benefit of Common Schools in the town of Portland.

By same—3. A bill to incorporate the Philomathean Society of the Kentucky Military Institute.

By same—4. A bill to establish the Kentucky College of Medicine and Surgery.

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

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 2d and 3d were severally ordered to be engrossed and read a third time; and the 4th was made the special order of the day for Wednesday the 16th instant.

The rule of the House, constitutional provision and third reading of the 1st, 2d and 3d bills having been dispensed with, and the same being engrossed,

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

Mr. Wintersmith, from the committee on Federal Relations, to whom was referred a bill from the Senate, entitled, an act for the benefit of Francis Giltner, of Carroll county Kentucky,

Reported the same without amendment.

And after some discussion had thereon, the hour of 12 o'clock arrived, when the House proceeded to the orders of the day.

The House again resumed the consideration of the bill to modify the act of 1833, prohibiting the importation of slaves into this State.

The question was then taken on the adoption of the amendment proposed by Mr. Talbutt, and decided in the negative.

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

Those who voted in the affirmative, were—

Mr. Speaker, Collin,
Messrs. Askins, Combs,
Bailey, Culton,
Beeler, Dougherty,
Berry, Grainger,
Bilderback, Hamilton,
Boulware, Hanson,
Boyd, Hardy,
Brown, J., Kerrick,
Bullock, McKinney,
Bush, Moore,
Cavan, Newell,
Christopher, Pearce,
Pratt, Wintersmith,
Price, Wolford.—42.
Those who voted in the negative, were—


Mr. Wintersmith moved to amend said bill by adding the following section, viz:

Be it further enacted, That if any person or persons shall sell, or cause to be sold, within this State, any slave or slaves, imported by him, her or them, under the provisions of this act, within five years after such importation, he, she or they, shall be held and deemed guilty of importing slaves into this State for merchandise; and said sale shall be conclusive evidence of the intention to import slaves for merchandise, and he, she or they, shall be liable to all the penalties against the importation of slaves for merchandise.

Mr. Wright moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Carlisle, Headley, Williams,
Chilton, Hogg, Wilson,
Christopher, Holmes, Wooseley,
Cockrell, Hughes, Wright,
Coleman, Ireland, Young, A. -58.
Conner,

Those who voted in the negative, were—

Mr. Speaker, Elliott, Pearce,
Messrs. Bailey, Garnett, Price,
Beard, Grainger, Smith,
Berry, Hamilton, Speed,
Bouikr, Hardy, Stephens, J. N.
Brown, T. D. Judd, Talbultt,
Bullock, Kerrick, Thomas,
Bush, McKinney, Towles,
Cavan, Miller, Wilkins,
Collins, Moore, Wintersmith,
Combs, Newell, Wood,
Culton, Welford—36.

At two o'clock, P. M., Mr. Hanson, moved an adjournment.
And the question being taken thereon it was decided in the negative.
The yeas and nays being required thereon, by Messrs. Hanson and Bush,
were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Bailey, Combs, Smith,
Beard, Garnett, Speed,
Bell, Grainger, Talbultt,
Brown, T. D. Hanson, Thomas,
Bullock, McKinney, Turner,
Bush, Miller, Wintersmith,
Cavan, Newell, Wood,

Those who voted in the negative, were—

Mr. Speaker, Dougherty, McReynolds,
Messrs. Abell, Duncan, Moore,
Allin, Eaker, Pearce,
Askirs, Elliott, Price,
Ballngal, Field, J. Ralley,
Barlow, Floyd, Shawhan,
Beeler, Gaines, Short,
Berry, Grubb, Soery,
Bilderback, Grundy, Stephens, J. N.
Blanton, Haggard, Stevens, J.
Bourland, Hamilton, Taliaferro,
Boulware, Hardy, Towles,
Bowen, HarreId, Wall,
Bowling, Harris, Warren,
Bozarth, Hatfield, White, D. P.
After further discussion, at half past two o'clock, P.M., Mr. Hanson moved an adjournment.

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

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

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<th>Those who voted in the affirmative, were—</th>
<th>Those who voted in the negative, were—</th>
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<tbody>
<tr>
<td>Mr. Speaker,</td>
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<td>Young, A.</td>
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<td>Young, S.—42.</td>
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McReynolds,  
Pearce,  
Shawhan,  
Short,  
Smith,  
Soery,  
Stephens, J. N.  
Stevens, J.  
Taliaferro,  
Towles,  
Wall,  
Warren,  
White, D. P.  
White, M. E.  
Williams,  
Wilson,  
Woosley,  
Wright—54.
The main was then put, shall the amendment proposed by Mr. Winter-smith be adopted? and it was decided in the negative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


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

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

Those who voted in the affirmative, were—

| Messrs. Abell, Allin, Askins, Ballingal, | Dohoney, Dougherty, Duncan, Eaker, | Johnston, Lightfoot, McReynolds, Railey, |
Those who voted in the negative, were—

Mr. Speaker, Messrs. Bailey, Beard, Beeler, Berry, Bilderback, Boulware, Brown, T. D., Bullock, Bush, Cavan, Collins, Combs, Culton,

Mr. Newell, at fifteen minutes of four o'clock, P. M., moved an adjournment.

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

The yeas and nays being required thereon, by Messrs. Miller and D. P. White, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Barlow moved that said bill have its third reading now.

The Speaker decided said motion out of order, from which decision Mr. Wright took an appeal.

At ten minutes after four o'clock, P. M., Mr. Bush moved an adjournment.

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Speaker, Messrs. Abell, Allin, Elliott, Field, J., Floyd, Miller, Railey, Shawhan,
The question was then put, shall the decision of the Chair stand as the judgment of the House? and it was decided in the negative.

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

Those who voted in the affirmative, were—

<table>
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<tr>
<th>Messrs.</th>
<th>Allin,</th>
<th>Askins,</th>
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Those who voted in the negative, were—

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The said bill was then read a third time.

Mr. Wintersmith then moved to amend said bill, by adding the following engrossed clause by way of ryder, viz:

That if any person or persons shall sell, or cause to be sold, within this State, any slave or slaves, imported by him, her or them, under the provisions of this act, within three years after such importation, he, she or they, shall be held and deemed guilty of importing slaves into this Commonwealth for merchandize, and liable to all the penalties attached thereto; and the fact of said sale shall be conclusive as to the intention to import slaves for merchandize.

And then the House adjourned.

FRIDAY, FEBRUARY 11, 1848.

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 incorporate the Hopkinsville and Cumberland River Railroad Company.

An act to continue in force the 4th and 8th sections of an act, entitled, an act to amend the charter of the Louisville and Elizabethtown Turnpike Company, and Covington and Lexington Turnpike Company.

That they had passed bills of the following titles, viz:

An act to amend an act, entitled, an act to establish the town of Corbinville, approved February 23, 1847, and for other purposes.

An act to incorporate the Long Run Baptist Church, of Jefferson county.

1. Mr. Haggard presented the petition of William J. Allen, praying to be divorced from his wife, Lucinda Allen.

2. Mr. Cockrell presented the remonstrance of sundry citizens of Estill county, against the running of the line between Estill and Owseley counties.

3. Mr. Thomas presented the petition of Z. Pike, executor of Robert Foster, deceased, praying the passage of a law substituting a State bond for one lost by said deceased.
4. Mr. Chilton presented the remonstrance of sundry citizens of Christian county, against the extension of the jurisdiction of the Police Judge of the town of Hopkinsville.

5. Mr. McReynolds presented the petition of sundry citizens of Todd county, praying the passage of an act authorizing J. W. Mobley to sell goods as a pedlar, without obtaining a license.

6. Mr. Elliott presented the petition of John Hall, who was convicted to the Penitentiary, praying that he be restored to all the rights and privileges enjoyed by him before.

7. Mr. Bourland presented the petition of Abraham Watson, praying the passage of a law appointing commissioners to sell Island No. 4, in the Mississippi river.

8. Mr. Moore presented the petition of William Fish, praying to be divorced from his wife, Lucinda Fish.

9. Mr. Warren presented the petition of sundry citizens of Bath county, praying a change in the place of voting in an election precinct in said county.

10. Mr. Moore presented the petition of sundry citizens of Pulaski county, praying the passage of a law permitting Isaac Hoover to sell spirituous liquors by the small, without license.

11. Mr. Bourland presented the petition of John and Telitha Hendricks, praying to be divorced from each other.

12. Mr. Ballingal presented the petition of Philip G. Hopkins, praying to be divorced from his wife, Elizabeth Hopkins.

13. Mr. Turner presented the petition of John Bourne and S. T. Newman, praying the sale of a certain piece of ground in Madison county.

14. Mr. Culton presented the petition of Margaret Anderson, praying that compensation be made her for taking care of and supporting an idiot.

Which were received, the reading dispensed with, and referred: the 1st, 8th, 11th and 12th to the committee on Religion; the 2d and 14th to the committee on Propositions and Grievances; the 3d to the committee on the Sinking Fund; the 4th, 6th, 7th and 13th to the committee on the Judiciary; the 5th to Messrs. McReynolds, Wilkins and Bourland; the 9th to the committee on Privileges and Elections; and the 10th to the committee on Ways and Means.

The Speaker laid before the House a response of the President of the Board of Internal Improvement, to a resolution of this House of the 10th instant, which is as follows, viz:
To the Hon. James F. Buckner,
Speaker of the House of Representatives.

Sir:—In reply to the resolution of the House of Representatives of the 10th inst., calling upon the Board of Internal Improvement for certain information respecting the claim of Robert Williams, which is now pending before that honorable House, I have the honor to submit the following:

By an examination of the act, entitled, an act for the benefit of Robert Williams, approved the 1st March, 1847, it will appear that the Board of Internal Improvement were not required to give any opinion of the justice or injustice of said claim. That duty had been performed previously by the Board, in pursuance of the provisions of an act authorizing and requiring settlements to be made with the contractors on Licking river, and a full report thereof was made to the General Assembly on the 1st day of January, 1844. To that report the Board would respectfully refer the honorable House of Representatives, for the views then unanimously entertained by the Board, as well as for the data upon which that opinion was formed. The Board have seen no reason for changing the opinion then unanimously expressed. But as the contractor had taken his appeal from the decision of the Board to superior authority, and had obtained the passage of a law requiring the testimony of witnesses to be taken, and a report of that testimony to be made, the Board held it to be their duty to report accordingly, without note or comment. But that the Board may not be misunderstood, they will add, with all proper deference and respect, their opinion, that the contractors have no further just claims against the State, but have been paid every cent to which they have the slightest claim. The better to enable the honorable House of Representatives to decide whether the present claim of Mr. Williams, or any part of it should be allowed, the Board will add to what they stated in their report of 1844, the following statements, with unbounded confidence in the legislative wisdom and justice; and in the sincere hope, that if any error has been committed by the Board, to the prejudice of Mr. Williams, that it will be corrected—for they would not that any citizen, so respectable, should suffer any wrong from the Commonwealth.

Mr. Williams has, at different times, presented four sets of claims, composed mostly of different items, for damages alleged to have been sustained by him in carrying on his contract for constructing Lock and Dam No. 3, of the Licking River Navigation, because of the State’s failure to comply with her portion of the contract.

The first claim was for this sum, $10,073 50
The second claim was for this sum, 13,340 28
The third claim was for this sum, 11,071 15
The fourth claim was for this sum, 11,558 44

These claims are equally well proven, and to a great extent by the same witnesses. The various items of which they are composed, are here placed side by side, that your honorable body may, at a glance, see how variant they are:
The first claim is fully set forth in the report of the Board, before referred to,—See App. pages 369 to 371.

The second claim is set forth on pages 383 to 385 of same report.

The third was presented to the General Assembly, we believe, of 1845-'6.

The fourth is contained in the report of the Board to the present General Assembly.

The Board cannot see that any one item, composing the aggregate sum above, of $38,583 47, is more conclusively proven than another, as will be seen by reference to the reports alluded to, where the testimony is spread out at length. An examination of this testimony will show how one portion conflicts with, and neutralizes another. This difference would never have been seen, had each contractor progressed precisely to the same point in the execution of their contracts. Then there would have been no conflicting testimony. The proof that would have been beneficial to one, would have been equally beneficial to all. We will, by way of illustration, cite one or two of these discrepancies.

<table>
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<tr>
<th>Item Description</th>
<th>1st Claim</th>
<th>2nd Claim</th>
<th>3rd Claim</th>
<th>4th Claim</th>
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<td>For shanties</td>
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<td>For opening roads and quarries</td>
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<td>For Clerks and Superintendents</td>
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<td>For loss on State bonds</td>
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<td>For int. on $4,300 from Jan. to Nov. 1842</td>
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<td>For various mechanics &amp;c.</td>
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<td>For extras on 1336 perches stone, at $3.</td>
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<td>Difference between cost of work to be done on the Lock, and contract price</td>
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<td>Difference between cost of iron and contract price</td>
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<td>Difference between cost of wood work and contract price</td>
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<td>Difference in cost of crib abutment and contract price</td>
<td>1,741 00</td>
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<tr>
<td>Difference in cost of slope wall and contract price</td>
<td>730 00</td>
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<tr>
<td>Difference in cost of dam and contract price</td>
<td>675 00</td>
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<tr>
<td>Difference in cost of crib and contract price</td>
<td>9,972 03</td>
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The fourth claim amounts to this sum: $11,558 44

The second claim, having no item in it contained in the fourth, amounts to $13,340 28

The third claim contains this item in it, not embraced by either of the others: $6,723 13

The first claim contains this amount, not embraced by either of the others: $6,901 50

$38,583 47
The present applicant had delivered near 15,000 feet of dam covering, and had been paid for it at the rate of nine cents per foot. He was not satisfied, and proved that it was worth 12½ per foot, (see page 362 of said report.) The dam covering is a large item, requiring near, if not quite, 150,000 feet for the five dams on Licking; and from 27,000 to 32,000 to each dam. No other contractor had delivered any, save Law & Co., who had only 1,185 feet. Several days after it had been shown that Dam covering was worth 12½ per foot, the contractors determined to make out a bill showing their prospective profits, and claim it as the measure of their damages. For the Dam they were to get a specified sum per foot, running from the Lock wall to the abutment on the opposite side of the river. They introduced witnesses to show what each portion of the Dam would have cost them separately, and claimed the difference between this cost and the contract price as the profits to which they were entitled. They proved that Dam covering could have been procured for 4½ cents per foot, (see page 372 of said report.) And the present applicant himself, who was not satisfied with 9 cents per foot, and proved that 12½ cents was a fair price, when setting forth the contract price of his Dam, and showing the cost of the various items necessary to complete it, with the view of showing the profits he would have made had he been permitted to progress with the work, put down the remainder of his Dam covering at 2 cents per foot—alleging, of course, that he could have procured it for that sum, (see page 385 of said report.) In the 60,000 feet of square and round timber, is included between 11,000 and 12,000 feet of Dam covering, or it is let out altogether.

In the first claim submitted by Mr. Williams, he says his work was suspended from the 15th of November, 1840, to the 15th of May, 1841, a period of six months.

In the fourth claim he says there were three suspensions:
1st.—From 1st December, 1839, to 1st April, 1840, - - 4 months.
2d.—From 1st November, 1840, to 15th April, 1841, - - 5½ months.
3d.—From 14th November, 1841, to 1st April, 1842, - - 4½ months.

14 months.

Mr. Williams and his witnesses are surely mistaken in this matter. There could have been only one partial suspension in the winter of 1840-1. During the times of these alleged suspensions, estimates were made upon Mr. Williams' work, and money paid him, as follows:

1839.—Nov. 4. His 4th est. was made, $1,211 00—he was paid $900
1839.—Nov. 29. His 5th est. was made, 1,148 82—he was paid 1,100
1840.—Jan. 4. His 6th est. was made, 2,040 00—he was paid 1,500
1840.—Feb. 4. His 7th est. was made, 1,952 90—he was paid 1,600
1840.—April 24. His 8th est. was made, 4,664 12—he was paid 4,000

$11,016 84 $9,400

During his first alleged suspension, he earned $11,016 84, and was paid the sum of $9,400.

1840.—Nov. 23. His 14th est. was made, $1,265 50—he was paid $1,200
1841.—April 16. His 15th est. was made, 616 00—he was paid 3,600

$1,881 50 $4,800
During his second suspension he earned $1,881.50, and was paid $4,800.

During his third and last suspension he earned $8,826.50, and was paid $8,000. During all these suspensions he earned $21,724.84, and was paid $22,200.

Up to this time the State, by her contract, might have retained this sum, the State had only retained this sum, $5,543.04, the amount overpaid...

Mr. Williams entered into his contract for building Lock and Dam No. 3, on the 31st of May, 1839, and the work was entirely suspended on the last of June, 1842; so that he was engaged, from first to last, three years and one month. During this time his earnings were $65,865.94. His alleged suspensions cover a period of fourteen months—a small fraction over one-third of the whole time of the existence of the contract. During this period he earned $21,724.84—very nearly one-third of the whole sum earned. With his estimates and receipts staring him in the face, he will now scarcely assert that the engineer estimated work, and the State paid him for it, when in fact he was doing no work.

N. B. Buford, the then Resident Engineer upon the Licking works, made to this Board the estimates above alluded to, for work actually performed during the intervals of pretended suspension, for which Mr. Williams lays in his claim of damages; and he (Mr. Williams) received payment accordingly. In the integrity of that Engineer, the Board had, and yet have, the utmost confidence; and were it possible for the Board to discredit the estimates of that Engineer, still Mr. Williams would not be entitled to the benefits because of the fact that he has already received the amount of those estimates, as above stated. The only alternative left for the Board is to take it for granted, that there is some mistake on the part of Mr. Williams and his witnesses respecting the suspensions, their entire respectability notwithstanding.

I have the honor to be, respectfully,

THOMAS METCALFE, P. B. I. I.

Ordered, That the Public Printer forthwith print 150 copies of said response for the use of the members of the General Assembly.

On motion of Mr. Bowen, leave was given to bring in a bill for the benefit of Charles E. Marshall.

Ordered, That the committee on Claims prepare and bring in the same.

The House again resumed the consideration of the bill from the Senate, entitled, an act for the benefit of Francis Giltner, of Carroll county, Kentucky.
The said bill reads as follows, viz:

WHEREAS, certain suits have been commenced in the Circuit Court of the United States for the District of Michigan, by Francis Giltnar against Charles T. Corham, Jarvis Hord, Oliver C. Comstock, John M. Easterly, Asa B. Cooke, Randall Hobutt, and others, citizens of the State of Michigan, to recover damages for the injury sustained by said Giltnar on the part of the defendants, in having prevented the agent of said Giltnar from reclaiming, by lawful means, six fugitive slaves who had escaped from said Giltnar to the State of Michigan; and whereas, the State of Kentucky is vitally interested in the due and proper execution of the laws of the United States under which said Giltnar's agent was acting, and which give to the owner the right to reclaim his fugitive slaves by process of law. Therefore,

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of two thousand dollars be appropriated, and the same is hereby set apart for the purpose of aiding said Giltnar in the prosecution of said suits to a successful issue; and that the Governor of this Commonwealth be and he is hereby directed to use, in his discretion, any part or the whole of said sum for the purpose aforesaid.

Sec. 2. Be it further enacted, That the Governor may require of said Giltnar, or any other person to whom he shall confide the said sum of money, or any part thereof, bond with good security, payable to the Commonwealth of Kentucky, conditioned that the money shall be faithfully applied to the prosecution of the suits referred to in the first section of this act; and for a breach of said bond, a suit may be instituted thereon, as in similar cases upon like bonds.

Mr. Chilton moved to lay said bill on the table.

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

The yeas and nays being required thereon, by Messrs. J. Field and Cul- ton, were as follows, viz:

Those who voted in the affirmative, were—

Those who voted in the negative, were—

Mr. Speaker, Messrs. Allin, Ballingal, Bilderback, Blanton, Bowen, Bush, Carlisle, Cavan, Christopher, Coleman,

Field, J. Floyd, Gaines, Haggard, Hanson, Hardy, Headley, Hogg, Ireland, Newell, Price,

Shawhan, Smith, Soery, Talbutt, Taliaferro, Towles, Williams, Wilson, Wintersmith, Wright, Young, S.—61.

Mr. Wintersmith, from the committee on Federal Relations, made the following report, viz:

The committee on Federal Relations, to whom was referred so much of the Governor's Message as relates to the boundary between the States of Ohio and Kentucky, having considered the subject, with the aid of such documents as they could find, beg permission to submit the following report:

Previously to entering into a presentation of the questions involved in the matters referred to them, your committee have to express a regret, that neither the State Library, nor the Department of State, are furnished with all the documentary evidence of the boundaries of the Commonwealth, necessary to their full and complete investigation. The propriety of procuring such evidence, hitherto, seems to have escaped the attention of those who have had the management of public affairs. The common evidence, which a plaintiff in an ordinary action of ejectment would be required to adduce in support of his claim, has never yet been collected and filed in the proper departments, and your committee have had to resort to private libraries to obtain such reliable information as they desired, and regret that they have not been able to accomplish, entirely, their wishes. It is hoped that this neglect will be permitted no longer, but that some measures will be taken to provide the means of proper information, of the highest character, upon such grave questions of the true boundaries of the State, as may, and must, necessarily, arise from time to time. Nor is this lack of evidence confined to our own State, as your committee are induced to believe, from the fact, that the Commissioners of the States of Virginia and Ohio, appointed to settle the boundary between those States, a question identical with the present, have, upon consideration, chosen, as the place of their meeting, the City of Washington, where they might have access to the archives of the nation.

It might not be out of place, here to remark, that your committee have learned, through the public press, that the commission of the States of Ohio and Virginia, recently in session, have most signally failed in the negotiations pending between them. This is a result which we profoundly deplore, inasmuch as Kentucky and Ohio are involved in the same controversy, one how-
ever, which we must hope may terminate in an honorable adjustment, re-
dounding to the permanent peace and harmony of the two States.

The proposition of the State of Ohio, is "for the appointment of a comis-
sion between that State and Kentucky, to enter into a compact, settling the
boundary, or jurisdiction, or both, upon that part of the Ohio river which
divides the two States." Of equal importance to Kentucky, would be a
like settlement of boundary between this State and the States of Indiana
and Illinois. Your committee believe, that if any commission is ordered,
its powers should be extended still further. The proposition also reserves
the right of ratification to the States, respectively.

At first glance, this question of boundary and jurisdiction would present
few embarrassments and difficulties, but, upon closer examination, those em-
barassments and difficulties increase in number and magnitude, and per-
chance may affect, to an alarming extent, the peace and amicable relations
of all the States north of the Ohio river, on the one side, and of Virginia and
Kentucky, on the other. This would be a controversy, in which would be
deeply interested, the feelings of more than four millions of people, and in
which would be jeopardized, on both sides of the Ohio river, a vast amount
of property.

In order that your committee may be enabled to illustrate the true posi-
tion of this controversy, it is deemed necessary to portray, briefly, the his-
tory of the titles, State and National, to the soil and jurisdiction of the
countries bordering on the Ohio river, on either side of the stream.

In the 4th year of James the First, A. D. 1606, a charter issued to vari-
ous individuals, for a colony, called Virginia. This charter was confirmed
by another, issued in 1607. Neither of these charters granted a jurisdiction
farther into the interior, than one hundred miles—and their boundary, there-
fore, is unimportant. In 1609, however, the same King issued another
grant, in the shape of a charter, extended to a much larger number of indi-
viduals, describing some personally, and others by their trades and occupa-
tions, in classes, and created them into a corporation, under the style of the
"Treasurer and Company of Adventurers and Planters of the City of Lon-
don, for the First Colony of Virginia."—(Heming's Statutes at Large, vol. 1,
pp. 57-118.) The sixth section contains this language:—"And we do also,
of our special grace, certain knowledge, and mere motion, give, grant and
confirm, unto said Treasurer and Company, and their successors —, all
those lands, countries, and territories, situate, lying, and being, in that part
of America called Virginia, from the point of land called Cape, or Point
Comfort, all along the sea coast, to the northward, two hundred miles, and
from the said point of Cape Comfort, all along the sea coast, to the south-
ward, two hundred miles; and all that space and circuit of land, lying from
the sea coast of the precinct aforesaid, up into the land throughout, from sea
to sea, west and north-west, and also all the rivers, &c., to have and to hold, possess and enjoy, all and singular, the said lands, countries,
and territories, with all and singular, other, the premises heretofore granted
by these presents, or mentioned to be granted to them, the said Treasurer
and Company, their successors and assigns, forever." This charter was fur-
ther confirmed in 1611-'12, by the same boundaries, and the two charters
made provisions for the formation and establishment of a colonial govern-
ment. In a short time after this, a quo warranto was issued, and, upon find-
ing, the charters, above named, were annulled, and another was granted, in
the year 1623, to the colony of Virginia, *as a colony,* by the same bounda-
ries. New Jersey and Delaware, comprehended in this grant, were settled in 1624 and 1627, by the Dutch, and were not acquired by the English until 1664, and were then established as independent colonies. Maryland and Pennsylvania were also cut out of this grant, and North Carolina was sepa-
rated from it by purchase.

The French, having discovered the mouths of the Mississippi and the St. Lawrence, and established themselves along the northern shore of the St. Lawrence, at the head of the Ohio, on the northern lakes, in the interior and along the Mississippi, claimed the territory watered by the branches of those two great inland seas. In 1750, a company called the Ohio Company, ob-
tained a grant of six hundred thousand acres of land, on or near the Ohio river, and were proceeding to make trading establishments on that stream—
and in consequence of the conflicting claims to the territory by the French government and the colony of Virginia, a war ensued, which we have been accustomed to call Braddock's war. Hostilities were terminated by the treaty of 1763, between the three great powers of Great Britain, France and Spain. In this treaty, the French government made the following ces-
sion to the British:

"ART. 7. In order to establish peace on solid and durable foundations, 
and to remove forever all subjects of dispute with regard to the limits of the 
British and French territories on the continent of America, it is agreed that, 
for the future, the confines between the dominions of His Britannic Majes-
ty, and those of His Most Christian Majesty, in that part of the world, 
shall be fixed irrevocably, by a line drawn along the middle of the river Mis-
sissippi, from its source to river Iberville; and from thence, by a line drawn 
along the middle of this river, and the lakes Maurepas and Pontchartrain, 
to the sea; and for this purpose the Most Christian King cedes, in full right, 
and guaranties to His Britannic Majesty, the river and the port of the Mobile, 
and every thing he possesses and ought to possess, on the left side of the riv-
er Mississippi, with the exception of the town of New Orleans, and the is-
land in which it is situated, which shall remain to France."

By another article of this treaty, the Canadas are also ceded by France to 
Great Britain; and by still another article, the King of Spain cedes to His 
Britannic Majesty the territory of Florida. George III, by a proclamation 
subsequently issued, formed of the Canadas the government of Quebec, and 
constituted governments of East and West Florida. The whole country, 
north of the Carolina grant, and west of the lines of Maryland and Penn-
sylvania, in this partition is not mentioned, but is left under the charter or 
grant made to the Virginia colony. Since that time, the general construc-
tion has been, that that territory has remained a part of the colony of Vir-
ginia.

That colony, however, was, by the treaty of 1763, curtailed of all the 
country on the right, or western side of the Mississippi river, instead of ex-
tending, as the charter says, "from sea to sea, to the west and north west," 
or, in other words, to the Pacific Ocean.

It is admitted that other States set up claim to a portion of the territory 
north west of the Ohio river. None of them, however, extended to, or em-
braced the river itself. These States all ceded their claim to the United 
States, as connected under the Articles of Confederation. So, also, did Vir-
ginia, claiming all the territory north west of the Ohio, cleared of the
French incumbrance, make, in 1784, a similar cession. The language of the deed made by her becomes important, and we therefore quote from it the following passage:

"We, the said Thomas Jefferson, Samuel Hardy, Arthur Lee, and James Monroe, by virtue of the power and authority committed to us by the act of the said General Assembly of Virginia, before recited, and in the name, and for and on behalf of the said Commonwealth, do, by these presents, convey, transfer, assign and make over, unto the United States, in Congress assembled, for the benefit of the said States, Virginia inclusive, all right, title and claim, as well of soil as of jurisdiction, which the said Commonwealth hath to the territory, or tract of country within the limits of the Virginia charter, situate, lying and being, to the north west of the Ohio river, to, and for the uses and purposes, and on the conditions of the said recited act."

The act referred to, contains, among other specifications, that a certain military district is to be laid off, for purposes designated, and that the territory should be afterwards laid off into States of certain dimensions. The ordinance of Congress, of 1787, for the government of the territory thus ceded, expressly recognizes the reservation of the military lands, as required by the act and cession of Virginia, and provides for the erection of the territory into States, as required, differing only as to boundary; to which difference of boundary the same Congress asked the assent of the State of Virginia, and which assent was subsequently given, by an act of its Legislature, in 1788.

It will be proper here to remark, that the same ordinance of 1787 contains this article:—"There shall be neither slavery nor involuntary servitude in the said territory, otherwise than in the punishment of crimes, whereof the party shall have been duly convicted. Provided, always, That any person escaping into the same, from whom labor or service is lawfully claimed, in any one of the original States, such fugitive may be lawfully reclaimed, and conveyed to the person claiming his or her labor or service, as aforesaid."

The States of Ohio, Indiana, Illinois and Michigan have since been formed, in conformity with the stipulations of the act of cession quoted, and of this ordinance. All of them, by their fundamental organization, prohibit the existence of slavery, or involuntary servitude, except for crimes, forever.

In the "Definitive Treaty of Peace, between the United States of America and His Britannic Majesty," of 1783, the original States are all named, one by one, and the same boundary is designated as the western boundary of the United States, as is designated by the treaty of 1763, between France and Great Britain. This treaty was made, it will be observed, before the cession made by Virginia to the United States. Virginia was then, in territory, an immense empire—but, to promote harmony among her sister States, who had fought by her side for independence, she relinquished to all, including herself, a vast domain—and with the further intention of contributing to the payment of the national debt. No one who looks into the history of those transactions, can rise from the review without high wrought feelings of admiration of her lofty magnanimity and self-immolating and sacrificing patriotism. Well does she deserve the appellation, "Mother of States," and sadly tells it now, upon the ear, of discord between her and her children, and between her children themselves. We cannot but hope that the last vestiges of estrangement and contention between her and her first born, on the one side, and her younger children, on the other, may soon melt away.
under the hallowed return of the tranquilizing and genial rays of justice; and of the fervid affections of olden time.

Kentucky, on the South side of the Ohio river, in 1776, was formed into a county of Virginia. The act creating it, describes it thus: "All that part thereof, (the county of Fincastle,) which lies to the South and Westward of a line beginning on the Ohio, at the mouth of Great Sandy Creek, and running up the same and the main and northeasterly branch thereof, to the great Laurel Ridge, or Cumberland Mountain; thence, southwesterly along the said mountain, to the line of North Carolina, shall be one distinct county, and called and known by the name of Kentucky." Being afterwards subdivided, it received the cognomen of the "District of Kentucky," and in 1789, it had been subdivided into nine counties. In that year, the State of Virginia passed "An act concerning the erection of the District of Kentucky into an independent State," usually denominated the compact. One of its provisions was, "that the boundary between the proposed State and Virginia, shall remain the same as at present, separates the District from the residue of the Commonwealth." Another was, "that the use and navigation of the river Ohio, so far as the territory of the proposed State, or the territory which shall remain within the limits of this Commonwealth, lies thereon, shall be free and common to the citizens of the United States, and the respective jurisdictions of this Commonwealth, and of the proposed State on the river as aforesaid, shall be concurrent only with the States which may possess the opposite shores of the said river." Here we might well pause, and ask our northern neighbors, to behold the painstaking care which Virginia and Kentucky bestowed towards them, in yielding up to them the fullest indemnity of the use and jurisdiction of the great and magnificent highway, which washes their Southern boundaries.

In 1791, the Congress of the United States passed an act, declaring that, "the Congress doth consent that the said District of Kentucky, within the jurisdiction of the Commonwealth of Virginia, and according to its actual boundaries, on the 18th day of December, 1789, shall, upon the 1st day of June, 1792, be formed into a new State, separate from, and independent of, the said Commonwealth of Virginia." The Convention of Kentucky met and adopted this compact, and formed for itself a constitution, and became a separate, independent Commonwealth. Thus all the right of jurisdiction and soil of Virginia, below the mouth of the Sandy, on the Ohio river, subject to the terms of the compact, passed to Kentucky.

Your committee have thus given a cursory and very general outline of the history of the title to the territory, comprehending the Ohio river and the subdivisions since the original and general grant. This has been done with a view to a proper appreciation of the difficulties which may rise out of a want or postponement of a definitive settlement of the river boundary, and of the concurrent or perhaps conflicting jurisdictions of our neighboring States, and out of other questions which demand, imperiously, consideration and adjustment. Much of the documentary evidence which would be very properly considered in a negotiation of settlement or adjudication, has been omitted, as not necessary to the object your committee have in contemplation.

As the case now presents itself, there has been, and still is, great diversity of opinion. There are not less than four different boundary lines, all of
which have been seriously urged as coming nearest the truth, and all of
them plausibly supported either by serious or ingenious arguments.

1st. It is contended that the middle of the Ohio river is the true line.
This is advocated upon the ground, that "when a great river is the boundary
between two States or nations, if the original property is not therein, and
there be no convention respecting it, each holds to the middle of the stream."
It is then denied that the State of Virginia had any real claim, but that the
territory on the Ohio river was obtained by Great Britain from France, and
by the United States from Great Britain. But, upon this statement, your
committee think that, after the deed of cession from Virginia—the ordinance
of the Congress of the Confederation—and the repeated acts of the recog-
nition of the Virginia title by the governments of the United States and of
the States north of the Ohio, it is now too late to question its validity, espe-
cially by those holding under it.

2nd. It is contended, on the other hand, that the line is the top of the
bank on the northern side of the river. Gov. Bebb says in his inaugural ad-
dress, that "a question of jurisdiction has arisen between Ohio and Virginia,
the latter claiming to the top of the bank on the Ohio side of the river—a
claim," he says, "wholly inadmissible and can never be acceded to by this
State." The advocates for this line assert the original proprietorship of the
whole river to have been in Virginia, and that the cession of the "territory
or tract of country, situate, lying and being to the northwest of the river
Ohio," still retained the river itself, and that all, on both sides of a stream,
must be considered the stream or river to the line where vegetation com-
mences. This doctrine is far from being absurd or barren of authority.

3rd. Some very able men have, upon a similar hypothesis of fact, very
plausibly suggested, that the boundary is the water line on the northern
shore, at its common or most usual stage.

4th. There is still another opinion, that the boundary is the low water
line on the northern side of the river. This was adjudged to be the bound-
ary between Kentucky and Indiana by the Supreme Court of the United
States, in the case of Handley's, lessee vs. Anthony, 5th Wheaton's Re-
ports. But as the question arose in a controversy between two private in-
dividuals, it may well be questioned, whether it would be authoritative in a
controversy between States. The same opinion is given by Judge Read of
the Ohio Supreme Court, in a case of the State vs. Hoppes, as to the bu-
oundary between Kentucky and Ohio.

Thus it will be seen, that the position of this great natural boundary line,
is far from exact. But your committee are satisfied, that the boundary for
all purposes of commerce, navigation, and penal and criminal jurisdiction,
has been, by a kind of common consent, regarding the Ohio river as a great
national highway, sufficiently marked and defined. If these were the
only subjects out of which controversies could or would arise, we might
include the title to the islands, all troubles would vanish, or at least would
be comparatively so few, and of such a character, as to admit of easy ad-
justment. But it cannot be disguised, that systematic and organized action,
designed to destroy one of the institutions of Kentucky and Virginia, is the
great source of feud and collision. Gov. Bebb says: "There is danger that
other collisions will arise between the authorities and people of the State
of Ohio, and those of the States possessing the opposite shores of the river,
which may disturb the harmony so desirable to maintain with our sister, and
especially our "border States." While your committee concur, with pleasure, in the sentiment, that friendly relations and harmony are exceedingly desirable between the States of the Union, and particularly between those lying side by side, they sincerely deplore, that they are compelled to see that there is danger that these amicable and fraternal feelings, which should be so much cherished, between the States on the different shores of the Ohio, may be disturbed and give place to angry contention by causes now in the course of operation. So far as the people north of the Ohio, as a body are concerned, we are satisfied, that they are prudent in their views and feelings, and patriotic enough to adhere to the compromising spirit of the great bond of the union of the States, and willing that the domestic economy and internal policy of the people of each State, shall be regulated by themselves. The conduct of the Legislature and Executive Departments of Ohio, fully attested this statement, in their action upon the application of Kentucky in 1839. The true spirit of patriotism and a generous fraternity, was then nobly exhibited. We believe it has not left the bosoms of our neighbors, but remains the permanent sentiment of the great body of the people of that growing Commonwealth, and of those who stand in a similar attitude to us. And why should it not? We are co-terminous States of one mighty confederacy. We have the same soil, productions, climate and people; indeed, are assimilated in every thing which tends to make us good neighbors and good friends. The same showers refresh a common atmosphere and vivify our herbage alike. The same bow of promise and of peace—the bright signet of divine favor—which hails them, hails us also, with its soft and melting beauties, and resting its arches on both shores, spans the beautiful river which separates us from them. The fountains which gush from the mountains on either side, leap towards the embrace of each other, and flow on together in the same swelling flood until they disembogue into the ocean, bearing upon and with their united power, away to distant lands, the productions of both soils. What reason can there be, why the hearts and feelings of both people may not also commingle together, and mutually assist each other in their onward, upward march to prosperity and happiness? We are, we repeat, satisfied, that the great mass of the people north of the Ohio, and we know that the people of Kentucky, feel that the Commonwealths which border upon their lovely and common highway, are identified by the same high interests, and come what will, no power can ever separate their destinies. The same sun must ever gild their mutual and undivided greatness and prosperity, and the same storms must ever sweep over, and the same darkness must enshroud them all alike. Chained together by nature, how can the omnipotent fetters which link their fates, be burst asunder?

But it cannot be concealed that there are evil disposed persons, who are ever ready to disturb their amicable relationship and cordial fraternity. Following the dreams of a misguided and intolerant fanaticism, or instigated by baser motives, they are ever, with watchful vigilance and untiring researches, lighting up their fire-brands of discontent. No sooner had the State of Ohio, by her liberal and honorable enactments of 1839, denounced such penalties against some of the acts of some of these enthusiasts, as alarmed them from their further perpetration, than they set themselves, with cunning devices, about the invention of other means of annoyance. The courts of Ohio were appealed to and asked to establish the doctrine that the mere
landing of a boat, on board of which were the master and slave, at the northern bank of the Ohio river, shook off the manacles of the slave and rendered him free; and although they have not succeeded in this effort, they have succeeded in inducing, as your committee are informed, a great innovation upon the old established doctrines of that State, previously consonant with the decisions of the supreme tribunals of Kentucky. The old doctrine was, that a mere transition through the free States, of a slave in company with his master, did not confer freedom, but that a residence of the master, with his slave in a free State, even for a short period, did confer it. Now the doctrine of the courts of Ohio is, that there is no remedy for the recapture or recovery of a slave who steps his foot upon the northern shore of the Ohio river, with the consent of his owner for the time being, except it be merely incidental to commerce or the navigation of the river. Judge Read says, in the case before referred to—"At one time, I was of the opinion, that he (the owner or master) had the right of passage through a free State with his slave. This probably would harmonize with the spirit of the compromise on this subject. But upon a more careful examination, I am satisfied the master must lose his slave, if he brings him into a free State, unless the slave voluntarily returns to a state of slavery." Such seems to be the received opinion of the courts of the free States. The courts of Kentucky, and of other slave States, have maintained a different opinion. The general principle of international law, that a citizen of one State going into another, with his property, and being merely in transitu, may retain his property, as the law of the State of his residence would give it to him, is admitted to be correct in all the adjudications. But they attempt to decide what can be made the subject of property, and deny that there is, or can be, any such property in human beings, as would bring them within the operation of the principle. They seem not to ask what is property in Kentucky; but what is property by the law of nature, and by the law of a country, whose constitution declares that slavery shall not exist. Acting upon this hypothesis, they are disposed to give the strictest construction to the 2d section of the 4th article of the constitution of the United States, and the laws made in pursuance of it. Hence they assert, they will afford no relief to the claimant of a fugitive slave, unless the fugitive shall escape from within the actual geographical confines of a State tolerating slavery, into their territory; but, on the contrary, will, under any other circumstances whatever, afford the slave the benefit of the writ of habeas corpus, and prevent his master from making reclamation.

Your committee present a mere analysis, showing how the questions stand, without intending to enter into an examination of their legal propriety. But, it will be seen, that the practice necessarily growing out of such legal doctrines, and even the promulgation of the doctrines themselves, must greatly embarrass and harass the commerce and convenience of the people of those States tolerating slavery, and must cut off and destroy, until better counsels prevail, many of the socialities and communications between the inhabitants of opposite shores of the same river. It was not so in days gone by, when the old doctrines obtained—when the spirit of the great compromises of our federative system was felt and breathed out, in patriotic devotion to the harmonizing, elevating principles of the constitution—throwing its broad mantle of protection, over the rights of all. It was not so, when the men of noble heart and giant power, in the primitive
days of the Republic, from all portions of the country—slaveholder and non-slaveholder—took, side by side, to achieve their mutual independence, and after the battle was over, entertaining still a desire for mutual friendship, security, and prosperity, ordained a government, "to form a more perfect Union—establish justice—insure domestic tranquility, and promote the general welfare." It was not so, when these men were the actors in the arrangement of our social condition, and before they had departed, and left a rich heritage to their children, not to quarrel about, but to enjoy and perpetuate. Nor was it so, even as late as the war with the Indians and with Great Britain—when Kentucky sent forth her noble old Governor, and her men and her boys to the tented field, and poured out her blood like water, at Tippecanoe, at Raisin, at the Thames, and other places, in defence of her northern neighbors, their homes, their wives, and their fair daughters.

Your committee cannot but feel, that we and deep execration should betide the base hearts, who would pay us back with such black ingratitude, as would instigate measures and practices which rob us of property guaranteed to us by the Federal Constitution, and which would raze the very foundations of our social system. We know not what may be in the bosom of the future, or what may occur in the progression of those great and immutable laws of population, which have moved in their grand and irresistible power from the northeast towards the southwest; but we think we have a right to demand, that we be let alone, in the management of our domestic economy, and that our sister States shall carry out, "in spirit and in truth," the compromises of our federative system.

Under these circumstances, your committee have been required to examine the proposition of the State of Ohio, and we have thought it advisable thus to advert to the prominent facts. Kentucky may feel that she has much to complain of, and although she is ever ready to meet her foes in the thickest of the fight, and battle with them hand to hand, as she has often proven on many a hard fought field, yet to her friends, she has ever been kind, generous, conciliatory, and just. Among those friends, yea, more than friends—as children of the same venerable parent—she has ever regarded the States on the opposite shore of the Ohio river, and from them, she hopes never to be disappointed, in the anticipation of meeting nothing, but those acts which will comport with the character of noble and magnanimous neighbors and friends.

Your committee would, therefore, recommend the appointment of Commissioners for the purposes indicated, charging them only "to ask nothing but that which is right, and to submit to nothing which is wrong." For the purpose of carrying out this recommendation, they present herewith, the accompanying resolutions:

Ordered, That the Public Printer forthwith print 1500 copies of said report for the use of the members of this House.

Mr. Wintersmith, from the same committee, read and laid on the table the following resolutions, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That three Commissioners be appointed to meet the Commissioners appointed by the State of Ohio, and such Commissioners as may be appointed by the States of Indiana and Illinois, at such place or places as they may mutually agree upon, to negotiate for the settlement of the boundary or jurisdiction,
or both, upon that part of the Ohio river, dividing the State of Kentucky from each of those States respectively, provided that any compact made by them, shall not be binding, until the same shall have been ratified by such States respectively.

Resolved, That said Commissioners be authorized to negotiate upon all questions of transitory passage, and the incidents thereto, through this State, and the several States mentioned in the first resolution, subject to the approval of such States.

Resolved, That the Governor be requested to transmit a copy of the above resolutions, to each of the Governors of the States of Ohio, Indiana and Illinois, with a request that they be laid before their several Legislatures.

Resolved, That said Commissioners be appointed by the General Assembly, upon joint ballot; that they shall receive an adequate compensation for their services; that the Governor be authorized to fill any vacancies which may occur in the said Board of Commissioners; and that the said Commissioners report to the General Assembly, at its next annual session, their proceedings.

Resolved, That said Commissioners report to the next General Assembly, all documents and evidence as to the boundary of the State on the Ohio river, which they are able to procure; and that they may procure them at the expense of the State; and for this purpose, the Governor is authorized to draw on the treasury, for such sums as may be necessary for that object.

Ordered, That the Public Printer forthwith print 1500 copies of said resolutions for the use of the members of this House.

The House again resumed the consideration of the bill to modify the act of 1833, prohibiting the importation of slaves into this State.

Mr. Wintersmith then withdrew his engrossed rider.

Mr. Judd moved to amend said bill, by adding the following engrossed clause, by way of rider, viz:

That all slaves imported into this Commonwealth, under the provisions of the foregoing sections of this act, shall not be used as merchandise; and any person or persons selling such slave or slaves within three years after importation within this Commonwealth, to any person living within the limits of this Commonwealth, that both the vendee and vendor shall incur all the penalties annexed to the law of 1833, prohibiting the importation of slaves into this Commonwealth.

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

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

Those who voted in the affirmative, were—

Messrs. Askins, Bailey, Beard, Beeler, Berry, Bilderback, Boulware, Bullock, Grainger, Hamilton, Hanson, Hardy, Judd, Kerrick, McKinney, Miller, Smith, Speed, Stephens, J. N., Talbut, Taliaferro, Thomas, Turner, Warren,
Mr. Bailey moved to amend said bill, by adding the following engrossed clause, by way of rider, viz:

That if any slave imported under the provisions of this act, shall in this State commit any theft, arson, or destruction of property of another unlawfully, or kill the slave of another person unlawfully, the importer or owner of any slave, so imported and committing either of the acts aforesaid, shall be liable to the owner of any such slave killed, or property destroyed, for the full value thereof.

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Speaker, Messrs. Abell,

Cavan, Newell, White, M. E.
Collins, Pearce, Wilkins,
Combs, Pratt, Wood,

Those who voted in the negative, were—

Mr. Chilton moved to amend said bill, by adding the following engrossed clause, by way of rider, viz:

Be it further enacted, That if any person or persons shall sell, or cause to be sold, within this State, any slave or slaves, imported by him, her or them, under the provisions of this act, within three years after such importation, be, she or they, shall be held and deemed guilty of importing slaves into this Commonwealth for merchandize, and liable to all the penalties attached thereto; and the fact of such sale shall be conclusive as to the intention to import slaves for merchandize.

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

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

Those who voted in the affirmative, were—

Those who voted in the negative, were—

Mr. Speaker,
Messrs. Abell, Eaker,
Blanton, Field, J.
Carlisle, Gaines,
Cavan, Grubb,
Coleman, Hatfield,
Mr. Dohoney moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Messrs. Allin, Collins,
Askins, Conner,
Ballingal, Culton,
Barlow, Dohoney,
Bell, Dongherty,
Beeler, Eaker,
Blanton, Field, J.
Bourland, Floyd,
Bowen, Gaines,
Bowling, Grubb,
Boyd, Grundy,
Bozarth, Harrel,
Brown, J. Harris,
Carlisle, Hatfield,
Chilton, Headley,
Christopher, Hogg,
Cockrell, Holmes,
Coleman, Ireland,
Collins, Johnston,
Conner, Lightfoot,
Culton, Pratt,
Dohoney, Quarles,
Dongherty, Ralley,
Eaker, Shawhan,
Field, J., Short,
Grubb, Soery,
Hatfield, Stephens, J. N.
Ireland, Stevens, J.

Those who voted in the negative, were—

Mr. Speaker,
Messrs. Abell, Haggard,
Bailey, Hamilton,
Mr. Speaker, Price,
Messrs. Abell, Smith,
Bailey, Speed.
The main question was then put, shall the bill pass? and it was decided in the affirmative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Speaker, Messrs. Askins, Bailey, Beard, Beeler, Berry, Bilderback, Bouland, Brown, T. D., Bullock, Bush, Cavan, Garnett, Grainger, Hamilton, Hanson, Hardy, Ireland, Judd, Kerrick, McKinney, Miller, Moore, Newell, Quarles, Smith, Speed, Stephens, J. N., Talbutt, Taliaferro, Thomas, Turner, White, M. E., Wilkins, Wintersmith, Wood,
Resolved, That the title of said bill be as aforesaid.

Mr. Wright moved a reconsideration of the vote passing said bill.

At half past two o'clock, P. M., Mr. Wolford, moved an adjournment.

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

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

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SATURDAY, FEBRUARY 12, 1848.

A message was received from the Senate announcing the passage of bills from this House of the following titles, viz:

1. An act to incorporate the Taylor's Mill Turnpike Road Company.
2. An act to establish a State road from Thomas Dance's tavern, in Pendleton county, to intersect the Colemansville and Covington road at or near Fiskburg, in Kenton county.
3. An act to amend the charter of the Oakland Turnpike Company.
4. An act to amend an act, entitled, an act to construct a road from Rochester, at the mouth of Muddy river, in Butler county, to Russellville, in Logan county.
5. An act to incorporate the Paris, Winchester and Kentucky River Turnpike Road Company, and the North Middletown Turnpike Road Company.
6. With amendments to the two last named bill.
7. That they had passed bills of the following titles, viz:
   1. An act to amend the charter of the Glasgow and Scottsville Turnpike Road Company.
   2. An act authorizing the Trustees of the town of Frankfort, and the Franklin County Court, to subscribe for stock in certain companies.
   3. An act to detach Estill county from the 11th and to add it to the 10th Judicial District.
8. That they had adopted resolutions complimentary to Major General Winfield Scott, and the officers and soldiers under his command.
9. 1. Mr. Grainger presented the petition of sundry citizens, praying an act incorporating the West Louisville Cemetery Company.
10. 2. Mr. Carlisle presented the petition of Thomas D. Kennedy, praying the passage of an act in relation to the evasion of tolls on a turnpike road.
11. 3. Mr. J. Field presented the petition of Brazella Peyton, praying for a divorce.
12. 4. Mr. Bell presented the petition of William Todd and Mary B. Todd, praying that the name of James Riley Hanmon be changed to that of Todd.
13. 5. Mr. Combs presented the petition of Samuel D. Fishback, praying an amendment to the law of costs in criminal cases.
14. 6. Mr. Miller presented the petition of sundry citizens of Louisville, praying the establishment of another Medical School.
15. 7. Mr. D. P. White presented the petition of A. F. Thornton, praying to be released from the penalty of importing a slave into this State.

Which were received, the reading thereof dispensed with, and referred; 1st, 2d and 5th to the committee on the Judiciary; the 3d to the committee
on Religion; the 4th to Messrs. Bell, Haggard and Hatfield; the 6th to the committee on Education; and the 7th to the committee on Propositions and Grievances.

Mr. Towles, from the select committee, made the following report, viz:

The Committee to whom was referred the proceedings of the Tobacco Planters' Convention, held on the 6th day of December, 1847, at the town of Bowling Green, would beg leave respectfully to report—

That, your Committee have not had an opportunity of examining the provisions of the law of Louisiana, of March, 1846, establishing a State Warehouse, &c., the operation of which is complained of by the very respectable body of gentlemen representing the tobacco growing portion of the State, and composing the Convention—as the laws of Louisiana, passed in March, 1846, have not as yet been furnished to this State. But they have examined several highly intelligent gentlemen who are, and have been for several years, extensively engaged in the business of shipping tobacco to the New Orleans market; and from their statements, founded upon experience, as to the practical operation of the said law, we have no hesitation in expressing the opinion, that the law referred to, and complained of, in the said proceedings, has entailed upon the tobacco interest grievances and burdens which are oppressive, unequal and unjust.

We have no doubt but the Legislature of Louisiana was influenced in the passage of the said law, by a desire to advance the general interest of the tobacco trade in the New Orleans market, and with a view to increase the general confidence therein, both at home and abroad; yet, from the evidence before us, it seems that "experience has already established the fact, that the said law is injudicious and unwise," and tends to prejudice and embarrass the trade it was intended to advance. We most respectfully express the belief that it ought to be repealed, for the following reasons, set forth by the Convention:

1st. Because there is great loss of time and labor in the inspecting and coopering of the tobacco—a loss most injurious to the interest of the planter, owing to the peculiar character and climate of the New Orleans market.

2d. Because the loss and wastage is greater than under the old law.

3d. Because the facilities of damage and imposition upon the planter under the new law, are greater than the old, resulting from the delays of inspection, and consequent falling to pieces of the hogsheads or casks; the changing of heads; confusion of marks, numbers, and certificates; and, perhaps, still more, from the range and indefinite classification of the tobacco.

4th. Because the order and condition of the tobacco, under the present system, passes into the hands of the purchaser worse than before, resulting from its mutilated state, and thereby seriously affecting the character and reputation of the trade.

Your Committee have arrived at these conclusions, as to the practical effect and operation of the law of Louisiana referred to, as well by the examination of intelligent and experienced gentlemen engaged in the trade, as by the experience of several of the Committee, who have been engaged in the same trade; and regarding it as the duty of the Legislature to use every endeavor to protect and promote, to the extent of its power, the interests of her citizens; and as the interest of a large and respectable portion
of the citizens of this Commonwealth, is identified with the production and profitable sale and disposition of tobacco; and as the City of New Orleans is the port to which almost the entire crop of that article, grown in this Commonwealth is shipped, for sale or transportation to foreign countries; and regarding the evils above enumerated, as tending manifestly to the injury and oppression of that large and respectable class of our fellow-citizens engaged in the tobacco trade—we beg leave, most respectfully, to submit for the adoption of the Legislature, the following preamble and resolutions.

Ordered, That the Public Printer forthwith print 2,500 copies of said report for the use of the members of this House.

Mr. Towles, from the same committee, read and laid on the table the following resolutions, viz:

WHEREAS, the interest of a large and respectable portion of the citizens of this Commonwealth is identified with the cultivation and profitable sale and disposition of tobacco, and the city of New Orleans is the most accessible port to which the tobacco grown in this State can be sent, either for sale or transhipment, and to which, by far the greater part of that article, grown in this Commonwealth is shipped, for those purposes: and whereas, it appears that, from the operation of a law passed by the Legislature of Louisiana, establishing a State Warehouse, &c., in New Orleans, in March, 1846, much injustice is often done and serious losses incurred by our citizens. Wherefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That we most respectfully submit the opinion, that the present inspection law of Louisiana, is oppressive and injurious to such of our citizens as may be engaged in the tobacco trade, and ought to be repealed, and the warehousing and storing of tobacco should be left to individual enterprise instead of State warehouses.

2. That in our opinion, six inspectors ought to be appointed for the city, and two for Lafayette, and that such inspectors ought to furnish their own sample drawers, and receive an inspection fee of not not exceeding sixty cents per hogshead.

3. That the size of the cask, or hogshead, and thickness of stave and heading, ought to be established by law; and we regard the following dimensions as the most proper to be adopted: length of stave, 54 inches; thickness of stave, 4 of an inch; heading in thickness, 1½ inches; diameter of cask across head, 38 inches in the clear; each cask to have six good hoops, and all the timber to be well seasoned. If the inspectors shall find any cask which does not correspond with the legal dimensions and requirements, to have the same taken off and weighed at the expense of the owner of the tobacco.

4. That in order to ascertain the quality of the tobacco, the inspectors ought to cause all the hoops above the lower heading hoops to be taken off, and three staves to be broken down, so that the inspectors may be enabled to break the tobacco in four places, and draw samples therefrom; and the proprietor of the warehouse shall prepare the tobacco for inspection and afterwards to cause the hogsheads to be coopered.

5. That all casks or hogsheads ought to be tared equal, except such as do not agree with the lawful dimensions, &c.
6. That the inspectors ought to weigh a sufficient number of casks so as to ascertain the weight of all, and by that means establish what the permanent rate of tare shall be, and so it shall remain.

7. That his Excellency, the Governor, be requested to transmit a copy of the foregoing report and resolutions, to his Excellency, the Governor of Louisiana, to be accompanied by such other suggestions as may be best calculated to enforce the matters embraced therein, with a request that he lay the same before the Legislature of that State.

8. That inasmuch as the citizens of our sister States of Tennessee and Missouri, are also interested deeply in the tobacco trade, his Excellency, the Governor, be requested to forward a copy of the foregoing report and resolutions to the Governors of the States of Tennessee and Missouri, with a request to present the same to their respective Legislatures, and requesting their co-operation in obtaining the objects sought therein.

All of which is respectfully submitted,

THOMAS TOWLES, Jr., Chairman.
R. C. BOWLING,
JAMES G. HARDY,
ALFRED JOHNSTON,
JEREMIAH C. WILKINS,
IGNATIUS ABELL,
FINLEY W. WALL,
WILLIAM SOERY.

Ordered, That the Public Printer forthwith print 2,500 copies of said resolutions 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 Mr. Bailey—1. A bill for the benefit of Mary Jane Webb and Mary Jane Newland.


By Mr. J. Field—3. A bill for the benefit of Joseph Willis Hamilton.

By Mr. Cockrell—4. A bill for the benefit of M. C. Hughes, Surveyor of Owsley county.

By Mr. Coleman—5. A bill to incorporate the Crittenden Mining Company.

By Mr. Harrell—6. A bill to allow additional Constables to Logan, Washington, Fleming and Pendleton counties.

By Mr. Williams—7. A bill for the benefit of the Morgan County Court.

By Mr. Bush—8. A bill to amend the road law in Clarke county, and for other purposes.

By Mr. Bourland—9. A bill to amend an act, entitled, an act to regulate the administration and settlement of estates.

By Mr. Chilton—10. A bill to provide for the location and erection of the Green River Lunatic Asylum.

By Mr. Hughes—11. A bill to incorporate the town of Monticello.
By same—12. A bill for the benefit of William Mullen, of Wayne county, and others.

By Mr. Judd—13. A bill to provide for running and marking the dividing line between the counties of Russell, Casey and Pulaski.

By Mr. Soery—14. A bill to change the State road from Hopkinsville to Gray's ferry.

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

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 11th, 12th, 13th and 14th were severally ordered to be engrossed and read a third time; the 9th was referred to the committee of the whole for Wednesday the 16th instant; and the 10th was made the special order of the day for Thursday the 17th instant.

The rule of the House, constitutional provision and third reading of the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 11th, 12th, 13th and 14th 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 Public Printer forthwith print 150 copies of the 9th bill for the use of the members of the General Assembly.

Mr. McReynolds, from the committee appointed to prepare and bring in the same, reported a bill for the benefit of J. W. Mobly, of Todd county.

Which was read the first time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That J. W. Mobly, of Todd county, is hereby authorized to peddle in the counties of Todd, Logan and Christian, without incurring any of the penalties imposed by law for peddling without license.

Ordered, That said bill be read a second time.

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 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. Conner and Chilton, were as follows, viz:

Those who voted in the affirmative, were—

Those who voted in the negative, were—

Mr. Speaker, Combs, Miller,
Messrs. Abell, Conner, Newell,
Askins, Grubb, Stevens, J.
Ballingal, Hardy, White, D. P.
Bell, Ireland, Wright,
Cavan, Judd, Young, A.—20.
Coleman, McKinney.

Mr. Garnett moved the following resolution, viz:

Resolved, That the committee on Internal Improvement inquire whether any additional legislation is necessary for the purpose of compelling Surveyors of public roads to cut down all dead timber in reach of danger to such roads; also, whether the President and Directors of the several turnpike roads are required to do the same.

Which was adopted.

Mr. Garnett read and laid on the table the following preamble and resolution, viz:

WHEREAS, there is no specified number of the report of the 2d Auditor directed by law to be printed, and it being a document of great value,

Resolved by the General Assembly of the Commonwealth of Kentucky, that hereafter, said officer shall have 3,000 copies of his report printed annually.

Mr. J. Field read and laid on the table the following resolutions, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, that the Adjutant General of this Commonwealth, be and he is hereby required to erect a marble monument on the State’s Burying Ground, in the Cemetery, in Franklin county, to the memory of the officers and soldiers of the Kentucky Volunteer Cavalry, who fell at the battle of Buena Vista, and those who died of wounds received in said battle, with suitable inscriptions.
Resolved, That the Agent or Keeper of the Penitentiary, be and he is hereby required to furnish said Adjutant General, labor or materials in his possession, for said purpose.

Resolved further, That the commandant of said regiment be required to furnish the Adjutant General the names of any of his staff who fell at said battle, and the commandant of companies furnish the names of all such men of their commands as fell in said battle.

Mr. Bush moved the following resolution, viz:

Resolved, That this House will, during the remainder of the session, take a recess at one o'clock, P. M., and meet again at half past two o'clock, P. M.

Which was adopted.

Mr. Combs moved the following resolution, viz:

Resolved, That the Secretary of State be directed to report to this House, at the next General Assembly, in reference to all "offences less than felony," in which penalties, either of fine or imprisonment, or both, are affixed by the common law, or any statute of the State, or any city or town ordinance, or enactment—in Circuit Courts, City Courts, or before Justices of the Peace—in which fines or imprisonment have been remitted, or pardoned, or respited. The report to set forth the offence, the amount of fine or duration of imprisonment adjudged against the offender, and the amount thereof remitted, pardoned, or respited, going back through the present and the three last administrations of the State Government.

Which was adopted.

Mr. Turner read and laid on the table the following preamble and resolution, viz:

WHEREAS, it is believed by the present General Assembly of the Commonwealth of Kentucky, that the election of Gen. Zachary Taylor to the Presidency of the U. S., would be calculated to heal the asperity of parties—to bring into important stations of the Federal Government, the ablest, wisest and best men of the country—to promote peace and insure a wise and beneficient administration of the government. Further, we believe his elevation would drive from public employment party hacks and politicians, who work by the job, irrespective of principle or morality. We believe General Taylor a patriot of sound discriminating judgment, and of pure morals, and if elected to the Presidency, his good sense would teach him to be the President of the whole nation and not of party or faction. That in his appointments to station or office the only inquiry with him would be—"is he capable, is he honest?" Therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That we do recommend General Taylor to the whole people of the nation as a suitable person to fill the office of President of the United States at the next election, and in our opinion the best interests of the nation would be promoted by his elevation to that office.

Mr. McReynolds moved the following resolution, viz:

Resolved, That the 2d Auditor of this State, report to this House, the number of children between the ages of 5 and 16 years, whose parents or guardians do not list more property than from $400 to $600; also, those worth from $100 to $400; those worth less than $100; and those who list
nothing, who reside in this State. Said calculation to be taken from the Commissioner's books for 1847, either by examining all said books or taking a certain number thereof as average counties, as said Auditor may deem advisable.

Which was adopted.

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

On motion of Mr. Hanson—1. A bill to modify the law in relation to runaways.

On motion of Mr. Hardy—2. A bill to secure pay to witnesses.

On motion of Mr. Taliaferro—3. A bill for the benefit of the town of Newport.

On motion of same—4. A bill to incorporate the Odd Fellow's Hall of Newport.

On motion of same—5. A bill authorizing the county line to be run between Campbell and Pendleton counties.

On motion of Mr. Chilton—6. A bill for the benefit of Mrs. Mary A. White, of Christian county.

On motion of Mr. Haggard—7. A bill for the benefit of the Asylum for the Blind, at Louisville.

On motion of Mr. Cockrell—8. A bill to change the time of holding the Estill Circuit Court.

On motion of Mr. Combs—9. A bill to provide for the destruction of crows.

On motion of same—10. A bill for the benefit of Mrs. Hannah Dolan.

On motion of Mr. Price—11. A bill for the benefit of the Sheriff of Fayette county.

On motion of Mr. Thomas—12. A bill to establish the Ealeanbanda Society of the Kentucky Military Institute.

On motion of Mr. Smith—13. A bill for the benefit of George A. Brown, of Garrard county.

On motion of same—14. A bill to increase the salary of the State Librarian.

On motion of Mr. Holmes—15. A bill to extend the powers of the Trustees of the town of Hawsville, and for other purposes.

On motion of Mr. Wood—16. A bill for the benefit of the Sheriff of Hart county.

On motion of same—17. A bill to allow an additional Justice of the Peace to Barren county.

On motion of Mr. Bowen—18. A bill to construct a bridge across Six Mile Creek, in Henry county.

On motion of Mr. Wright—19. A bill for the benefit of Justices of the Peace in Fulton county.
On motion of Mr. Culton—20. A bill to amend the act requiring the County Courts to procure weights and measures for their respective counties.

On motion of Mr. Harreld—21. A bill to change the place of voting from Martin London's, in Butler county, to some other point in said county.

On motion of Mr. Boulware—22. A bill to change the 65th section of the militia law.

On motion of Mr. Hamilton—23. A bill to amend the laws relating to Justices of the Peace.

On motion of same—24. A bill to amend the limitation laws.

On motion of Mr. Ballingal—25. A bill to repeal the law authorizing the County Court of Nicholas to subscribe stock in the Carlisle and Sharpsburg Turnpike Company.


On motion of Mr. Pratt—27. A bill for the benefit of the Surveyor of Scott county.

On motion of Mr. Hughes—28. A bill continuing in force the law offering a reward for the discovery of the disease called milk sickness.

On motion of Mr. Grundy—29. A bill to amend the militia law.

On motion of Mr. Williams—30. A bill to exempt keepers of public ferries from working on public highways.

Ordered, That Messrs. Hanson, Collins and Bush prepare and bring in the 1st; the committee on the Judiciary the 2d, 3d, 4th, 6th, 11th, 16th, 17th, 19th, 23d, 24th and 27th; the committee on Propositions and Grievances the 5th and 13th; the committee on Education the 7th and 12th; Messrs. Cockrell, Hamilton and Turner the 8th; the committee on Agriculture and Manufactures the 9th; the committee on Religion the 10th; Messrs. Smith, Towles and Hanson the 13th; the committee on Ways and Means the 14th; the committee on Internal Improvement the 18th; Messrs. Culton, R. H. Field and Pearce the 20th; Messrs. Harreld, Chilton and Bowling the 21st; Messrs. Boulware, Short and Hamilton the 22d; Messrs. Ballingal, Boulware and Shawhan the 25th; Messrs. Blanton, Johnston and Carlisle the 26th; Messrs. Hughes, Haggard and Towles the 28th; Messrs. Grundy, Pratt, Gaines, Wright, J. Stevens, Allin and Bell the 29th; and Messrs. Williams, Bilderback and Hughes the 30th.

Bills from the Senate of the following titles, viz:

1. An act appropriating six hundred dollars to improve the navigation of the South fork of the Kentucky river at or near the Narrows.
2. An act to incorporate the Grand Division of the Sons of Temperance of Kentucky.
3. An act to divorce Elizabeth Morgan, of Trimble county, and George W. Aydelott, of Hickman county.
4. An act to amend the charter of the Turnpike Road Company between Bell's Tavern and Bowlinggreen.

5. An act to provide for the improvement of the road from Munday's landing to Harrodsburg.

6. An act to incorporate the Flemingsburg and Mount Carmel Turnpike Company.

7. An act for the benefit of Jacob Ellington.

8. An act to incorporate a company to turnpike a road from Mount Eden to Shelbyville.


10. An act for the benefit of Catharine Montgomery, of Washington county, and John H. Butler, of Hickman county.

11. An act for the benefit of Aaron Yenger, of Boone county.

12. An act to incorporate the Lancaster Cemetery Company.

13. An act appropriating the dividends on the turnpike road leading from Elizabethtown to the Tennessee line to the completion of said road.


15. An act to amend the Common School law.

16. An act regulating the terms of the Circuit and County Courts of Taylor, and for other purposes.

17. An act to incorporate the Lebanon Lodge.

18. An act for the benefit of James L. Ballard and Matilda, his wife.

19. An act for the benefit of the widow and heirs of H. B. Webb, deceased.

20. An act to amend the charter of the Franklin Fire and Marine Insurance Company, of Louisville.

21. An act laying off the county of Trimble into four Constables' districts, and for other purposes.

22. An act regulating the mode of proceeding against decedent's estates.

23. An act to revive and amend the charter of the Shepherdsville and Louisville Turnpike Road Company.


25. An act to amend an act, entitled, an act to establish the town of Petersburg, in Boone county, approved January 7, 1839.

26. An act to allow additional terms to the Harrison and Estill Circuit Courts.

27. An act for the benefit of James Sudduth.

28. An act for the benefit of the Surveyors of Henry and Lewis counties.

29. An act to amend the several acts concerning the Newport Seminary, and for other purposes.
30. An act to incorporate the Elizabethtown Female Academy.
31. An act for the benefit of the heirs of James B. Blair, deceased.
32. An act to amend an act for the benefit of Ann L. Clements, approved February 3, 1847.
33. An act for the benefit of the heirs of Philip Baker.
34. An act authorizing the Owen County Court to change so much of the State road leading from New Liberty to Cincinnati as runs through the land of Howard Early.
35. An act for the benefit of Nathan Wallace, of Hickman county.
36. An act to amend an act, entitled, an act to establish the town of Cornishville, approved February 23, 1847, and for other purposes.
37. An act to incorporate the Long Run Baptist Church, of Jefferson county.
38. An act to amend the charter of the Glasgow and Scottsville Turnpike Road Company.
39. An act authorizing the Trustees of the town of Frankfort, and the Franklin County Court, to subscribe for stock in certain companies.
40. An act to detach Estill county from the 11th and to add it to the 10th Judicial District.

Were read the first time and ordered to be read the second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 4th, 5th, 6th, 8th, 13th, 14th, 34th, 35th, 36th and 39th were referred to the committee on Internal Improvement; the 2d, 17th, 18th, 19th, 20th, 22d, 25th, 26th, 27th, 28th, 31st, 32d, 33d, 36th, 37th and 40th to the committee on the Judiciary; the 3d to the committee on Religion; the 7th and 10th to the committee on Claims; the 9th, 12th, 16th, 21st, 23d and 24th were severally ordered to be read a third time; the 11th was referred to the committee on Ways and Means; and the 15th, 29th and 30th to the committee on Education.

The rule of the House, constitutional provision and third reading of the 9th, 12th, 16th, 21st, 23d and 24th bills having been dispensed with,

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

Bills from the Senate of the following titles, viz:

Were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with,

The said bills were then amended.

Ordered, That said bills, as amended, be read a third time.
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 of the first be amended by adding, “and for other purposes,” and that the title of the second be amended to read as follows: “An act for the benefit of Capts. Adam D. Stewart and T. L. Alexander, of the United States Army, now in Mexico.

Mr. J. N. Stephens, from the committee on Propositions and Grievances, to whom was referred a bill from the Senate, entitled, an act for the benefit of James T. Locknane, reported the same without amendment.

Ordered, That said bill be read a third time.

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.

And then the House adjourned.

MONDAY, FEBRUARY 14, 1848.

A message was received from the Senate announcing the passage of a bill, entitled, an act changing the time of holding the chancery term of the Nicholas Circuit Court.

1. Mr. Quarles presented the petition of sundry citizens of Pulaski county, praying that certain lands be condemned for railroad purposes.

2. Mr. Grainger presented the petition of J. P. Curtis & Co., praying the substitution of certain State bonds, which have been lost by them.

3. Mr. Boulware presented the petition of John H. Parish, surveyor of Madison county, praying the passage of a law authorizing the transcribing of certain books in his office.

4. Mr. Collins presented the petition of William R. Wood, praying that a street laid out through his lands, adjoining the town of East Maysville, be vacated.

5. Mr. Quarles presented the petition of sundry citizens of the counties of Pulaski, Wayne and Whitley, praying the establishment of a new county out of parts of said counties.

6. Mr. Miller presented the remonstrance of sundry citizens of Jefferson county, against the passage of a law, now pending before the Legislature, in relation to the working of public roads in said county.
7. Mr. Chilton presented the petition of George W. Boyd, praying permission to import into this State a slave.

8. Mr. Culter presented the petition of James T. Goshen, praying the passage of a law authorizing the sale of certain lands which descended to his wife, who is of unsound mind.

9. Mr. Wilkins presented the petition of the Trustees of the town of Frankfort, praying the passage of a law providing for the erection of a new fence around the Capital Square.

10. Mr. Grubb presented the petition of Patsey Biggs, praying the passage of a law authorizing the sale of certain real estate belonging to the estate of her deceased husband.

Which were received, the reading thereof dispensed with, and referred; the 1st, 4th and 5th to the committee on Propositions and Grievances; the 2d, 8th and 10th to the committee on the Judiciary; the 3d to Messrs. Boulware, Hardy and Turner; the 6th to the committee on Internal Improvement; the 7th to Messrs. Chilton, Bowling and McReynolds; and the 9th to the committee on Public Offices.

Mr. J. N. Stephens, from the committee on Propositions and Grievances, to whom was referred bills from the Senate of the following titles, viz:

An act to run and mark a part of the line between Jefferson and Shelby counties.

An act to enlarge the powers of the Trustees of the town of Louisa.

Reported the same without amendment.

Ordered, That said bills be read a third time.

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.

On motion of Mr. Collins,

Ordered, That Mr. Hardy be added to the committee on Internal Improvement.

Mr. J. N. Stephens, from the committee on Propositions and Grievances, to whom was referred the petition of sundry citizens of Cumberland county, the petition of sundry citizens of Fleming county, the petition of sundry citizens of Graves county, reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. J. N. Stephens, from the same committee, to whom was referred the petition of Margaret Anderson, asked to be discharged from the further consideration of said petition, which was granted.

Ordered, That said petition be referred to the committee on Claims.
A message was received from the Governor, by the 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 James Jenkins, of Warren county.
An act allowing additional Justices of the Peace to Morgan, Owsley, Hardin and Henry counties.
An act for the benefit of the Maysville and Mountsterling turnpike road.
An act to incorporate the Trustees of the Covington Female College.
An act for the benefit of Eliza Cowen.
An act to change the name of Nelly S. Craig.
An act to amend an act to regulate the administration and settlement of estates.
An act for the benefit of William D. Mitchell, Clerk of the Oldham Circuit and County Courts, and others.
An act for the benefit of the Sheriff of Cumberland county.
An act for the benefit of the heirs of Joshua Wallace, deceased.

Approved February 10, 1848.

Mr. Haggard moved a re-consideration of the vote passing a bill from the Senate, entitled, an act to revive and amend the charter of the Shep pardsville and Louisville Turnpike Road Company.

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

The vote dispensing with, the third reading, and ordering said bill to be read a third time, was then re-considered.

Ordered, That said bill be referred to Messrs. Collins, Miller, T. D. Brown, Haggard, Grainger, Duncan and Barlow.

The Speaker laid before the House the response of the 2d Auditor, to a resolution from this House of Saturday last, which is as follows, viz:

AUDITOR'S OFFICE, Frankfort, February 14, 1848.

Sir: In accordance with a resolution of the House of Representatives of the 12th instant, I submit the enclosed report.

I am, sir, very respectfully,

THO. S. PAGE, 2d Auditor.

HON. JAMES F. BUCKNER,
Speaker of the House of Representatives.
In making the above estimate, the counties of Garrard, Henderson, Nelson and Pike were examined, and a true statement taken from the Commissioners' books for those counties. This statement formed the basis of the foregoing estimate. As those counties make, almost, an exact average, the above calculation, (though perhaps it might not agree perfectly with a complete statement, made from all the Commissioners' books,) may be considered nearly accurate.

Attest,

THO. S. PAGE, 2d Auditor.

Ordered, That the Public Printer forthwith print 500 copies of said response for the use of the members of this House.

Mr. T. D. Brown, from the committee to whom was referred the bill to abolish the militia system, and to revise and permanently establish common schools, reported the same with an amendment as a substitute for said bill.

Ordered, That said bill and amendment be made the special order of the day for Thursday next.

Mr. McKinney, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in this House of the following titles, and had found the same truly enrolled, viz:

An act to incorporate the Taylor's Mill Turnpike Road Company.
An act to establish a State road from Thomas Dance's tavern, in Pendleton county, to intersect the Colemansville and Covington Road at or near Fisksburg, in Kenton county.
An act to amend the charter of the Oakland Turnpike Road Company.
Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. McKinney inform the Senate thereof.

Mr. Berry, from the committee on Claims, to whom was referred bills from the Senate of the following titles, viz:

1. An act for the benefit of Rebecca Claypoole, a Lunatic.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of the 2d bill having been dispensed with,

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

The yeas and nays being required on the passage of the 2d bill by Messrs. Judd and Woosley, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


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

41
By Mr. Moore—A bill to establish the town of Buena Vista, in Russell county.

By same—A bill for the benefit of the Sheriff of Laurel county.

By same—A bill to amend the trustee law of the town of London.

By the committee on Propositions and Grievances—A bill to enlarge the limits of the town of Cadiz.

By same—A bill to incorporate a Fire Company in the town of Winchester.

By same—A bill to repeal an act, entitled, an act to prevent the sale of spirituous liquors within the town of Lagrange, and one mile therefrom, approved January 29, 1846.

By same—A bill authorizing the County Court of Mason county to sell and convey certain public property in said county, and for other purposes.

By same—A bill for the benefit of Ann H. Cundiff, of Clay county.

By same—A bill for the benefit of Price Snyder, of Simpson county.

By same—A bill to allow an additional Justice of the Peace to Barren county.

By same—A bill to repeal the law in relation to private passways in the county of Mercer, and for other purposes.

By the committee on Privileges and Elections—A bill to establish an election precinct in the county of Boone.

By the committee on Claims—A bill for the benefit of John W. Hazlerigg.

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

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 afore-said.

Mr. Combs, from the committee, made the following report, viz:

The Joint Committee to whom was referred so much of the Governor's message as relates to the erection of "one common monument worthy of her fallen sons, to mark the spot, and tell to future ages the esteem in which a magnanimous Commonwealth holds her chivalric and devoted sons;" and to whom was also referred the resolutions of near twenty thousand of our citizens, who, when assembled at the burial of those who fell at the ever memorable battle of Buena Vista, requested the Legislature to cause a suitable monument to be erected to their memory, beg leave to report—

That they have given to the subject their serious and careful consideration. They have visited the spot in the Frankfort Cemetery, where the remains of many of Kentucky's most noble and patriotic sons, (officers and soldiers,) who fought and fell side by side, in a foreign land, now lie side by side, in the bosom of their own beloved State.

The patriot will, in time to come, make his pilgrimage to their graves, and while the tear falls for their loss, his heart will swell with pride at the reflection, that they fell in defence of the honor of their country.
Your Committee feel that it was a proud day for Kentucky, when the common soldier, who fell in a foreign land, was brought home and buried beside his officers, in view of her capitol, where their torn and blood-stained flag has been deposited by their surviving companions in arms.

Your Committee cannot omit to state, that in addition to those who rest in the public ground of the Cemetery, Kentucky has had cause to mourn the loss of many of her most gallant and gifted sons, who, during the Indian wars, the late war, and the present war, have laid down their lives to maintain the honor, and advance the glory of their country. The casualties of war have caused their remains to rest in a distant land, and as yet no stone has been raised to commemorate their deeds, or hand down their names to posterity.

Your committee would, therefore, recommend, that to preserve and perpetuate the names of those who have fallen in defence of their country, and to testify to the world the high regard that Kentucky cherishes for her patriotic and noble dead, and to stimulate those who may come after us, to emulate the deeds of their ancestors, a Military Monument, worthy of the State, should be erected in the centre of the State mound of the Frankfort Cemetery.

In closing their report, your Committee take pride in stating that, however the people of Kentucky may differ upon questions of National and State policy, they can never fail to unite in every effort to sustain the honor of her flag, and in honoring those who die beneath its folds.

Your Committee beg leave to report the following bill, for the consideration of the General Assembly.

THO. JAMES,
Chairman Committee of the Senate.

LESLIE COMBS,
Chairman Com. House of Reps.

Ordered, That the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

Mr. Combs, from the same committee, reported a bill to erect a monument to those who have fallen in the defence of their country.

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

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Ordered, That said bill be referred to the committee of the whole for Friday next, and that the Public Printer forthwith print 150 copies of said bill for the use of the members of the General Assembly.

The House resumed the consideration of the motion of Mr. Wright, to re-consider the vote passing the bill to modify the act of 1833, prohibiting the importation of slaves into this State.

Mr. Floyd moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Hamilton and Bozarth, were as follows, viz:
Those who voted in the affirmative, were—

Messrs. Abell, Cockrell, Holmes,
Ailin, Colson, Ireland,
Askins, Conner, Johnston,
Barlow, Dohoney, Lightfoot,
Bell, Dougherty, Pratt,
Blanton, Floyd, Short,
Bourland, Grubb, Soery,
Bowen, Grundy, Stevens, J.
Bowling, Haggard, Williams,
Bozarth, Harrell, Wilson,
Brown, J., Hatfield, Woosley,
Chilton, Headley, Wright—37.
Christopher,

Those who voted in the negative, were—

Mr. Speaker, Field, R. H. Pearce,
Messrs. Beard, Garnett, Smith,
Beeler, Grainger, Stephens, J. N.
Berry, Hamilton, Talbott,
Boulware, Hanson, Taliaferro,
Boyd, Hardy, Thomas,
Bullock, Hughes, Turner,
Carlisle, Judd, Wintersmith,
Cavan, McKinney, Wood,
Collins, Melteynolds, Wolford,
Combs, Miller, Young, A.
Colton, Newell, Young, S.—37.
Elliott,

The question was then taken on re-considering the vote passing said bill, and it was decided in the negative.

The House then resolved itself into a committee of the whole, on the bill to fix the ratio and apportion the representation for the next four years, Mr. Hughes in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Hughes 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.

And then the House adjourned.
A message was received from the Senate, announcing that they had passed bills of the following titles, viz:

An act for the relief of the widow and children of the late William R. McKee, deceased.

An act to charter the Second Baptist Church of Louisville.

An act for the benefit of the children of James Holland, of Caldwell county.

1. Mr. Haggard presented the petition of sundry citizens of Cumberland county, praying that the summer term of the Circuit Court of said county be restored.

2. Mr. Hanson presented the petition of Ophelia Holloway, a free woman of color, praying that the County Court of Bourbon be authorized to emancipate her and her son Andrew.

3. Mr. Berry presented the petition of Sarah Hazel, praying to be divorced from her husband, William Hazel, and that her name be changed.

4. Mr. Collins presented the memorial of Samuel L. Blair, praying to be authorized to convey certain lands on behalf of a minor.

5. Mr. Judd presented the petition of Garnett A. Dowell, praying that compensation be allowed him for keeping of Hiram Beauchamp, a wounded prisoner.

Which were received, the reading thereof dispensed with, and referred; the 1st to Messrs. Haggard, Hughes and D. P. White; the 2d and 4th to the committee on the Judiciary; the 3d to the committee on Religion; the 5th to Messrs. Judd, Hughes, Haggard and Hardy.

Mr. Berry, from the committee on Claims, to whom was referred a bill from the Senate, entitled, an act for the benefit of Conrad Havens, and for other purposes, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the house, constitutional provision and third reading of said bill having been dispensed with,

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

Mr. Berry, from the same committee, to whom was referred the petition of George Dunn, and the petition of William Yates, reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. Berry, from the same committee, to whom was referred the petition of John Springer, reported the same with the following resolution, viz:
Resolved, That said petition be rejected.

Mr. Railey moved to amend said resolution by striking out "be rejected," and inserting "is reasonable."

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

Ordered, That said committee prepare and bring in a bill in accordance with the prayer of said petition.

Mr. Beard, from the committee on Claims, to whom was referred the petition of George Sears, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.
Which was concurred in.

Mr. Beard, from the same committee, reported the following bills, viz:
A bill for the benefit of Dr. O. G. Bullitt, of McCracken county.
A bill for the benefit of David Robinson.

Which were read the first time.

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.

Mr. Combs, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act for the benefit of Hubbard B. Smith, deceased, reported the same with an amendment,

Which was concurred in.

Ordered, That said bill be read a third time.
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.

Mr. Combs, from the same committee, to whom was referred a bill for the benefit of John Swansey’s heirs, reported the same without amendment.

Ordered, That said bill do pass and read a third time.
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.

Mr. Combs, from the same committee, to whom was referred the bill concerning the 10th and 11th Judicial Districts, reported the same without amendment.

And the question being taken on ordering said bill to be engrossed and read a third time, it was decided in the negative, and so the said bill was rejected.

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

By Mr. Williams—A bill to exempt keepers of public ferries, in Morgan county, from working on public roads.
By the committee on Claims—A bill for the benefit of N. E. Wright.
By same—A bill for the benefit of John Rose and Elijah Chambers.
By same—A bill for the benefit of the Cumberland County Court.
By the committee on the Judiciary—A bill to incorporate the Chesnut Street Presbyterian Church of Louisville.
By same—A bill to authorize the Sergeant of the Court of Appeals to collect costs.
By same—A bill to enlarge the powers of the Trustees of the town of Mount Washington, in Bullitt county.
By same—A bill to amend the road law in the county of Knox.
Which were read the first time and ordered to be read a second time.
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.

Mr. Combs, from the committee on the Judiciary, to whom was referred bills from the Senate of the following titles, viz:

An act providing for a change of venue in the prosecution against William B. Whitaker.
An act to extend the jurisdiction of the Police Judge of the town of Hopkinsville.
An act to increase the powers of the Trustees of the town of Hopkinsville.
An act to extend the limits of the town of Mortonsville, in Woodford county, and to re-establish a Board of Trustees in said town.
An act to enlarge the powers of the Trustees of the town of Princeton, and for other purposes.
An act granting certain powers to the Trustees of the town of Russellville.
An act for the benefit of W. W. Edwards, of Fulton county.
An act for the benefit of Martin Mannon, of McCracken county.
An act increasing the powers of the Trustees of the Princeton Seminary, and for other purposes.
An act to amend an act, entitled, an act to establish the town of Brooksville, in Bracken county.
An act to incorporate the Walnut Street Christian Church, of the city of Louisville.
An act to amend the laws concerning the town of Greenville, in Muhlenburg county.
An act to amend the charter of the town of Hardinsburg.
An act to incorporate the Missionary Society of the Methodist Episcopal Church South.
An act for the benefit of the Walnut Hill Church, in Fayette county.

An act to incorporate the Board of Publication of the Cumberland Presbyterian Church.

An act to amend an act, entitled, an act concerning the town of Albany, in Clinton county, approved February 14, 1846.

An act for the benefit of the heirs of Sarah Roberts and Pricey Brown, of Caldwell county.

Reported the same without amendment.

Ordered, That said bills be read a third time.

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 committee of the whole be discharged from the further consideration of the bill to fix the ratio and apportion the representation for the next four years.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Senate, entitled, an act to provide for a settlement with the present Keeper of the Penitentiary, the election of a Keeper or Keepers, and for other purposes, and the amendment proposed thereto by Mr. Bowling, as a substitute for said bill.

Mr. Combs moved to amend said bill in the second section by striking out these words, “out of the net profits of said Penitentiary.”

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

The yea and nays being required thereon, by Messrs. Newell and Williams, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

| Mr. Speaker, Messrs. Abell, Allin, Askins, Bailey, Barlow, Beard, Bell, Beeler, | Christopher, Cockrell, Collins, Conner, Culton, Dougherty, Duncan, Field, J., Field, R. H. | Lightfoot, McReynolds, Miller, Pearce, Railey, Shawhan, Short, Smith, Soery, |
The said bill was then amended.

Mr. Newell moved to amend said bill by striking out the words "five thousand dollars," the amount guaranteed to the State by the Keeper, wherever it occurs in said bill, and insert in lieu thereof the words "six thousand dollars."

Mr. Combs called for a division of the question.

The question was then taken on striking out, and decided in the negative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Speaker, Messrs. Abell, Askins, Bailey, Barlow, Bell, Beeler, Berry, Bianton, Bourland, Boulware, Bowling, Brown, J. Collins, Conner, Culton, Dougherty, Duncan, Field, J., Field, R. H., Floyd, Grainger, Grubb, Hanson, Hardy, Harrell, Hatfield, McReynolds, Miller, Pearce, Railey, Short, Soery, Speed, Stephens, J. N., Stevens, J., Talbutt, Taliaferro, Thomas, Turner, Williams,
The question was then taken on the adoption of the substitute, proposed by Mr. Bowling, and it was decided in the negative.

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

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.

And then the House adjourned.

WEDNESDAY, FEBRUARY 16, 1848.

1. Mr. Bilderback presented the petition of sundry citizens of Lewis county, praying a division of the militia company on the waters of the Kinncanick, and exempting it from attending battalion and regimental musters.

2. Mr. Berry presented the petition of Lotte Tillery, praying that he be restored to all the rights and privileges of an unmarried man.

3. Mr. Warren presented the remonstrance of sundry citizens of Bath county, against the change of the place of voting in an election precinct in said county.

4. Mr. Miller presented the petition of sundry citizens of the city of Louisville, praying the establishment of a new Medical School in said city.

5. Mr. Hughes presented the petition of William Bates and William Warshon, of Wayne county, praying the extension of the bounds of a Constable's district in said county.

6. Mr. Hughes presented the petition of George Johnson, late Sheriff of Union county, praying that he be allowed to return his delinquent lists of revenue and county levy, which he has failed to return at the proper time.

Which were received, the reading thereof dispensed with, and referred; the 1st to the committee on Military Affairs; the 2d to the committee on...
Religion; the 3d to the committee on Privileges and Elections; the 4th to the committee on Education; the 5th to Messrs. Hughes, Hudson and Quarles; and the 6th to Messrs. Hughes, Towles and Hudson.

Mr. Combs, from the committee on the Judiciary, to whom was referred the resolutions proposed by Mr. Hughes on the 25th of January last, asked to be discharged from the further consideration of the same.

A division of the question being called for, the question was first taken on discharging the committee from the first resolution, and it was decided in the affirmative.

Mr. Hughes moved to re-commit the 2d resolution to the same committee, with instructions to report a bill, that in any action of trespass for assault and battery, any action on the case for libel, slander, malicious prosecution, or false imprisonment hereafter brought in any Circuit Court, where the damages assessed by the Jury do not amount to more than five dollars, the plaintiff shall not recover against the defendant more costs than the damages adjudged to him shall amount to.

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

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

Those who voted in the affirmative, were—

Messrs. Brown, T. D., Hughes, Williams,
Chilton, Lightfoot, Wood,
Dohoney, Price, Young, A.
Gaines, Towles, Young, S.—13.
Harrell,

Those who voted in the negative, were—

Mr. Speaker,
Messrs. Abell, Coleman, Judd,
Allin, Collins, McKinney,
Askins, Combs, McReynolds,
Bailey, Conner, Miller,
Ballinal, Colton, Newell,
Barlow, Dougherty, Pearce,
Beard, Duncan, Pratt,
Bell, Field, R. H. Railey,
Beeler, Floyd, Shavhan,
Berry, Garnett, Short,
Bilderback, Grainger, Soery,
Blanton, Grubb, Speed,
Bourland, Grundy, Stephens, J. N.
Boulware, Haggard, Stevens, J.
Bowling, Hamilton, Talbut,
Bozarth, Hanson, Taliaferro,
Brown, J., Hardy, Thomas,
Bullock, Harris, Turner,

Those who voted in the negative, were—

Mr. Speaker,
Messrs. Abell, Coleman, Judd,
Allin, Collins, McKinney,
Askins, Combs, McReynolds,
Bailey, Conner, Miller,
Ballinal, Colton, Newell,
Barlow, Dougherty, Pearce,
Beard, Duncan, Pratt,
Bell, Field, R. H. Railey,
Beeler, Floyd, Shavhan,
Berry, Garnett, Short,
Bilderback, Grainger, Soery,
Blanton, Grubb, Speed,
Bourland, Grundy, Stephens, J. N.
Boulware, Haggard, Stevens, J.
Bowling, Hamilton, Talbut,
Bozarth, Hanson, Taliaferro,
Brown, J., Hardy, Thomas,
Bullock, Harris, Turner,

Warren,
The question was then taken on discharging said committee from the 2d resolution, and decided in the affirmative.

Mr. Combs, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act to amend the several acts incorporating the town of Paducah, reported the same with amendments.

And after some discussion had thereon, the hour of 12 o'clock arrived, when the House proceeded to the orders of the day.

The House then took up the resolutions read and laid on the table on Friday last, by Mr. Wintersmith from the committee on Federal Relations.

The said resolutions were twice read and adopted.

On motion of Mr. Wintersmith,

Ordered, That a message be sent to the Senate to ask leave to withdraw the report of this House announcing the passage of a bill from the Senate, entitled, an act to provide for a settlement with the present Keeper of the Penitentiary, the election of a Keeper or Keepers, and for other purposes.

After a short time the messenger returned with said bill.

Mr. Wintersmith moved a re-consideration of the vote passing said bill.

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

The yeas and nays being required thereon, by Messrs. D. P. White and Cockrell, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Allin,
Bailey,
Ballingal,
Bowen,
Bowling,
Bozarth,
Brown, J.
Bullock,
Carlisle,
Coleman,
Combs,
Doboney,
Dougherty,
Duncan,
Elliott,
Field, J.
Floyd,
Gaines,
Garnett,
Grundy,
Haggard,
Hamilton,
Harris,
Headley,
Hogg,
Ireland,
Judd,
McKinney,
Miller,
Newell,
Pearce,
Pratt,
Price,
Quarles,
Railey,
Shawhan,
Stephens, J. N.
Stevens, J.
Thomas,
Wafren,
White, D. P.
White, M. E.
Wilson,
Wood,
Woosley,
Wright,
Young, S.—48.

Those who voted in the negative, were—

Messrs. Abell,
Askins,
Barlow,
Christopher,
Cockrell,
Collins,
Johnston,
Lightfoot,
McReynolds.
Mr. Bowling moved a re-consideration of the vote dispensing with the third reading and ordering said bill to be read a third time. And the question being taken thereon it was decided in the negative. The yeas and nays being required thereon, by Messrs. Judd and Wilson, were as follows, viz:

Those who voted in the affirmative, were—

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<th>Messrs. Allin</th>
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<td>Carlisle</td>
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<td>Dohoney</td>
<td>Pearce</td>
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<td>Dougherty</td>
<td>Pratt</td>
<td>Young, S.—38</td>
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<tr>
<td>Elliott</td>
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Those who voted in the negative, were—

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<th>Mr. Speaker, Messrs. Abell</th>
<th>Chilton</th>
<th>Lightfoot</th>
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<td>Askins</td>
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<td>Berry</td>
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<td>Stephens, J. N.</td>
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<td>Bilderback</td>
<td>Field, J.</td>
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<td>Bourland</td>
<td>Haggard</td>
<td>Taliaferro</td>
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<td>Boublware</td>
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<td>Boyd</td>
<td>Harrel</td>
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<td>Brown, J.</td>
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<td>Brown, T. D.</td>
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<td>Bush</td>
<td>Hughes</td>
<td>Wintersmith</td>
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<tr>
<td>Cavan</td>
<td>Johnston</td>
<td>Young, A.—50</td>
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Mr. Combs moved to re-commit said bill to the committee on the Penitentiary with instructions to report a bill guaranteeing to the State at least five thousand nine hundred and ninety nine dollars, instead of five thousand dollars, as now provided.

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


On motion of Mr. Wintersmith the said bill was then amended, by adding an engrossed clause, by way of ryder.

The question was then taken on the passage of said bill, and decided in the affirmative.

Resolved, That the title thereof be as aforesaid.
Mr. Hughes, from the committee on the Expenditures of the Board of Internal Improvement, made the following report, viz:

[For Report—see Legislative Documents.]

Ordered, That the Public Printer forthwith print 2,500 copies of said report for the use of the members of this House.

Mr. Hughes, from the committee on the Expenditures of the Board of Internal Improvement, reported a bill for the benefit of A. P. Cox, Secretary of the Board of Internal Improvement,

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

The rule of the House, constitutional provision and second reading of said bill having been dispensed with, it was referred to the committee on Internal Improvement.

The House then took up the bill to establish additional election precincts in certain counties, and for other purposes.

The said bill was then amended.

Ordered, That said bill, as amended, be referred to the committee on Privileges and Elections, with instructions to report the same to the House on Thursday the 24th instant, at 12 o'clock.

And then the House adjourned.

THURSDAY, FEBRUARY 17, 1848.

1. The Speaker laid before the House a communication from James Ross, of Grayson county, upon the subject of sellingspirituous liquors by merchants.

2. Mr. Thomas presented the petition of F. J. Stratton, praying to be divorced from his wife, Mercy Ann.

3. Mr. Carlisle presented the petition of sundry citizens of Kenton county, praying that the County Court of said county be authorized to change a State road running through the same.

4. Mr. Allin presented the petition of Francis Clark, praying permission to build a mill dam across Goose creek, in Clay county.

5. Mr. Warren presented the petition of sundry citizens of Bath county, praying that an additional constable be allowed to said county.
6. Mr. Bush presented the petition of sundry citizens of the town of
Winchester, praying the passage of a law authorizing the trustees to pay
all debts, now due by the town, before any further debt shall be created.

7. Mr. Cotton presented the petition of Isaac T. Cotton, praying to be di-
vored from his wife, Lucinda Cotton.

Which were received, the reading thereof dispensed with, and referred;
the 1st to the committee on Ways and Means; the 2d and 7th to the com-
mittee on Religion; the 3d to Messrs. Carlisle, J. Field and Blanton; the
4th and 6th to the committee on Internal Improvement; and the 5th to the
committee on the Judiciary.

A message was received from the Senate announcing their disagreement
to a bill from this House, entitled, an act to modify the act of 1833, pro-
hibiting the importation of slaves into this State.

That they had concurred in the amendments proposed by this House to
resolutions and bills from the Senate of the following titles, viz:

Resolutions complimentary to Major General Winfield Scott, and the offic-
ers and soldiers under his command.

An act for the benefit of the heirs of Hubbard B. Smith, deceased.

An act establishing election precincts in Taylor county.

An act for the benefit of Captains Adam D. Stewart and S. L. Alexander,
of the U. S. Army, now in Mexico.

That they had passed bills from this House of the following titles, viz:

An act to incorporate a Fire Company in the town of Winchester.

An act authorizing the County Court of Mason county to sell and convey
certain public property in said county, and for other purposes.

An act to incorporate the Chestnut Street Presbyterian Church of Louis-
ville.

That they had passed bills and a resolution of the following titles, viz:

An act to incorporate the Rough and Ready Turnpike Road Company, in
Boone county.

An act to amend the penal laws.

An act to change the time of holding the Crittenden Circuit Court.

A resolution fixing a day for the election of a Keeper of the Penitentiary.
Leave was given to bring in the following bills, viz:

On motion of Mr. Bell—1. A bill for the benefit of Thomas Phipps, late
Sheriff of Ohio county.

On motion of Mr. Bailey—2. A bill to incorporate a company to con-
struct a turnpike road from New Market, by Loretto, to the Bardstown and
Springfield road.

Ordered, That Messrs. Bell, Hatfield and Wright prepare and bring in the
1st, and the committee on Internal Improvement the 2d.
The House resumed the consideration of the bill from the Senate, entitled, an act to amend the several acts incorporating the town of Paducah, and the amendments proposed thereto by the committee on the Judiciary.

The said amendments were then concurred in.

The said bill was then further amended, and as amended, reads as follows, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the several acts incorporating the town of Paducah be so amended, that the Chairman and Board of Trustees may receive conveyances, or the consent, in writing, of the proprietors of lots or lands within said town, for the purpose of locating new streets or alleys, or extending any of the streets or alleys of said town, or for the purpose of extending the public wharf; and on receiving such conveyances or consent, in writing, may direct such streets, alleys, or wharf, to be opened or extended.

Sec. 2. That whenever the Board of Trustees of said town shall deem it expedient, from public necessity or convenience, to have a new street or alley opened, or any of the streets, alleys, or public wharf of said town extended, in part, or to the limits thereof, and shall present a petition to the Circuit Court for McCracken county, in which they shall state the street, alley, or public wharf, they wish opened or extended, and the names or names of the owners, if to them known, and whether residents or non-residents of this State, of the lots or lands through which they desire the street, alley, or wharf, to be opened or extended, and the width thereof, it shall be the duty of said Court to order summons to issue against the proprietors, if residents of the State, to appear on some day of the succeeding term, to show cause, if any he, she or they can, why the prayer of the petitioners shall not be granted. Upon the return of the summons executed on resident lot owners, at least ten days before the sitting of the Court, and the resident persons against whom the same was issued do not appear in Court, and give their consent to the opening or extension of the street, alley, or wharf, mentioned in said petition, said Court shall cause a jury to be empannelled, (none of whom shall be citizens of Paducah,) to ascertain, under the direction of the Court, from all the evidence submitted to them, whether the necessity or convenience of the public requires the appropriation of the lot or grounds of the defendant or defendants, or any part thereof, for the purpose or purposes stated in the petition of said Trustees. And if the jury shall find that such public necessity exists, then they are to ascertain the damages which the several proprietors will respectively sustain in consequence of such appropriation of his or her lands or lots, as aforesaid. And upon the payment, by said Trustees, of the several sums so assessed by the jury, the Court shall make an order, authorizing said Trustees to open or extend the street, alley, or public wharf, as the case may be, and appropriate the same to public purposes. But if the jury should find that no public necessity exists for such condemnation of the land or lots of the defendants, the petition of said Trustees shall be dismissed at their costs: Provided however, That said Court shall have the power to grant new trials, as in other cases: And, provided also, That if any of the lots or lands subject to be converted to public use, as aforesaid, be non-residents of this Commonwealth, it shall be the duty of said Court to appoint some attorney,
learned in the law, to appear and defend for such non-resident owner or owners. And after the cause is finally disposed of, to make a proper allowance to such attorney for his services: And provided further, That no proceedings shall be had under this act until after the next election of Trustees of said town.

Sec. 3. That the proceedings authorized by the second section of this act, shall be subject to revision by the Court of Appeals, by appeal or writ of error: And, provided also, That the existing laws relating to the changing of venue in suits at law and in chancery, shall apply to the proceedings authorized by this act.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

The question was then taken on the passage of said bill, and decided in the negative, and so the said bill was disagreed to.

The yeas and nays being required thereon, by Messrs. T. D. Brown and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, Collins, Ireland,
Messrs. Abell, Combs, McReynolds,
    Bailey, Duncan, Railey,
    Beard, Elliott, Smith,
    Bourland, Field, R. H. Talbut,
    Bowling, Hamilton, Thomas,
    Boyd, Hanson, White, D. P.
    Brown, T. D. Harrell, Wilkins,
    Bullock, Harris, Wintersmith,
    Cavan,

Those who voted in the negative, were—

Messrs. Allin, Dougherty, Pearce,
    Ballingal, Field, J. Pratt,
    Barlow, Floyd, Quarles,
    Bell, Gaines, Short,
    Beeler, Garnett, Soery,
    Berry, Grainger, Speed,
    Bilderback, Grubb, Stephens, J. N.
    Blanton, Grundy, Stevens, J.
    Boulware, Haggard, Turner,
    Bowen, Hardy, Warran,
    Bozarth, Hatfield, White, M. E.
    Brown, J. Headley, Williams,
    Carlisle, Hogg, Wilson,
    Chilton, Hughes, Wood,
    Christopher, Johnston, Wolfor,
    Coleman, Lightfoot, Wooley,
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 provide for a settlement with the present Keeper of the Penitentiary, the election of a Keeper or Keepers, and for other purposes. That they had passed a bill from this House, entitled, an act to change the time of holding the Christian Circuit and County Courts, and for other purposes, with an amendment. The said amendment was then taken up, twice read, and concurred in. A bill from the Senate, entitled, an act to change the time of holding the Crittenden Circuit Court, was read the first time and ordered to be read a second time. The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with, Resolved, That the same do pass and that the title thereof be as aforesaid. Mr. Wood, from the committee on the Judiciary, reported a bill for the benefit of William B. Smith, of Warren county, Which was read the first time and ordered to be read a second time. The rule of the house, constitutional provision and second reading of said bill having been dispensed with, The said bill was then amended. The question was then put on engrossing and reading said bill a third time, And after some discussion had thereon the hour of 12 o'clock arrived, when the House proceeded to the orders of the day. The House then took up the bill to abolish capital punishment. The said bill reads as follows, viz:

SEC. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the 4th day of July, 1848, all laws inflicting the punishment of death, on any free white person in this Commonwealth, be and the same are hereby repealed.

SEC. 2. Be it further enacted, That when any free white person shall be convicted of any violation of the penal laws of this Commonwealth, the punishment of which crime is death by the laws now in force, the judgment of the Court shall be, that the person found guilty, shall be confined in the jail and penitentiary house of this State at hard labor, for and during the natural life of such convict.

Mr. S. Young moved the following amendment as a substitute for said bill, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall be lawful for the Governor of this Commonwealth, in his discretion, to commute the punishment of death, to confinement in the jail and penitentiary house of this State, for and during the natural life of
all such person or persons as may, hereafter, be convicted for capital offen­sces, or any crime whatever, which, by the laws of this State, creates a for­feiture of life, or is now, by law, punishable by death.

Mr. Wintersmith moved to amend the amendment by the following as a substitute, viz:

*Be it enacted by the General Assembly of the Commonwealth of Ken­tucky,* That whosoever shall commit the crime of willful murder, as defined by the common law, shall be punished with death, without the benefit of clergy, or by confinement in the jail and penitentiary house of this Com­monwealth, for and during his or her natural life, at the discretion of the jury:  
*Provided,* That if the said crime shall be committed by a negro, mulatto, or Indian, he or she, so committing it, shall be punished with death, as hereto­fore.

*Be it further enacted,* That all aidsers, abettors, counsellors and accesso­ries, both before and after the act of the crime of murder, shall undergo the same punishment as the principals.

Mr. Boulware moved to lay said bill and amendments on the table.

And the question being taken thereon, it was decided in the affirmative.  
The yeas and nays being required thereon, by Messrs. J. N. Stephens and Haggard, were as follows, viz:

**Those who voted in the affirmative, were—**

Mr. Speaker,
MESSRS. Allin, Carlisle,
Askins, Cavan,
Bailey, Christopher,
Ballingal, Cockrell,
Barlow, Coleman,
Beard, Conner,
Bell, Dohcney,
Berry, Dougherty,
Bilderback, Field, R. H.
Bourland, Garnett,
Boelware, Grubb,
Bowling, Hanson,
Brown, T. D., Hardy,
Bullock, Harreld,

**Those who voted in the negative, were—**

MESSRS. Abell, Gaines,
Blanton, Grundy,
Bowen, Haggard,
Boyd, Hamilton,
Bozarth, Harris,
Brown, J., Hatfield,
Bush, Hogg,
Chilton, Ireland,
Cohns, Lightfoot,
Culion, McKinney,
Duncan, McReynolds,
The House then took up the resolution from the Senate, fixing a day for the election of a Keeper of the Penitentiary, which being twice read was concurred in.

The House then took up the resolution, proposed by Mr. Johnston, fixing a day for the final adjournment of the General Assembly.

The said resolution was then amended, and as amended, was twice read and adopted.

Mr. Haggard moved a re-consideration of the vote rejecting the bill for the benefit of David Robinson.

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

Ordered, That said bill be read a second time.

Mr. Williams moved a re-consideration of the vote laying on the table the bill to abolish capital punishments, and the amendments proposed thereunto.

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

Ordered, That said bill and amendments be referred to Messrs. Harris, Haggard, Wintersmith, S. Young, McKinney and Wilson.

Ordered, That the committee of the whole be discharged from the further consideration of the bill to amend an act, entitled, an act to regulate the administration and settlement of estates.

The said bill was then amended.

Ordered, That said bill, as amended, be referred to Messrs. Collins, Wood and Wintersmith.

The House then resolved itself into a committee of the whole, on the bill to provide for the location and erection of the Green River Lunatic Asylum, Mr. Collins in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Collins 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. McKinney, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in the Senate of the following titles, and had found the same truly enrolled, viz:

An act to incorporate the Lebanon, New Market and Springfield Turnpike Road Company.

An act to incorporate the Lancaster Cemetery Company.

An act laying off the county of Trimble into four Constables' districts, and for other purposes.

An act for the benefit of the Sheriffs of Hopkins and Crittenden counties, and the late Sheriff of Hickman county.
An act regulating the terms of the Circuit and County Courts of Taylor, and for other purposes.

An act for the benefit of Theodore L. Burnett.

An act to enlarge the powers of the Trustees of the town of Louisa.

An act to run and mark a part of the line between Jefferson and Shelby counties.

An act to incorporate the Lexington Female High School.

An act to continue in force the 4th and 8th sections of an act, entitled, an act to amend the charter of the Louisville and Elizabethtown Turnpike Company, and Covington and Lexington Turnpike Company.

An act for the benefit of William Rowlett, of Owen county.

An act for the benefit of James T. Lockmane.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. McKinney inform the Senate thereof.

On motion of Mr. T. D. Brown,

Ordered, That the resolution, requiring the House to take a recess at 1 o'clock, P. M., and meet at half past 2 o'clock, be rescinded.

And then the House adjourned.

FRIDAY, FEBRUARY 18, 1848.

A message was received from the Senate announcing their disagreement to a bill from this House, entitled, an act to amend the law regulating proceedings in chancery.

That they had passed bills from this House of the following titles, viz:

An act to incorporate the German Roman Catholic Benefit Society of Covington.

An act to legalize the election of the Trustees of the town of Owensboro.

An act to amend an act, entitled, an act for the benefit of Nancy Pointer, approved February 25, 1847.

An act for the benefit of Davenport Jones, of Christian county.

An act to legalize the proceedings of the Ohio County Court, at their January term, 1848, and for other purposes.

An act to legalize the proceedings of the Graves County Court.

That they had passed bills of the following titles, viz:

An act to incorporate the Hamilton and New Lancaster Turnpike Road Company, in Boone county, and Hodgeaville Turnpike Road Company.
An act to pay the witnesses for the State in the trial of the impeachment of John A. Duff.

An act for the benefit of the Superintendent of Public Instruction.

An act to authorize the Green County Court to sell the old Clerk's office, of Green county.

An act to extend the limits of the town of Hamilton, in Boone county.

An act to provide for a change of venue in the prosecution against Asa Sisk.

An act to provide for a change of venue in the prosecution against William Payton.

An act for the benefit of the legatees of James Cowen, deceased.

An act to amend an act, entitled, an act to incorporate the Shepherdsville Iron Manufacturing Company; approved February 9, 1847.

An act for the benefit of James Calhoun and John Hill and wife.

An act for the benefit of Louisa V. Newman and her husband.

An act for the benefit of Henry Stearns and his wife, and others.

That they had received official information from the Governor, announcing that he had approved and signed enrolled bills originating in the Senate of the following titles, viz:

An act to establish the Cumberland River, Fairview and Green River Road.

An act authorizing the County Court of Nicholas to subscribe stock in the Carlisle and Sharpsburg Turnpike Road Company.

An act to change the time of holding the Hopkins County Court.

An act to change the Old State Road from Owingsville to Big Sandy.

An act to amend an act, entitled, an act to establish the Fontaine's Ferry Turnpike Road Company.

An act appropriating the proceeds of the sale of vacant lands, in Nicholas county, to purposes of Internal Improvement within said county.

An act repealing all laws declaring Bull Skin, in Clay county, a navigable stream.

An act for the benefit of Calvin and Mary Johnson, of Clinton county, and Elizabeth Ann Deacon and Thomas Deacon, of Bullitt county.

An act to incorporate the Lexington and Newtown Turnpike Road Company. Approved February 10, 1848.

1. Mr. Thomas presented the remonstrance of sundry citizens of Franklin county, against the establishment of an election precinct in said county, at the mouth of Flat Creek.

2. Mr. Price presented the petition of the Firemen's Insurance Company of Lexington, praying an amendment to their charter.

Which were received, the reading thereof dispensed with, and referred: the 1st to the committee on Privileges and Elections; and the 2d to the committee on the Judiciary.
Leave was given to bring in the following bills, viz:

On the motion of Mr. Harrell—1. A bill to change a part of the State road from Bowling Green to Greenville.


Ordered, That Messrs. Harrell, Bowling and Bullock prepare and bring in the 1st, and Messrs. Miller, Speed and Wood the 2d.

The House resumed the consideration of the bill for the benefit of William B. Smith, of Warren county.

The said bill was then amended, and as amended, reads as follows:

Whereas, William B. Smith, a citizen of the county of Warren, is the owner of a farm in the State of Mississippi, and has heretofore removed to that State, a portion of his slaves from his farm in Kentucky, and he having expressed, by his petition, a desire to re-unite his slaves, therefore,

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the said William B. Smith shall have the right, and he is hereby authorized to bring back, into this State, from said farm in Mississippi, the following slaves, viz: Felix, Martha, Nathan, Viney, Dick, Joseph, Eliza, John, Maria and her child Andrew, without incurring the penalties of the law of 1833, against the importation of slaves into this State: Provided, That said Smith shall, within sixty days after bringing said slaves back, make oath before some Justice of the Peace, that he brings them back for his own use and not as merchandise, which oath shall be entered of record by the Clerk of the Warren County Court.

Sec. 2. Be it further enacted by the General Assembly of the Commonwealth of Kentucky, That William S. Green, of Hart county, shall have the right, and he is hereby authorized to bring back, into this State, from his farm in the State of Louisiana, a negro boy slave named George, aged about 14 years, without incurring the penalties of the act of 1833, against the importation of slaves: Provided, That said Green shall, within sixty days after bringing said boy into this State, make oath before some Justice of the Peace, of the county of Hart, that he brings said boy back, to this State, for his own use and not for merchandise, which affidavit shall be recorded in the office of the Clerk of the County Court of Hart county.

Sec. 3. That if any of the persons hereby allowed to import the slaves mentioned, shall sell or cause to be sold, any of the slaves, so imported, within three years from the time of importation, he shall be deemed guilty of importing slaves for merchandise, and liable to the penalties of said offence.

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

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed, The question was then taken on the passage of said bill, and decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Cockrell and Williams, were as follows, viz:
Those who voted in the affirmative, were—

Mr. Speaker, Forde, Price, Mr. Abell, Garnett, Quarles, Messrs. Abell, Haggard, Short, Barlow, Hardy, Smith, Bell, Hatfield, Taliferro, Beeler, Headley, Thomas, Berry, Holmes, Towles, Brown, T. D., Hughes, White, D. P., Bullock, Johnston, Williams, Bush, Judd, Wilkins, Cavan, Lightfoot, Wilson, Christopher, Wood, Collins, McReynolds, Wright, Conner, Miller, Young, S.—44.

Field, R. H.

Those who voted in the negative, were—


Resolved, That the title be amended to read, "an act for the benefit of William B. Smith, of Warren county, and William S. Green, of Hart county."

A bill from the Senate, entitled, an act to pay the witnesses, for the State, in the trial of the impeachment of John A. Duff, was read the first time and ordered to be read a second time.

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.

Mr. Haggard moved the following resolution, viz:

Resolved, That Mr. Patten, Director of the Kentucky Institution of the Blind, be requested to give an exhibition of the attainments of his pupils before the members of the General Assembly, in this Hall, at 7 o'clock this evening.

Which was adopted.
Mr. Smith moved the following resolution, viz:

Resolved, That the use of the Hall of the House of Representatives is hereby tendered to the Frankfort Athenaeum, for the purpose of commemorating, on the night of the 22d of February, the birth of Washington and the triumph at Buena Vista.

Mr. Towles moved to amend said resolution, by adding the following, viz:

Resolved, That the use of this Hall be tendered to Asa Whitney, Esq., of New York, to-morrow evening at 7 o'clock, P. M., for the purpose of explaining and elucidating the practicability and policy of constructing a Railroad from lake Michigan to the Pacific Ocean.

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

The said resolution, as amended, was twice read and adopted.

Mr. Speed, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act to provide for a change of venue in the prosecution against Francis M. Ewing, reported the same with an amendment, which was concurred in.

Ordered, That said bill be read a third time.

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.

Mr. Combs, from the same committee, to whom was referred bills from the Senate of the following titles, viz:

An act for the benefit of Isaac Bush.

An act for the benefit of the widow and heirs of Jeremiah Joyner, deceased.

An act for the benefit of Polly Garrett,

Reported the same without amendment.

And the question being taken on reading said bills a third time, it was decided in the negative, and so the said bills were disagreed to.

Mr. Speed, from the same committee, to whom was referred the petition of sundry citizens of Greenup county, the petition of — Fauvilleroy's heirs, the petition of Leland Early and wife, &c., the petition of Riley Long, and the petition of Thompson Bramblett, reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. Wood, from the committee on the Judiciary, to whom was referred bills from the Senate of the following titles, viz:

An act for the benefit of Hiram Begley, of Perry county, and for other purposes.

An act to protect parents and guardians.

An act for the benefit of William Scott,

Reported the same without amendment.
And the question being taken on reading said bills a third time, it was decided in the negative, and so the said bills were disagreed to.

Mr. Wood, from the committee on the Judiciary, to was referred bills from the Senate of the following titles, viz:

An act to amend the act incorporating the town of Greensburg.
An act for the benefit of the infant heirs of Augustus F. Jacob, of Caldwell county.
An act for the benefit of the widow and heirs of John Turley, deceased.
An act increasing the powers of the Harrison County Court.
An act to amend an act, entitled an act to increase the powers of the Trustees of the town of Versailles.
An act to detach Estill county from the 11th and to add it to the 10th Judicial District.
An act to incorporate the Long Run Baptist Church, of Jefferson county.
An act for the benefit of James L. Ballard and Matilda, his wife.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

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

A message was received from the Governor, by the 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 to incorporate the Covington and Taylor's Mill Turnpike Road Company.

An act to establish a State road from Thomas Dance's tavern, in Pendleton county, to intersect the Colemansville and Covington road at or near Fiskburg, in Kenton county. Approved February 18, 1848.

Mr. T. D. Brown, from the committee appointed to visit the Lunatic Asylum, made the following report, viz:

The Joint Committee, appointed to visit the Lunatic Asylum at Lexington, have performed that duty, and beg leave respectfully to report:

That they repaired to the Asylum, and devoted the greater portion of two days to an examination of the buildings, walks, grounds, &c., exploring every part of the extensive structure, seeing all, and conversing with many of the unfortunate inmates. In a visit so limited as to time, it was impossible to do more than to take a survey of the premises, confer with the Managers and Superintendent, and, on what was thus seen and heard, base a report.

It affords your committee pleasure to bear testimony to the cleanly and generally comfortable condition of every part of the extensive buildings; the neatness, order and contentment of the numerous inmates.
Your committee deem it due to them to state, that in the particular of neat house-keeping, the ladies of the Asylum will compare favorably with many of the less unfortunate daughters of Kentucky.

The new building, nearly completed, and ready, in part, for use, is constructed of good materials, substantially built, exhibiting much taste; and planned with special reference to use as an Asylum for the insane.

There are at this time 247, of both sexes, in the Institution, embracing every possible grade and variation of mental disease, from the boisterous and vociferating maniac, down to the hopelessly demented, the epileptic and the drivelng idiot. In surveying this melancholy wreck of blighted intellect, the heart of the philanthropist sickens and sinks within him at the cheerless sight, and turning away in horror asks, "is there no hope for the insane, is there none that can minister to a mind diseased?" Till recently the only response was "no, not one." But happily for mankind, since the time of Pindel, emphatically the "deliverer of the insane," the advances in the scientific, and therefore successful treatment of insanity, have been most encouragingly onward, until the door of the prison-house has been unlocked, the manacles stricken from his limbs, and the maniac redeemed, again walks forth a man. Insanity, from being considered wholly incurable, is now acknowledged to be, in recent cases, among the most certainly curable of all the diseases to which flesh is heir. From eighty to ninety per cent. of this class of cases is the average number of recoveries with those placed early under proper influences, and subjected to timely remedies. Such are the results of the best managed Institutions in the east, and such, with pleasure we add, is the success that now attends our own. Two circumstances especially filled us with surprise and gratification; the first, the affection uniformly shown by all the lunatics for their Superintendent, Dr. Allen, fondly receiving his visit, and confidently expecting the performance of whatever he promised them; the other, the good order, gentleness and propriety of their behaviour generally, not toward their Superintendent only, but the various Assistants, each other, ourselves, every one and every where, but particularly at their meals. How gratifying to see the kindly influence of gentleness and sympathy, doing its holy work on these benighted beings. None that were sane—many mere animals, and though impelled by the keen demands of appetite, patiently awaiting the signal to commence their accustomed meals.

With the completion of the new building much will be added to the comfort of the invalids, particularly the females; for then the Superintendent will be enabled to classify and arrange them according to their several diseases and conditions, and bring to bear on each one the various influences and remedies, from the judicious administration of which we are alone authorized to hope for cures. Successful as have been the results heretofore realized in cases of short standing, from the improved facilities now added, we shall henceforth look for results still more encouraging.

It will be perceived that the number of inmates has materially increased since the last annual report. In fact they have increased regularly since the Institution was first put under the superintendence of Dr. Allen, until now, such is the throng, they have had to appropriate not only their bed rooms, but their day rooms and halls to sleeping apartments. For the last twelve months three dollars per week has been charged patients coming from other States; but this has been a source of but little profit, owing to the crowded
state of the wards, rendering it impossible to receive all the applicants for
admission. The patients are indulged with as much exercise in the open air,
and all the liberty compatible with the restraints necessarily imposed upon
the insane. Meantime an amount of labor has been performed, truly sur-
prising, saving to the Institution, as estimated by the Superintendent, at
least $2,000 within the last year—all done willingly and without coercion
of any kind. With the number now there, Dr. Allen thinks he could cul-
tivate, profitably, at least 200 acres of land with the spade, and this too, not
only without detriment to the patients, but on the contrary, with decided
advantage. However gratifying it would be to us to see this the case, your
committee would not at present ask an appropriation for that purpose. They
will add, that a rigid economy prevailed in all the financial transactions.
Six water closets are yet required to finish the new building, and are esti-
mated to cost, in the aggregate, $600; these are absolutely essential to the
cleanliness and comfort of the patients. Your committee think it desirable
that the Managers be authorized to send for all the pauper insane that may
require removal to the Asylum. This will save, annually, many hundred
dollars that are now improperly paid by the Institution. During the past
year, two persons had to be removed from the same neighborhood, in the
southern part of the State, to the Asylum—one was sent for by the Mana-
gers, at a cost of $10 50, the other brought by his friends, for which the
Managers had to pay $60. These are, it is true, extreme cases; but they
serve to illustrate the two methods most forcibly. It is not deemed extrav-
gant to say, that by the proposed change, the removals would be made at
one half the usual cost.

In addition to the annual appropriation for the support of the Institution,
an appropriation of $7,000 is asked to connect the new buildings with those
in the rear, and furnish the water closets to those just erected. This appro-
priation will enable them to perfect the classification of the males, as the
females are already classed in the new building, and will be the only addi-
tion asked for to the Institution.

It is the opinion of medical men, formed from much observation and ex-
perience in the management of lunatics—an opinion in which your commit-
tee concur—that 250 are as many of this class of patients as can be conveni-
ently treated by one physician, or managed profitably in the same Institution.
Your committee therefore conclude, that if it be the policy of the State
to provide for all of this unfortunate class of her citizens, she will turn her
attention to some other point where land and building materials are cheap,
and there expend a portion of her means. We remarked, at the outset, that
the apartments, generally, presented a healthy and cleanly appearance. To
this there is one solitary exception, to be found in the basement rooms in
a part of the old building, which are necessarily damp, ily ventilated, and
but imperfectly warmed. These rooms are appropriated to the males la-
bouring under the worst forms of disease. It is here that much the largest
number of deaths occur—a result to be expected, when the necessarily offen-
sive and unwholesome condition of the rooms are considered. Nor is it
possible, by repairs, to render them a fit abode for the sick—unfit for the
occupancy of human beings, their further use should be dispensed with at
once and forever. It is for the Legislature, in its wisdom, to determine wheth-
er this state of things shall continue or not. It is to you the appeal is made.

Shall they ask in vain?
We cannot allow ourselves for a moment to doubt that the Legislature, with the liberality characteristic of Kentuckians, will vote the small appropriation to perfect the buildings, and thus, by another act of munificence, place her noblest charity in a position to be as useful to this class of her unfortunate citizens, as honorable to the State. The time has gone by when an Asylum is considered a mere mad-house, erected and sustained only with the view of protecting society and themselves from the violence of the insane. A higher and nobler purpose prompts your annual appropriations. It is to "pluck out the maddening fever from the brain," bring back the banished reason, and restore again to himself and to society, the unfortunate victim of mental disease. Who so unfeeling as to deny the pittance, or withhold, with miserly grasp, the needed allowance? We trust there are none.

J. F. McMillan,
Chairman Committee of the Senate.

FINLEY W. WALL,
Chairman Com. House of Reps.

Ordered, That the Public Printer forthwith print 500 copies of said report for the use of the members of this House.

Mr. McKinney, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills and resolutions which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act to pay the witnesses, for the State, in the trial of the impeachment of John A. Duff.

An act to change the time of holding the Crittenden Circuit Court.

An act to enlarge the powers of the Trustees of the town of Princeton, and for other purposes.

An act for the benefit of the heirs of Hubbard B. Smith, deceased.

An act to incorporate the Hopkinsville and Cumberland River Railroad Company.

An act to provide for a settlement with the present Keeper of the Penitentiary, the election of a Keeper or Keepers, and for other purposes.

An act to amend an act, entitled, an act concerning the town of Albany, in Clinton county, approved February 14, 1846.

An act to amend the laws concerning the town of Greenville, in Muhlenburg county.

An act for the benefit of Martin Mannon, of McCracken county.

An act for the benefit of W. W. Edwards, of Fulton county.

An act granting certain powers to the Trustees of the town of Russellville.

An act for the benefit of the Walnut Hill Church, in Fayette county.

An act to amend the charter of the town of Hardinsburg.

An act providing for a change of venue in the prosecution against William B. Whitaker.

An act for the benefit of Conrad Havens, and for other purposes.
An act to extend the jurisdiction of the Police Judge of the town of Hopkinsville.

An act to extend the limits of the town of Mortonsville, in Woodford county, and to re-establish a Board of Trustees in said town.

An act establishing election precincts in Taylor county, and for other purposes.

An act for the benefit of Captains Adam D. Stewart and T. L. Alexander, of the U. S. Army, now in Mexico.

An act to increase the powers of the Trustees of the town of Hopkinsville.

An act to incorporate the Missionary Society of the Methodist Episcopal Church South.

An act for the benefit of the heirs of Sarah Roberts and Pricey Brown, of Caldwell county.

An act to incorporate the Board of Publication of the Cumberland Presbyterian Church.

An act to incorporate the Walnut Street Christian Church, of the city of Louisville.

An act increasing the powers of the Trustees of the Princeton Seminary, and for other purposes.

Resolutions complimentary to Major General Winfield Scatt, and the officers and soldiers under his command.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. McKinney inform the Senate thereof.

Mr. Wood, from the committee on the Judiciary, to whom was referred the petition of Jesse Day, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Mr. Williams moved to amend said resolution by striking out “be rejected,” and inserting “is reasonable.”

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

Ordered, That the committee prepare and bring in a bill in accordance with the prayer of said petition.

The following bills were reported by the committee on the Judiciary, viz:

1. A bill for the benefit of the administrator of the estate of Charles Carter, deceased.
2. A bill for the benefit of the infant children of William Carpenter, deceased, late of Mason county.
3. A bill to amend the charter of the city of Covington.
4. A bill to abolish the original jurisdiction of the Appellate Court in cases of Ferries and Mills.
5. A bill for the benefit of the town of Newport in Campbell county.
6. A bill for the benefit of William P. Woolley.
7. A bill to change the time of holding the Estill County Court.
8. A bill to amend the act relating to the town of Georgetown.
9. A bill for the benefit of the Surveyor of Scott county.
10. A bill to amend an act concerning mill dams and other obstructions in water courses, approved February 22, 1797.
11. A bill for the benefit of the Sheriff of Hart county.
12. A bill to change the time of holding the Oldham Circuit Court.
13. A bill fixing the rates of toll on the Wilderness road.
15. A bill directing a change of venue in the prosecution against John Lamb.
17. A bill for the benefit of Ophelia Holloway, and Andrew, her son.
18. A bill to amend an act, entitled, an act to incorporate the Lexington Gas Company.
19. A bill for the benefit of the Methodist Church in Madison county.
20. A bill to incorporate the Odd Fellows' Hall, of Newport Kentucky.

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

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.

Mr. Wood, from the committee on the Judiciary, to whom was referred the amendments proposed by the Senate to a bill from this House, entitled, an act concerning conveyances, reported the same without amendment.

Ordered, That the said amendments, proposed by the Senate to said bill, be concurred in.

Mr. Wood, from the same committee, to whom was referred a bill from the Senate, entitled, an act concerning guardians, reported the same with an amendment,

Which was concurred in.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

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

Mr. Wood, from the committee on the Judiciary, reported a bill to amend the law regulating the administration and settlement of decedents' estates,

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

The rule of the house, constitutional provision and second reading of said bill having been dispensed with,
Ordered, That said bill be re-committed to the committee on the Judiciary, with instructions to report the same on Monday next, and that the Public Printer forthwith print 150 copies of said bill for the use of the members of the General Assembly.

Mr. Cavan, from the committee on the Judiciary, to whom was referred bills from the Senate of the following titles, viz:
An act to incorporate the Logan Manufacturing Company.
An act for the benefit of Joseph C. Harrison, of Boone county, and others.
An act for the benefit of Robert S. Taylor, and others.

Ordered, That said bills be read a third time.
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.

Mr. Cavan, from the same committee, to whom was referred the petition of George Cress, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Cavan, from the same committee, to whom was referred the bill to amend the law concerning forfeited recognizances and bail bonds, reported the same with an amendment as a substitute for said bill,

Which was concurred in.

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

Mr. Speed, from the same committee, to whom was referred the bill for the benefit of the mechanics of the town of Newport, reported the same with an amendment, which was concurred in.

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

Mr. Speed, from the same committee, to whom was referred bills from the Senate of the following titles, viz:
An act to incorporate the Lebanon Lodge.
An act to amend the charter of the Franklin Fire and Marine Insurance Company, of Louisville.
An act for the benefit of the Surveyors of Henry and Lewis counties.

Reported the same without amendment.
Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

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

And then the House adjourned.

SATURDAY, FEBRUARY 19, 1848.

A message was received from the Senate, announcing that they had passed bills of the following titles, viz:

An act to amend an act to enlarge the town of Stanford.
An act to repeal the 13th and 14th sections of an act, entitled, an act to amend the road law in the county of Trimble, approved January 18, 1848.
That they had received official information from the Governor, that he had approved and signed enrolled bills which originated in the Senate of the following titles, viz:

An act to incorporate the Lebanon, New Market and Springfield Turnpike Road Company.
An act for the benefit of Theodore L. Burnett.
An act regulating the terms of the Circuit and County Courts of Taylor, and for other purposes.
An act to enlarge the powers of the Trustees of the town of Louisa.
An act to run and mark a part of the line between Jefferson and Shelby counties.
An act to incorporate the Lexington Female High School.
An act for the benefit of William Rowlett, of Owen county.
An act for the benefit of James T. Locknane.
An act laying off the county of Trimble into four Constables' districts, and for other purposes.
An act for the benefit of the Sheriffs of Hopkins and Crittenden counties, and the late Sheriff of Hickman county.
An act to continue in force the 4th and 5th sections of an act, entitled, an act to amend the charter of the Louisville and Elizabethtown Turnpike Company, and Covington and Lexington Turnpike Company.
An act to incorporate the Lancaster Cemetery Company.
An act to pay the witnesses, for the State, in the trial of the impeachment of John A. Duff.

An act to change the time of holding the Crittenden Circuit Court.

Approved February 18, 1848.

1. Mr. Kerrick presented the petition of sundry citizens of the town of Portland, praying an amendment to the act incorporating said town.

2. Mr. J. Field presented the petition of sundry citizens of Carroll county, praying the passage of a law authorizing the County Court of said county to levy and collect an additional tax.

3. Mr. Miller presented the petition of sundry citizens of the city of Louisville, praying the establishment of a new Medical School in said city.

4. Also, the remonstrance of sundry citizens of Louisville, against the establishment of a new Medical School in said city.

5. Mr. Blanton presented the petition of W. H. Calvert, and Paulina his wife, praying to be divorced from each other.

6. Mr. Kerrick presented the remonstrance of sundry citizens of Jefferson county, against any change of the road laws of said county.

Which were severally received, the reading thereof dispensed with, and referred; the 1st to the committee on the Judiciary; the 2d to Messrs. J. Field, Blanton and Hardy; the 3d and 4th to the committee on Education; the 5th to the committee on Religion; and the 6th to the committee on Internal Improvement.

A message was received from the Governor, by the Secretary of State, which is as follows, viz:

Gentlemen of the Senate and House of Representatives:

In my annual message, communicated to you at the commencement of the present session of the General Assembly, it was shown that there had been an increase of the funded debt of the State, above what it was at the commencement of the preceding General Assembly, by the amount of $10,159 86. This apparent increase of the debt, grew out of the fact that the holders of the Kentucky State Bonds that were due, failed to present them at the Treasury for payment, as they were notified, by proclamation, to do.

The act of the present session of the General Assembly, with regard to those bonds, has had the desired effect of forcing them in for redemption, and, I am gratified to be able to state to you, that since the commencement of the present session, there has been paid off of the public debt:

<table>
<thead>
<tr>
<th>Bond Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>6 per cent. 6 years bonds</td>
<td>$14,600 00</td>
</tr>
<tr>
<td>6 per cent. 6 years Railroad bonds</td>
<td>1,000 00</td>
</tr>
<tr>
<td>5 per cent. bond</td>
<td>1,000 00</td>
</tr>
</tbody>
</table>

Total amount of payments, $16,600 00

Thus, not only has the increase of the debt been paid off, but the debt itself has been reduced below the minimum at which it stood when the increase took place.
The means of the Sinking Fund have not only been sufficient to diminish the debt, as above stated, but there remains at this time, in the Treasury, to the credit of the Sinking Fund, the amount of $177,182 37. This amount, together with the anticipated receipts, will enable the Commissioners, in the course of the present year, to meet promptly the accruing interest of the debt, and to diminish, still further, the principal of the debt to the extent stated in my message at the commencement of the session.

Supposing you would like to have a knowledge of this change in the State debt, and of the present prosperous condition of our financial affairs, to bear home to your constituents, I have felt called on to communicate them.

W. M. OWSELEY.

Ordered, That the Public Printer forthwith print 150 copies of said message for the use of the members of the General Assembly.

On motion of Mr. Speed,

Ordered, That a message be sent to the Senate to ask leave to withdraw the report of this House announcing their disagreement to a bill from the Senate, entitled, an act for the benefit of Isaac Bush.

After a short time the messenger returned with said bill,

Mr. Speed moved a reconsideration of the vote disagreeing to said bill, and it was decided in the affirmative.

Ordered, That said bill be referred to the committee on the Judiciary.

Mr. Johnston moved a reconsideration of the vote disagreeing to a bill from the Senate, entitled, an act to amend the several acts incorporating the town of Paducah.

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

Mr. McKinney, from the committee on Enrollments, reported that the committee had examined an enrolled resolution from the Senate, fixing a day for the election of a Keeper of the Penitentiary, and had found the same truly enrolled.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. McKinney inform the Senate thereof.

Mr. Quarles presented the petition of sundry citizens of Pulaski county, praying for an additional Justice of the Peace to said county,

Which was received, the reading dispensed with, and referred to Messrs. Quarles, Moore and M. E. White.

Mr. Wintersmith, from the committee on Federal Relations, read and laid on the table the following preamble and resolutions, viz:

Whereas, the construction of a Railroad across the continent of North America would make the United States the great highway between Europe and the populous and wealthy Empires of Asia; would greatly facilitate our own intercourse with those regions; would consolidate the interests of our Union; would connect and bind Oregon and the Pacific coast to us; and would give a fresh impetus to our great agricultural, manufacturing, and commercial interests; and whereas, this stupendous work can be accomplished by an appropriation and sale of the public lands, which constitute a fund
applicable for defraying the expenses of the undertaking, as a small part of them would furnish the means, and the value of the remainder would be greatly enhanced thereby; and whereas, the plan of Mr. Asa Whitney, of New York, in its great outlines, is, in our opinion, the only practicable scheme for the accomplishment of this great undertaking, which should be commenced without delay. Therefore,

1. Be it resolved by the General Assembly of the Commonwealth of Kentucky, That we approve of Mr. Whitney's plan, as explained by himself to us, of constructing a Railroad from Lake Michigan to the Pacific Ocean, from an appropriation and sale of the public lands on its line, connecting the sale and settlement of the lands with the building of the road, making it an individual enterprise, still under the control of Congress; and we earnestly recommend its adoption, and the measure to the early and favorable consideration and action of Congress.

2. Be it resolved, That our Senators and Representatives in Congress be and they are hereby requested to give this measure their prompt attention and support.

3. Be it resolved, That His Excellency, the Governor, be and he is hereby requested to transmit a copy of these resolutions and preamble to the Executive of each of the States in the Union, and a like copy to the Senators and members of the House of Representatives from this State in the Congress of the United States.

Ordered, That said preamble and resolutions be made the special order of the day for Monday next, and that the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly.

Mr. T. D. Brown, from the committee to whom was referred a bill from the Senate, entitled, an act to revive and amend the charter of the Shepherdsville and Louisville Turnpike Road Company, reported the same with amendments,

Which were concurred in.

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

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

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

The yeas and nays being required on the passage thereof, by Messrs. Beeler and R. H. Field, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, Elliott,  
Messrs. Allin, Field, J.  
Askins, Field, R. H.  
Beard, Floyd,  
Berry, Gaines,  
Bourland, Garnett,  
Boulware, Grainger,  
Bowen, Grubb,  
Bowling, Hamilton,  
Pratt, Price,  
Shawshun, Short,  
Smith, Soery,  
Speed, Stephens, J. N.  
Stevens, J.
Brown, J.    Hardy,  
Brown, T. D.    Harrell,  
Bullock,     Headley,  
Bush,         Holmes,  
Carlisle,     Ireland,  
Cavan,        Johnston, 
Chilton,      Kerrick,  
Christopher,  McKinney, 
Cockrell,     McReynolds, 
Collins,      Miller,  
Combs,        Newell,  
Conner,       Pearce, 
Culton,       Talbott, 
               Taliaferro, 
               Thomas, 
               Tones, 
               Turner, 
               Warren, 
               Wilkins, 
               Wilson, 
               Wintersmith, 
               Wood, 
               Wright, 
               Young, S.  

Those who voted in the negative, were—

Messrs. Abell,    Coleman,  
Ballinger,       Coleman,  
Barlow,         Coleman,  
Bell,           Coleman,  
Beeler,         Coleman,  
Biklerback,     Coleman,  
Blanton,        Coleman,  
Boyd,           Coleman,  
Bozarth,        Coleman,  
               Hughes, 
               Judd, 
               Quarles, 
               Railey, 
               White, D. P. 
               White, M. E. 
               Williams, 
               Woosley  

Mr. Johnston, from the committee appointed to prepare and bring in the same, reported a bill for the benefit of millers,

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

The rule of the house, constitutional provision and second reading of said bill having been dispensed with,

Mr. Bush moved to lay said bill on the table.

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

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

By Mr. Bell—A bill to change the name of James Riley Hammons, and for other purposes.

By Mr. Hudson—A bill allowing an additional Constable to Wayne county, and for other purposes.

By Mr. Blanton—A bill to legalize the acts of William Teal, Constable of Owen county.

By Mr. Culton—A bill to amend the act requiring the several County Courts to procure a set of weights and measures, approved February 1, 1839.

By Mr. Harrell—A bill to change a part of the State road leading from Bowlinggreen to Greenville.

By Mr. Boulware—A bill for the benefit of John H. Parish, Surveyor of Madison county.

By Mr. Judd—A bill for the benefit of Garnett A. Dowell.
By Mr. Bell—A bill for the benefit of Thomas Phipps, late Sheriff of Ohio county.

By Mr. Ballingal—A bill to amend an act to incorporate the Carlisle and Sharpsburg Turnpike Road Company.

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

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 afore-said.

A message was received from the Senate announcing that they had received official information from the Governor, that he had approved and signed a bill and resolution, which originated in the Senate of the following titles, viz:

An act to provide for a settlement with the present Keeper of the Penitentiary, the election of a Keeper or Keepers, and for other purposes.

A resolution fixing a day for the election of a Keeper of the Penitentiary.

Approved February 19, 1848.

On motion of Mr. Barlow,

Ordered, That a message be sent to the Senate, informing them that this House is now ready to proceed to the election of a Keeper of the Penitentiary, in pursuance of the joint resolution.

Ordered, That Messrs. Barlow, Collins and Talbutt inform the Senate thereof.

A message was received from the Senate, by Mr. Hobbs, announcing that they were then ready to proceed with said election.

Mr. Barlow nominated Mr. Newton Craig as a suitable person to fill the office of Keeper of the Penitentiary.

And after interchanging nominations, this House proceeded to take the vote, when Mr. Craig received the vote of this House as Keeper of the Penitentiary.

Messrs. Barlow, Collins and Talbutt were appointed the committee, on the part of the House, to act in conjunction with the committee on the part of the Senate, to compare the joint vote and report the result.

After a short time, Mr. Barlow, from said committee, reported that Mr. Newton Craig had received the vote of both Houses.

Whereupon he was declared duly elected Keeper of the Penitentiary.

Mr. Boulware, from the committee who was appointed to prepare and bring in the same, reported a bill to amend the 65th section of the militia law, which was 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. Forde, from the committee appointed to prepare and bring in the same, reported a bill for the benefit of Martha Anderson, of Allen county, which was read the first time as follows, viz:

Whereas, Martha Anderson, of Allen county, is without property or other means of support, and who cannot, by labor, procure a livelihood, being destitute of hands and arms from her nativity. Therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That there be allowed her, out of the Treasury of this State, fifty dollars per annum, for two years; and that the Auditor shall draw a warrant for the same, on the application of said Martha, by herself, or her agent, authorized, in writing, and the Treasurer will pay the same when presented.

Ordered, That said bill be read a second time.

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 then taken on the passage of said bill, and decided in the negative, and so the said bill was rejected.

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

Those who voted in the affirmative, were—

Messrs. Allin, Ballingal, Bell, Blanton, Bourland, Carlisle, Christopher, Colton, Dougherty, Field, J., Field, R. H.

Forde, Gaines, Grainger, Haggard, Hanson, Hatfield, Holmes, Hughes, Ireland, Johnston, Kerrick

Pearce, Shawhan, Soory, Stephens, J. N., Talbott, Thomas, Turner, Williams, Wilkins, Wofford, Wright—33.

Those who voted in the negative, were—

Mr. Speaker, Messrs. Abell, Barlow, Beard, Beeler, Bikkerbach, Boulware, Bowling, Boyd, Bozarth, Bullock, Bush, Chilton, Cockrell, Coleman,

Mr. Hughes moved a reconsideration of the vote passing the bill to amend
an act to incorporate the Carlisle and Sharpsburg Turnpike Road Company.
And the question being taken thereon, it was decided in the negative.
Leave was given to bring in the following bills, viz:

On motion of Mr. Garnett—1. A bill to amend an act, entitled, an act
for the benefit of the Lexington, Harrodsburg and Perryville Turnpike Com­
pany, approved February 23, 1847.

On motion of Mr. Railey—2. A bill for the benefit of Benjamin Lancaster's administrators and heirs.

On motion of Mr. Elliott—3. A bill to change the venue in the case
against William Ratliff, Matthew Clay, David James, William McCoy, and
James Howard.

Ordered, That the committee on Internal Improvement prepare and bring
in the 1st; Messrs. Railey, Hughes and Haggard the 2d; and Messrs. Eli­
liott, Hamilton and Williams the 3d.

On motion of Mr. Barlow, leave of absence, for the remainder of the ses­
sion, was granted to Mr. J. Stevens.

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

By Mr. Hughes—A bill for the benefit of George Johnson, late Sheriff of
Union county, and for other purposes.

By Mr. Carlisle—A bill to change a part of the State road in Kenton
county.

By Mr. Bell—A bill to authorize the Court of Appeals, of the 49th Reg­
iment of Kentucky Militia, to hear appeals in certain cases.

By Mr. McReynolds—A bill for the benefit of George W. Boyd, Drury
W. Taylor and Isham J. Jones.

By Mr. Haggard—A bill to allow special terms of the Cumberland, Floyd
and Pendleton Circuit Courts.

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

The rule of the House, constitutional provision and second and third read­
ings 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.

The amendments proposed by the Senate to a bill from this House, entitled,
an act to incorporate the Paris, Winchester and Kentucky River Turn­
pike Road Company, and the North Middletown Turnpike Road Company,
Were taken up, twice read and concurred in.

And then the House adjourned.
A message was received from the Senate announcing their concurrence in a resolution from this House, fixing a day for the final adjournment of the General Assembly.

That they had passed a bill from this House, entitled, an act allowing additional Constables to Logan, Washington, Fleming and Pendleton counties.

That they had passed bills of the following titles, viz:

An act for the benefit of Thomas Rankin, Jailer of Harrison county.

An act supplementary to an act incorporating the Paris, Winchester and Kentucky River Turnpike Road Company, and the North Middletown Turnpike Road Company, and for other purposes.

An act granting a change of venue to William Burns.

That they had received official information from the Governor that he had approved and signed enrolled bills and resolutions which originated in the Senate of the following titles, viz:

An act to enlarge the powers of the Trustees of the town of Princeton, and for other purposes.

An act for the benefit of the heirs of Hubbard B. Smith, deceased.

An act for the benefit of the Walnut Hill Church, in Fayette county.

An act granting certain powers to the Trustees of the town of Russellville.

An act to amend an act, entitled, an act concerning the town of Albany, in Clinton county, approved February 14, 1846.

An act to amend the laws concerning the town of Greenville, in Muhlenburg county.

An act for the benefit of Martin Mannan, of McCracken county.

An act for the benefit of W. W. Edwards, of Fulton county.

An act for the benefit of Conrad Havens, and for other purposes.

An act to extend the jurisdiction of the Police Judge of the town of Hopkinsville.

An act to amend the charter of the town of Hardinsburg.

An act providing for a change of venue in the prosecution against William B. Whitaker.

An act to extend the limits of the town of Mortonsville, in Woodford county, and to re-establish a Board of Trustees in said town.

An act establishing election precincts in Taylor county, and for other purposes.

An act to increase the powers of the Trustees of the town of Hopkinsville.
An act to incorporate the Missionary Society of the Methodist Episcopal Church South.

An act for the benefit of Captains Adam D. Stewart and T. L. Alexander, of the U.S. Army, now in Mexico.

An act for the benefit of the heirs of Sarah Roberts and Pricey Brown, deceased, of Caldwell county.

An act to incorporate the Board of Publication of the Cumberland Presbyterian Church. Approved February 18, 1848.

An act to incorporate the Walnut Street Christian Church, of the city of Louisville.

An act increasing the powers of the Trustees of the Princeton Seminary, and for other purposes.

An act to incorporate the Hopkinsville and Cumberland River Railroad Company. Approved February 19, 1848.

Resolutions complimentary to Major General Winfield Scott, and the officers and soldiers under his command. Approved February 18, 1848.

1. Mr. Bourland presented the petition of sundry citizens of McCracken county, praying a change in the place of voting in an election precinct in said county.

2. Mr. Bowling presented the petition of sundry citizens of the town of Russellville, praying that the law, allowing the paving and grading the streets of said town, may be revived.

Which were received, the reading thereof dispensed with, and referred; the 1st to the committee on Privileges and Elections; and the 2d to the committee on the Judiciary.

Mr. Speed, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act for the benefit of Isaac Bush, reported the same with amendments, which were concurred in.

Ordered, That said bill be read a third time.

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.

Mr. Speed, from the same committee, to whom was referred a bill to amend the law regulating the administration and settlement of decedent’s estates, reported the same with amendments, which were concurred in.

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

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.

Mr. McReynolds moved a reconsideration of the vote rejecting the bill for the benefit of Martha Anderson, of Allen county.

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.

Resolved, That the title thereof be as aforesaid.

Mr. Combs, from the committee on the Judiciary, to whom was referred bills from the Senate of the following titles, viz:

- An act for the benefit of James Sudduth.
- An act to amend an act, entitled, an act to establish the town of Petersburg, in Boone county, approved January 7, 1839.
- An act to allow additional terms to the Harrison and Estill Circuit Courts.
- An act for the benefit of the heirs of James B. Blair, deceased.
- An act for the benefit of the heirs of Philip Baker.
- An act to amend an act, entitled, an act to establish the town of Cornishville, approved February 23, 1847, and for other purposes.
- An act to amend an act for the benefit of Ann L. Clements, approved February 3, 1847.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

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

Mr. Combs, from the same committee, to whom was referred the petition of the widow and heirs of Richard P. Wright, and the petition of the citizens of the town of Stamping Ground, reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

On motion,

Ordered, That said petitions be withdrawn, and they were accordingly withdrawn.

Mr. Combs, from the same committee, to whom was referred the petition of Adam Wainscott, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which 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 the Judiciary—I. A bill to change the venue in the prosecution against John S. Claywell.
- By the committee on Internal Improvement—2. A bill to revive and amend an act to incorporate the Augusta, Cynthiana and Georgetown Turnpike Company.
FEB., 21.

HOUSE OF REPRESENTATIVES.

By the committee on the Judiciary—3. A bill further regulating the docket­
etting of causes in the Court of Appeals.

By same—4. A bill to incorporate the Christian Church, of Mount Eden, in Spencer county.

By same—5. A bill to amend an act to incorporate the Firemen's Insurance Company, of Lexington, approved February 26, 1847.

By same—6. A bill for the benefit of Abraham Watson.

By same—7. A bill to incorporate the West Louisville Cemetery.

By same—8. A bill allowing additional Justices of the Peace and Constables to certain counties.

By same—9. A bill to amend an act for the benefit of the mechanics of the town of Covington and Newport, approved February 22, 1834, and for other purposes.

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

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.

Mr. Combs, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act to incorporate the Grand Division of the Sons of Temperance of the State of Kentucky, reported the same with amendments,

Which were concurred in.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

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

Mr. Forde moved the following resolution, viz:

Resolved, That the use of this Hall be tendered to the Whig State Convention, to assemble at the Capitol, on the 22d instant.

Which was unanimously adopted.

Mr. Wintersmith moved the following resolution, viz:

Resolved, That the use of this Hall be granted to the friends of General Z. Taylor, for the purpose of holding a meeting this evening.

Which was adopted.

A bill from the Senate, entitled, an act supplementary to an act to incorporate the Paris, Winchester and Kentucky River Turnpike Road Company, and the North Middletown Turnpike Road Company, and for other purpose,

Was read the first time and ordered to be read a second time.

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

Resolved, That the same do pass and that the title thereof be as aforesaid.
Mr. A. Young, from the committee on Religion, reported a bill to amend an act, entitled, an act to amend the penal laws, approved December 19, 1804,

Which was read the first time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That any person or persons, who shall sell any spirituous or fermented liquors, or any kind of goods, wares, or merchandize within one mile of any meeting, collection, or assembly of the people, for public worship, (the distance to be judged of by the Justice of the Peace,) shall, if a free white person or persons, be fined each of them in the sum of not less than ten or more than thirty dollars, with costs of suit; which fine shall be applied to lessening the county levy; if a slave or slaves, free negro or mulatto, or either of them, be, she or they, so offending, shall be punished with not less than ten or more than thirty nine lashes, well laid on, upon their bare back. And upon complaint being made, it shall be the duty of any Justice of the Peace in the county where any of the aforesaid offences shall have been committed, if present, or the nearest one who may be found to such place of public worship, to issue the necessary warrants and precepts to bring such offenders to immediate punishment, who shall give judgment in pursuance of the provisions of this act; and it shall be the duty of any sheriff or constable of this Commonwealth, to execute all such warrants or precepts, to them directed, by such Justice of the Peace; and if any Justice of the Peace, Sheriff or Constable shall refuse to act under the provisions of this act, he or they, so offending, shall be fined each not less than ten or more than thirty dollars, one half of which shall go to the informer and the other half to lessening the county levy: Provided, that this act shall not affect the rights of tavern keepers or others retailing spirituous liquors, under license, or those selling goods, wares, or merchandize at their own stores or houses.

Be it further enacted, That in cases of free negroes, the Justice may render a judgment for a violation of this act by way of fine, in any sum not exceeding twenty dollars, which, if paid or collected, shall be in lieu of the stripes herein authorized.

Be it further enacted, That to find any free negro guilty, under the provisions of the first section of this act, a jury shall be necessary.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Mr. Dohoney moved to lay said bill on the table.

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

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

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Abell,
Ballingal,
Bell,
Bozarth,
Hardy,
Hatfield,
Holmes,
Johnston,
Judd,
Railey,
Shawian,
Speed,
Stephens, J. N.
Towles,
Those who voted in the negative, were—


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

The House then took up the preamble and resolutions read and laid on the table on Saturday last, by Mr. Wintersmith, from the committee on Federal Relations.

The said preamble and resolutions were then twice read, and adopted.

The House again resolved itself into a committee of the whole, on the bill to provide for the location and erection of the Green River Lunatic Asylum, Mr. Wintersmith in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Wintersmith reported that the committee had, according to order, had under consideration the bill aforesaid, and had adopted amendments thereto, which he handed in at the Clerk's table.

The said amendments were then concurred in.

The said bill, as amended, reads as follows, viz:

SEC. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of thirty thousand dollars be and the same is hereby appropriated out of any moneys in the Treasury not otherwise appropriated, for the purpose of purchasing a tract of land not exceeding four hundred acres, and erecting or building a Lunatic Asylum thereon, sufficient for the safe keeping and comfortable accommodation of at least three hundred inmates. Upon the purchase of said land, the Commissioners, herein-
after provided for, shall take a deed, with a clause of general warranty there-
in to the Commonwealth of Kentucky, so as to secure the title thereof, for
the sole use, purpose and benefit of said Lunatic Asylum.

Sec. 2. Be it further enacted, That said money, hereby appropriated,
shall be paid annually, not exceeding ten thousand dollars each year, till the
same shall be paid, unless said Commissioners can use more in the erection
of said Asylum, in each year; in that event, more of said money shall be
paid, but not more than shall be necessary to purchase the site and prosecute
said work. But before the said Commissioners shall receive said money, or
any part thereof, they shall execute bond, with good security, to be approv-
red by the Governor of this State, in the penal sum of sixty thousand dollars,
conditioned for the faithful application of said money, and the vigilant and
faithful discharge of their duties as Commissioners; which bond may be
sued on for any violation thereof, in any court of competent jurisdiction.
Said money shall only be paid by the Treasurer upon the warrant of the
Second Auditor, but who shall not issue his warrant for the same, or any
part thereof, until he shall be notified by the Governor that said bond has
been executed.

Sec. 3. Be it further enacted, That said Commissioners shall make to each
succeeding Legislature a true report of all sums of money to them paid, and
the manner in which the same has been expended, which shall be subject to
the approval or correction of said Legislature, before whom the same shall
be made.

Sec. 4. Be it further enacted, Whenever said Asylum shall be ready for
the reception of inmates, the Commissioners shall notify the Governor
thereof, who shall issue his proclamation that said Asylum is ready for the
reception of patients; and should the said notice be given to the Governor
when the Legislature is not in session, he shall appoint some fit person to
take charge of said institution, as Superintendent thereof, until the meeting
of the next General Assembly, thereafter.

Sec. 5. Be it further enacted, That there shall be appointed three fit and
proper persons, to act as said Commissioners, by the Judge of the Circuit
Court in the county where said Asylum shall be located, whose duty it shall
be to purchase a site for and superintend the building of said Asylum, upon
the most approved plan and dimensions for such institution; and after they
shall have executed bond, as herein already provided for, and before they
shall enter upon their duties as Commissioners, they shall, before said Cir-
cuit Judge, take an oath to faithfully discharge the duties incumbent upon
them as Commissioners aforesaid.

Sec. 6. Be it further enacted, That, until further regulations shall be made
by law, patients shall be received into said Asylum upon the same terms
and regulations as now are observed and acted upon in the present Lunatic
Asylum now situated in this State, in the county of Fayette.

Sec. 7. Be it further enacted, That Dr. James F. McMillan, Dr. James
R. Hawkins and George B. Kinkhead be and they are hereby appointed
Commissioners, whose duty it shall be to locate said Lunatic Asylum, on or
before the first day of July next, at some convenient and eligible point in
the State, south of the Kentucky river; and for that purpose, the said Com-
misioners shall, between this and said first day of July, visit that part of the
State south of the Kentucky river, for the purpose of ascertaining, from
personal observation, the most judicious point for the location of said Asylum; and in so determining, they shall take into consideration all the advantages and conveniences of each county asking for said location, together with the value of the county or private subscription which may be made by each county, for the use and benefit of said Asylum: Provided, that if any one or more of said Commissioners above named shall decline or refuse to act, the Governor shall then, and in that case, appoint in his or their stead, some discreet and suitable person or persons, who will act as Commissioner or Commissioners, as aforesaid. And said Commissioners shall have the power to receive any and all propositions from any counties, towns, or individuals offering donations of land, moneys, or buildings, or building materials; and all other claims, reasons, and circumstances being equal, the location shall be made at the place where the best offers are made.

Sec. 8. Be it further enacted, That, so soon as the above named Commissioners shall have determined upon the point of location for said Asylum, they shall so report to the Governor, whereupon the Circuit Judge of the Circuit Court for the county in which such location has been thus made, shall appoint three Commissioners of superintendence, as is provided by the fifth section of this act, and report to the Governor accordingly.

Sec. 9. Be it further enacted, That this institution shall be called and known by the name and style of the Second Kentucky Lunatic Asylum.

Mr. Haggard moved to amend said bill in the first section by striking out "thirty thousand dollars," and inserting "fifteen thousand dollars," and in the 2d section, by striking out "ten thousand dollars" and inserting "five thousand dollars."

Mr. Wright 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. Wright and Bush, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Speaker, Messrs. Abell, Ballingal, Barlow, Beard, Bell, Beeley, Berry, Bilderback, Blanton, Bourland, Dougherty, Duncan, Elliot, Field, R. H., Gaines, Garnett, Grainger, Haggard, Hamilton, Hanson, Hardy, Miller, Newell, Pratt, Price, Railey, Shawhan, Short, Soery, Speed, Talbut, Taliferro.
Ordered, That said bill be engrossed and read a third time.
Mr. T. D. Brown moved that said bill have its third reading now.
And the question being taken thereon, it was decided in the affirmative.
The said bill was then read a third time.
The question was then taken on the passage of said bill, and decided in the affirmative.
The yeas and nays being required thereon, by Messrs. Wright and Bush, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Allin,
Ballingal,
Bell,
Beeler,
Berry,
Bourland,
Bowen,
Bowling,
Boyd,
Bozarth,
Brown, J.
Brown, T. D.
Bullock,
Chilton,
Collins,
Combs,
Dougherty,
Doncan,
Field, J.
Field, R. H.

Harreld,
Harris,
Hatfield,
Headley,
Hogg,
Holmes,
Hudson,
Hughes,
Kerrick,
McKinney,
McIntyre,
Gaines,
Garnett,
Grainger,
Grundy,
Haggard,
Hamilton,
Hanson,
Hardy,
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Hughes,
Kerrick,
Lightfoot,
McKinney,
McReynolds,
Miller,

Newell,
Pratt,
Railey,
Shawhan,
Short,
Soery,
Speed,
Stephens, J. N.
Talbut,
Thomas,
Turner,
Williams,
Wilkins,
Wilson,
Wintersmith,
Wood,
Wolford,
Woosley,
Young, A.
Young, S.—66.

Those who voted in the negative, were—

Messrs. Abell,
Askins,
Barlow,
Bilderback,
Cockrell,
Coleman,
Conner,
Culton,

Judd,
Pearce,
Quarles,
Warren,
Resolved, That the title of said bill be amended to read, "an act to provide for the location and erection of the Second Kentucky Lunatic Asylum."

Mr. Towles, from the managers on the part of this House in the impeachment of John A. Duff, Surveyor of Perry county, made the following report, viz:

COMMONWEALTH OF KENTUCKY,

vs.

JOHN A. DUFF, Surveyor of Perry county.

The Senate sitting for the purpose of trying the said John A. Duff, heard the testimony and the argument of the managers on the part of the House of Representatives, and the counsel for the accused, and being now sufficiently advised of and concerning said cause, do adjudge that the said John A. Duff, as Surveyor of Perry county, is guilty of misdemeanor in office, on charge No. 1, and not guilty of charges Nos. 2, 3, 5, 9, 11 and 15. There being no proof offered as to the other charges, they were withdrawn by the managers. But the Senate being satisfied that the said John A. Duff, has, since the commencement of the prosecution, voluntarily resigned his said office, the judgment of the Senate is not deemed necessary on the question of removal. But, because the said John A. Duff has been guilty of a misdemeanor, it is ordered and adjudged, that the said Duff pay the costs of the prosecution by him in his behalf expended. The Clerk is hereby directed, in taxing the costs in this case, not to include any portion of the amount paid to witnesses, under the provisions of an act of Assembly passed at the present session.

A copy from the records,

Attest: T. KOHLHAAS, Clerk.

Ordered, That the managers on the part of this House, be a committee on the part of this House, to examine the records and report to this House.

And then the House adjourned.

TUESDAY, FEBRUARY 22, 1848.

1. Mr. Hamilton presented the petition of William Johns, praying a change of venue in the prosecution pending against him in the Clarke Circuit Court.

2. Mr. Towles presented the petition of George W. King, praying compensation for damages done to a mill seat by slackwater on Green river.
3. Mr. Culon presented the petition of sundry citizens of Harlan county, praying the establishment of an election precinct in said county.

Which were received, the reading dispensed with, and referred: the Ist to the committee on the Judiciary; the 2d to the committee on Internal Improvement; and the 3d to Messrs. Culton, Moore and Hogg.

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 revive and amend the charter of the Shepherdsville and Louisville Turnpike Road Company.

That they had disagreed to an amendment, proposed by this House, to a bill from the Senate, entitled, an act to provide for a change of venue in the prosecution against Francis M. Ewing.

That they had passed bills from this House of the following titles, viz:

- An act to divorce Mary Perkins.
- An act to incorporate the Paris and Cynthiana Turnpike Road Company.
- An act to incorporate the Paris and Combs' Ferry Turnpike Road Company.
- An act to incorporate the Springfield, Perryville, and Danville Turnpike Road Company.
- An act for the benefit of James Dewitt, Benjamin Riddle and Isaac Chenoweth.
- An act to incorporate the Spencer county and Louisville Turnpike Road Company, and for other purposes.
- An act to amend the road law in the county of Clarke, and for other purposes.
- An act for the benefit of Price Snyder, of Simpson county.
- An act to divorce Elizabeth A. King.
- An act for the benefit of Common Schools in the town of Portland.
- An act to allow an additional Justice of the Peace, to Barren county.

With amendments to the three last named bills.

That they had passed bills and resolutions of the following titles, viz:

- An act to fix the ratio and apportion the representation in the Senate and House of Representatives for the ensuing four years.
- An act to incorporate the Lexington and Frankfort Railroad Company.
- An act to incorporate the Bardstown and Salt River Navigation Company.
- An act to incorporate the Louisville and Taylorsville Turnpike Road Company.
- An act to amend the charter of the town of Paducah.
- An act for the benefit of the Sheriff of Harrison county.
- An act to put a part of the State road leading from Princeton to Centreville, under the control of the Caldwell County Court.
An act fixing the time of holding the May and November terms of the Christian County Court.

An act to include William B. Carlisle in the county of Green.

An act for the benefit of the Judge of the 13th Judicial District, and for other purposes.

An act to authorize suit to be brought by the county of Marshall against the county of Calloway.

An act to promote the growth and manufacture of silk.

An act to incorporate the town of Greenupsburg, and to legalize a late survey made of said town.

An act to enlarge the boundaries of the town of Somerset.

An act to authorize the Mobile and Ohio Railroad Company to extend their Railroad from the south boundary line of the State of Kentucky to the Mississippi or Ohio rivers.

An act to incorporate the Greysville and Russellville Turnpike Road Company, and for other purposes.

And resolutions concerning the Mobile and Ohio Railroad Company.

On motion of Mr. Wilson, leave was granted to bring in a bill to incorporate the Harrod's Creek Academy, in Oldham county.

Ordered, That Messrs. Wilson, Johnston and Floyd prepare and bring in the same.

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

By Mr. Railey—A bill for the benefit of the administrators and heirs of Benjamin Lancaster, deceased.

By the committee on Education—A bill for the benefit of the Kentucky Institution for the education of the Blind.

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

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.

A bill from the Senate, entitled, an act for the benefit of Rebecca Claypoole a lunatic, was read a third time.

Ordered, That said bill be referred to the committee on Ways and Means.

Bills from the Senate of the following titles, viz:

1. An act changing the time of holding the chancery term of the Nicholas Circuit Court.
2. An act for the relief of the widow and children of the late William R. McKee, deceased.
3. An act to charter the Second Baptist Church of Louisville.
4. An act for the benefit of the children of James Holland, of Caldwell county.

5. An act to incorporate the Rough and Ready Turnpike Road Company, in Boone county.

Were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st was referred to the committee on the Judiciary; the 2d to the committee on the Sinking Fund; and the 3d, 4th and 5th were severally ordered to be read a third time.

The rule of the House, constitutional provision and third reading of the 3d, 4th and 5th bills having been dispensed with.

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

A bill from the Senate, entitled, an act to amend the penal laws, was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with.

The said bill was amended, and as amended, reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That each and every person who shall wantonly, mischievously, wilfully and wickedly, or who shall wilfully or maliciously injure, deface, disfigure, mutilate, or destroy, or cause to be injured, defaced, mutilated, or destroyed, the property of another, either real or personal, or any public property, shall be deemed guilty of a misdemeanor, and subject to an indictment in the county where said offence may be committed, and upon conviction thereof, shall be fined any sum not less than the value of the injury done, nor exceeding five hundred dollars; and may also be imprisoned in the jail of the county, at the discretion of a jury, any term not exceeding twelve months: Provided, that in those counties, cities and towns, in which there are public workhouses, such imprisonment may, in the discretion of the Court, be in such workhouse.

Mr. Gaines moved to lay said bill, as amended, on the table.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, Gaines, Hudson,
Messrs. Ballingal, Haggard, Ireland,
Bowen, Hamilton, Quarles,
Conner, Headley, White, D. P.—12.

Those who voted in the negative, were—

Messrs. Abell, Dougherty, Railey,
Allin, Duncan, Shawan,
Barlow, Field, J. Short,
Beard, Field, R. H. Smith,
The question was then taken on reading said bill a third time, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Messrs. Abell,
Allin,
Barlow,
Bell,
Beeler,
Bilderback,
Blanton,
Bourland,
Bowen,
Bowling,
Boyd,
Bozarth,
Bullock,
Bush,
Carlisle,
Cavan,
Chilton,
Cockrell,
Coleman,
Culton,
Dohoney,

Floyd,
Forde,
Grainer,
Grubb,
Grundy,
Hardy,
Hatfield,
Holmes,
Johnston,
Kerrick,
Lightfoot,
McReynolds,
Miller,
Newell,
Pearce,
Pratt,

Soery,
Speed,
Stephens, J. N.
Talbott,
Thomas,
Towles,
Warren,
White, M. E.
Williams,
Wilkins,
Wilson,
Wintersmith,
Wolford,
Woosley,
Wright,
Young, S.—62.

Those who voted in the negative, were—

Mr. Speaker,
Messrs. Ballingal,
Conner,
Gaines,
Garnett,

Dohoney,
Dougherty,
Duncan,
Field, R. H.
Floyd,
Forde,
Grainer,
Grubb,
Grundy,
Hardy,
Harrell,
Hatfield,
Holmes,
Hudson,
Johnston,
Kerrick,
Lightfoot,
McReynolds,
Pearce,
Pratt,

Railey,
Shawhan,
Short,
Smith,
Soery,
Speed,
Stephens, J. N.
Talbott,
Thomas,
Towles,
Warren,
White, M. E.
Williams,
Wilkins,
Wilson,
Wintersmith,
Wolford,
Woosley,
Wright,
Young, S.—60.

Miller,
Newell,
Quarles,
White, D. P.—13.
On motion of Mr. Hardy,
Ordered, That said bill have its third reading on to-morrow, at ten o'clock, A. M.

And then the House adjourned.

WEDNESDAY, FEBRUARY 23, 1848.

Mr. Cul ton presented the petition of the widow and heirs of Isaac Dickinson, praying for the sale of a tract of land belonging to said decedent,
Which was received, the reading dispensed with, and referred to the committee on the Judiciary.

On motion of Mr. Speed, leave of absence, for the remainder of the session, was granted to Messrs. Wood and Cavan.
A message was received from the Senate announcing their concurrence in the preamble and resolutions relative to Mr. Asa Whitney's plan for a railroad from Lake Michigan to the Pacific Ocean, with an amendment.
That they had passed bills from this House, of the following titles, viz:
An act relating to the road tax in Germantown, and for other purposes.
An act authorizing the erection of an additional toll gate on the Versailles and Anderson Turnpike Road.
An act for the benefit of the Board of Internal Improvement.
That they had passed bills of the following titles, viz:
An act to incorporate the New Orleans and Ohio Telegraph Company, and the people's Telegraph Company.
An act for the benefit of Spottswood Wills.
An act to amend the charter of the Frankfort and Louisville Railroad Company.
An act to incorporate the Muddy river, Elkton, Trenton, and Tennessee State line Turnpike Road Company.

1. Mr. McKinney presented the petition of the administrator and heirs of Eddy Barnett, deceased, praying the sale of certain estate belonging to said decedent.

2. Mr. Moore presented the petition of George W. Miller, and others, praying an additional Justice of the Peace to Laurel county.
Which were received, the reading dispensed with, and referred to the committee on the Judiciary.
A bill from the Senate, entitled, an act to amend the penal laws, was read the third time.

The question was then taken on the passage of said bill, and decided in the affirmative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Speaker, Messrs. Askins, Ballingal, Bowen, Conner, Duncan, Forde, Gaines, Haggard, Hamilton, Hanson, Hatfield, Headley, Hughes, Ireland, McKinney, Miller, Newell—18.

Resolved, That the title of said bill be as aforesaid.

On motion of Mr. Carlisle, leave of absence, for the balance of the session, was granted to Mr. Askins.

Ordered, That the committee of the whole be discharged from the further consideration of the bill to erect a monument to those who have fallen in the defence of their country.

The House then proceeded to the consideration of said bill.

Mr. Bush moved to amend said bill in the third section, by striking out five thousand dollars and inserting three thousand dollars.

A division of the question being called for, the question was first taken on striking out, and decided in the negative.
The yeas and nays being required thereon, by Messrs. Bush and Dohoney, were as follows, viz:

**Those who voted in the affirmative, were—**

Messrs. Abell, Barlow, Beele, Boulware, Boulware, Bowling, Bozarth, Bullock, Bush, Carlisle, Christopher, Cockrell,

- Conner
- Culton
- Dohoney
- Dougherty
- Floyd
- Grundy
- Harrell
- Hatfield
- Hogg
- Ireland
- Johnston

- Kerrick
- Lightfoot
- McReynolds
- Miller
- Newell
- Railey
- White, M. E.
- Wilson
- Woosley
- Young, A. — 32.

**Those who voted in the negative, were—**

Mr. Speaker, Messrs. Allin, Ballingal, Beard, Bell, Berry, Bilderback, Bourland, Bowen, Boyd, Cavan, Coleman, Collins, Combs, Duncan, Field, J.

- Field, R. H.
- Forde
- Gaines
- Grainger
- Haggard
- Hamilton
- Hanson
- Hardy
- Headley
- Holmes
- Hughes
- Moore
- Pearce
- Pratt
- Price

- Shawhan
- Short
- Smith
- Speed
- Stephens, J. N.
- Talbott
- Taliaferro
- Thomas
- Warren
- Williams
- Wilkins
- Wintersmith
- Woldorf
- Wright
- Young, S. — 46.

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

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed, The question was then taken on the passage of said bill, and decided in the affirmative.

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

**Those who voted in the affirmative, were—**

Mr. Speaker, Messrs. Allin, Ballingal, Barlow, Beard, Bell, Berry,

- Conner
- Dougherty
- Duncan
- Field, J.
- Field, R. H.
- Floyd
- Forde

- Miller
- Moore
- Pearce
- Pratt
- Price
- Railey
- Shawhan
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Those who voted in the negative, were—

| Messrs. Abell, | Dohoney, | White, M. E. |
| Bowling,       | Harrel,  | Young, A.—S. |
| Culon,         | Newell,  |           |

Resolved, That the title thereof be as aforesaid.

The amendment proposed by the Senate, to the preamble and resolutions from this House, in relation to Mr. Asa Whitney's plan for a Railroad from Lake Michigan, to the Pacific Ocean, was then taken up, twice read and concurred in.

The House then took up the bill from the Senate, to facilitate the construction of the Electric Telegraph.

The said bill was further amended.

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

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

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

Mr. Wilkins, from the committee on Banks, made the following report, viz:

[For Report—see Legislative Documents.]

Ordered, That the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

A message was received from the Senate announcing the passage of a bill from this House, entitled, an act to erect a monument to those who have fallen in defence of their country.

Mr. Moore, from the committee appointed to prepare and bring in the same, reported a bill to amend an act, entitled, an act to amend in part, and
repeal in part, the act establishing a road from London to the mouth of Big Laurel river, approved January 30, 1847,

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

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

Bills from the Senate of the following titles, viz:

An act to incorporate the Lexington and Frankfort Railroad Company.

An act to amend the charter of the Frankfort and Louisville Railroad Company.

Were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, they were referred to the committee on Internal Improvement, with instructions to report the same to the House tomorrow, at 12 o'clock, M.

Bills from the Senate of the following titles, viz:

1. An act to authorize the Mobile and Ohio Railroad Company to extend their Railroad from the south boundary line of the State of Kentucky, to the Mississippi or Ohio rivers.

2. An act to incorporate the Hamilton and New Lancaster Turnpike Road Company, in Boone county, and Hodgenville Turnpike Road Company.

3. An act for the benefit of the Superintendent of Public Instruction.

4. An act to authorize the Green County Court to sell the old Clerk's office, of Green county.

5. An act to extend the limits of the town of Hamilton, in Boone county.

6. An act to provide for a change of venue in the prosecution against Asa Sisk.

7. An act to provide for a change of venue in the prosecution against William Payton.

8. An act for the benefit of the legatees of James Cowen, deceased.

9. An act to amend an act, entitled, an act to incorporate the Shepherds-ville Iron Manufacturing Company, approved February 9, 1847.

10. An act for the benefit of James Calhoun and John Hill and wife.

11. An act for the benefit of Louisa V. Newman and her husband.

Were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 4th, 5th, 6th, 7th and 10th were severally ordered to be read a third time; the 2d was referred to the committee on Internal Improvement; the 3d to the committee on Education; the 8th and 11th to the committee on the Judiciary; and the 9th to the committee on Agriculture and Manufactures.
The rule of the House, constitutional provision and third reading of the 1st, 4th, 5th, 6th, 7th and 10th bills having been dispensed with,

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

On motion of Mr. Cockrell, leave was given to bring in a bill to amend an act passed at the present session allowing a special term to the Estill Circuit Court.

Ordered, That Messrs. Cockrell, Turner and Bush prepare and bring in the same.

And then the House adjourned.

THURSDAY, FEBRUARY 24, 1848.

1. Mr. Wilkins presented the petition of Eli Satterfield, and others in his behalf, praying that he be allowed to keep a coffee house and tavern without license.

2. Mr. Allin presented the petition of O. M. Randall, praying that the name of the town of Lucto be changed to that of Evansville.

3. Mr. Boulware presented the petition of sundry citizens of Madison county, praying the passage of a law authorizing the sale of a tract of land belonging to the heirs of Telitha Cole, deceased.

4. Also, the petition of James Cummins, praying that compensation be made him for timber, &c., taken in construction of a road over the big hill in Madison county.

5. Mr. Williams presented a communication from Kenaz Farrar, in relation to the claim of William Lykins, and the Circuit Courts of Estill, &c.

6. Mr. Thomas presented the petition of the Trustees of the Benson Church, praying the passage of a law authorizing a sale thereof.

7. Mr. T. D. Brown presented the petition of sundry citizens of Grayson county, praying the passage of a law for removing the obstructions to the navigation of Caney Creek.

Which were received, the reading thereof dispensed with, and referred; the 1st to the committee on Ways and Means; the 2d and 7th to the committee on Propositions and Grievances; the 3d to Messrs. Boulware, Turner and Barlow; the 4th to the committee on Internal Improvement; the 5th to the committee on Claims; and the 6th to the committee on the Judiciary.
A message was received from the Senate announcing their disagreement to a bill from this House, entitled, an act to authorize the Sergeant of the Court of Appeals to collect costs.

That they had passed bills from this House of the following titles, viz:

An act to amend the law concerning forfeited recognizances and bail bonds.

An act for the benefit of John Swansey's heirs, of Crittenden county.

An act to establish a Police Court in the town of Mount Vernon.

An act to incorporate a Turnpike Road Company from Versailles to Midway.

An act to incorporate the Great Crossings and Stamping Ground Turnpike Road Company.

An act for the benefit of M. C. Hughes, Surveyor of Owsley county.

An act to incorporate the Crittenden Mining Company.

An act for the benefit of the Morgan County Court.

An act to incorporate the town of Monticello.

An act to establish the town of Buena Vista, in Russell county.

An act to repeal the law in relation to private passways in the county of Mercer, and for other purposes.

An act to exempt keepers of public ferries, in Morgan county, from working roads.

An act for the benefit of the infant children of William Carpenter, deceased.

An act to change the time of holding the Estill County Court.

An act to change the time of holding the Oldham Circuit Court.

An act fixing the rate of toll on the Wilderness road.

An act to establish the office of Police Judge in the town of New Liberty, in Owen county, and regulating the duties thereof.

An act for the benefit of Jesse Day, of Morgan county.

An act to amend an act, entitled, an act to incorporate the Lexington Gas Company.

An act to incorporate the Odd Fellows' Hall, of Newport Kentucky.

An act for the benefit of Garnett A. Dowell.

An act to change a part of the State road in Kenton county.

An act to amend an act, entitled, an act to prevent the wanton destruction of fish.

An act for the benefit of William Mullen, of Wayne county, and others.

An act for the benefit of the Surveyor of Scott county.

An act to allow special terms of the Cumberland, Floyd and Pendleton Circuit Courts.

With amendments to the four last named bills.

That they had passed bills of the following titles, viz:

An act for the benefit of George F. Hatcher.
An act for the benefit of the Trustees of School District, in Anderson county.

An act for the benefit of James S. Halbert, of Lewis county.

An act for the benefit of Richard D. Neal, of Warren county.

An act authorizing the Board of Internal Improvement to bring suits in the General Court.

An act to incorporate the Fleming and Elizaville Turnpike Road Company.

An act declaring Big Blaine Creek, in Lawrence county, navigable.

An act to increase the width of a road leading from Florence to Anderson's Ferry, in Boone county.

An act to incorporate the Hodgenville Male and Female Academy.

An act to incorporate the town of Bridgeport in Franklin county.

An act to amend an act for the benefit of A. M., Clifford N., Henry B., and Sidney T. Fountaine, approved March 1, 1847.

An act to incorporate the Graves Mill Turnpike Road Company.

Ordered, That a messenger be sent to the Senate to ask leave to withdraw the report of this House, announcing the passage of a bill from the Senate, entitled, an act to allow additional terms to the Harrison and Estill Circuit Courts.

After a short time the messenger returned with said bill.

Mr. Speed then moved a reconsideration of the vote passing said bill, and it was decided in the affirmative.

The vote dispensing with the third reading and ordering said bill to be read a third time, was then reconsidered.

The said bill was then amended.

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

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 be amended by adding "and to change the time of holding the Nicholas Chancery Court."

Mr. Bowling, from the committee on Claims, to whom was referred a bill from the Senate, entitled, an act for the benefit of Catharine Montgomery, of Washington county, and John H. Butler of Hickman county, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the same do pass and that the title thereof be as afore-
A message was received from the Governor, by the Secretary of State, announcing that he had, on the 18th instant, approved and signed, an enrolled bill which originated in this House, entitled, an act to amend the charter of the Oakland Turnpike Road Company.

The Speaker laid before the House the report of the Commissioners appointed, by an act of the present session, to adjust the claim of Shackleford and Pullen for work done on the Capitol.

Ordered, That said report be referred to the committee on Claims.

Mr. McKinney, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in the Senate of the following titles, and had found the same truly enrolled, viz:

An act to amend the charter of the Franklin Fire and Marine Insurance Company, of Louisville.
An act for the benefit of the Surveyors of Henry and Lewis counties.
An act for the benefit of Benjamin W. Burge, of Warren county.
An act to detach Estill county from the 11th, and to add it to the 10th Judicial District.
An act to amend an act, entitled, an act to increase the powers of the Trustees of the town of Versailles.
An act for the benefit of Joseph C. Harrison, of Boone county, and others.
An act increasing the powers of the Harrison County Court.
An act for the benefit of the widow and heirs of John Turley, deceased.
An act to incorporate the Long Run Baptist Church, of Jefferson county.
An act to incorporate the Lebanon Lodge.
An act for the benefit of Robert S. Taylor, and others.
An act for the benefit of James L. Ballard and Matilda, his wife.
An act to amend an act, entitled, an act to establish the town of Brookesville, in Bracken county.

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

An act to incorporate a Fire Company in the town of Winchester.
An act authorizing the County Court of Mason county to sell and convey certain public property in said county, and for other purposes.
An act to incorporate the Paris, Winchester and Kentucky River Turnpike Road Company, and the North Middletown Turnpike Road Company, and for other purposes.
An act to incorporate the German Roman Catholic Benefit Society of Covington.
An act to change the time of holding the Christian Circuit and County Courts, and for other purposes.
An act to legalize the proceedings of the Graves County Court.
An act concerning conveyances.
An act to allow additional Constables to Logan, Washington, Fleming and Pendleton counties.

An act to incorporate the Paris and Combs' Ferry Turnpike Road Company.

An act to incorporate the Paris and Cynthiana Turnpike Road Company.

An act to incorporate the Springfield, and Perryville, and Danville Turnpike Road Company.

An act to legalize the proceedings of the Trustees of the town of Owensboro.

An act to amend an act, entitled, an act for the benefit of Nancy Pointer, approved February 25, 1847.

An act to incorporate the Chestnut Street Presbyterian Church of Louisville.

An act to legalize the proceedings of the Ohio County Court, at its January term, 1848, and for other purposes.

An act for the benefit of Davenport Jones, of Christian county.

An act to divorce Mary Perkins.

An act for the benefit of Price Snyder, of Simpson county.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. McKinney inform the Senate thereof.

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

By Mr. Wilson—A bill to incorporate the Harrod's Creek Academy, in Oldham county.

By the committee on Religion—A bill for the benefit of the town of Bloomfield.

By same—A bill to divorce Jack Henderson.

By same—A bill to divorce John C. Wolf.

By Mr. Hardy—A bill for the benefit of the Carroll County Court.

By Mr. Quarles—A bill to allow an additional Justice of the Peace to Pulaski county.

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

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.

Mr. A. Young, from the committee on Religion, reported a bill for the divorce of Joei Jones,

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

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,
Mr. Barlow moved to amend said bill by divorcing Thomas Webb from his wife, Susan Webb.

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

The yeas and nays being required thereon, by Messrs. J. Brown and Bush, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Allin, Ballingal, Barlow, Beeler, Berry, Blanton, Bourland, Boulware, Bowen, Bowling, Boyd, Bozarth, Bollock, Carlisle, Collins, Culton, Dougherty,

Duncan, Elliott, Field, J., Field, R. H., Floyd, Forde, Gaines, Grainger, Grubb, Haggard, Hardy, Harrel, Hatfield, Headley, Hogg, Holmes, Ireland,

Johnston, Judd, Lightfoot, McReynolds, Pratt, Quarles, Smith, Soery, Talbutt, Taliaferro, Turner, White, M. E., Williams, Wilkins, Woosley, Young, S.—50.

Those who voted in the negative, were—

Mr. Speaker, Messrs. Abell, Beard, Bell, Bilderbeak, Brown, J., Brown, T. D., Bush, Chilton,

Cockrell, Coleman, Conner, Dohoney, Grundy, Hamilton, Harris, Kerrick, Newell


The said bill was further amended by divorcing Joy Babbitt, of Butler county, from his wife, Eda Babbitt; Solomon Pearse from his wife, Betsey Pearse; Catharine Lemaster from her husband, Irvin Lemaster; Lumina Dycus from her husband, James Dycus; and Richard Stamper from his wife, Rebecca Stamper.

Mr. Bush then moved to lay said bill, as amended, on the table.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, Messrs. Abell, Bell,

Cockrell, Coleman, Dohoney

Pearce, Quarles, Shawhan,
Those who voted in the negative, were—

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Mr. J. Brown moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the bill, as amended, be engrossed and read a third time? and it was decided in the affirmative.

On motion of Mr. Grainger,

Ordered, That said bill have its third reading on to-morrow, at 11 o'clock, A. M.

A bill from the Senate, entitled, an act to fix the ratio and apportion the representation in the Senate and House of Representatives, for the ensuing four years,

Was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Ordered, That said bill be made the special order of the day for to-morrow, at 12 o'clock, M.

Mr. Wright moved a reconsideration of the vote making said bill the special order for to-morrow, at 12 o'clock, M.

And the question being taken thereon, it was decided in the affirmative.
The yeas and nays being required thereon, by Messrs. Wright and Williams, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, Mr. Christopher, Mr. Lightfoot, Mr. Abell, Mr. Coleman, Mr. Miller, Mr. Alin, Mr. Combs, Mr. Newell, Mr. Ballingal, Mr. Dougherty, Mr. Shawhan, Mr. Barlow, Mr. Field, J., Mr. Soery, Mr. Beard, Mr. Field, R. H., Mr. Taliaferro, Mr. Bell, Mr. Floyd, Mr. Warren, Mr. Bilderback, Mr. Gaines, Mr. White, M. E., Mr. Blanton, Mr. Grundy, Mr. Williams, Mr. Bowen, Mr. Hatfield, Mr. Wilkins, Mr. Bozarth, Mr. Headley, Mr. Wilson, Mr. Bush, Mr. Holmes, Mr. Woosley, Mr. Carlisle, Mr. Hughes, Mr. Wright, Mr. Chilton, Mr. Johnston, Mr. Young, A.—42.

Those who voted in the negative, were—

Messrs. Beeler, Mr. Duncan, Mr. Moore, Mr. Berry, Mr. Forde, Mr. Pearce, Mr. Bourland, Mr. Haggard, Mr. Pratt, Mr. Boulware, Mr. Hamilton, Mr. Railey, Mr. Bowling, Mr. Hardy, Mr. Speed, Mr. Royd, Mr. Harrel, Mr. Stephens, J. N., Mr. Brown, J., Mr. Harris, Mr. Talbott, Mr. Brown, T. D., Mr. Hogg, Mr. Thomas, Mr. Bullock, Mr. Ireland, Mr. Turner, Mr. Cockrell, Mr. Judd, Mr. Wintersmith, Mr. Collins, Mr. Kerrick, Mr. Wolford, Mr. Culton, Mr. McReynolds, Mr. Young, S.—37, Mr. Dohoney.

Mr. Wright moved to refer said bill to the committee appointed to prepare and bring in a bill to fix the ratio and apportion the representation for the next four years.

And the hour of 12 o’clock having arrived, the House proceeded to the orders of the day.

Ordered, That the bill to abolish the militia system and to revise and permanently establish common schools, be made the special order for to-morrow, at 10 o’clock, A. M.

Mr. Bush, from the committee on Privileges and Elections, to whom was referred the bill to establish additional election precincts in certain counties, and for other purposes, reported the same with sundry amendments, which were concurred in.

The said bill was further amended.

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

Mr. Collins, from the committee on Internal Improvement, to whom was referred the bill from the Senate, entitled, an act to incorporate the Lexington and Frankfort Railroad Company, reported the same without amendment.

Mr. Gaines moved to amend said bill, by adding to the 24th section, the following proviso, viz:

Provided, however, That no subscription shall be made on the part of the State, of said fifteen hundred, until an equal amount shall be subscribed and actually paid by the stockholders.

And the question being taken on adopting the same, it was decided in the negative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Speaker, Messrs. Abell, Beard, Bell, Beeler, Berry, Bourland, Bowling, Bullock, Bush, Chilton, Christopher, Collins, Combs, Duncan, Field, R. H., Forde, Grainger, Hamilton, Hanson, Hardy, Harrell, Harris, Hogg, Holmes, Hughes, Kerrick, McKinney, McReynolds, Miller, Pearce, Pratt, Price, Railey, Short, Smith, Speed, Stephens, J. N., Talbott, Taliaferro, Thomas, Towles, Turner, Wall, Williams, Wilkins, Wilson, Wintersmith, Wolford, Wright, Young, A., Young, S.—52.
The said bill was then amended.

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

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

The question was then taken on the passage of said bill, and decided in the affirmative.

The yea and nays being required thereon, by Messrs. Harris and Haggard, were as follows, viz:

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<td>Mr. Speaker, Smith</td>
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<td>Messrs. Beard, Speed</td>
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<td>Beeler, Stephens, J. N.</td>
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<td>Combs, Shawhan</td>
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<td>Field, R. H.</td>
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<th>Those who voted in the negative, were—</th>
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<td>Messrs. Abell, Johnston,</td>
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<td>Allin, Lightfoot,</td>
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<td>Ballingal, McKinney</td>
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<td>Barlow, Newell,</td>
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<td>Carlisle, Warren,</td>
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<td>Cockrell, White, M. E.</td>
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<td>Coleman, Woosley—38</td>
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Resolved. That the title thereof, be as aforesaid.

Mr. Harris, from the committee on Ways and Means, to whom was referred a bill from the Senate, entitled, an act for the benefit of the Clerks of the Simpson and Clarke County Courts, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,
Resolved. That the same do pass and that the title thereof be as aforesaid.
A message was received from the Senate announcing that they had passed a bill, entitled, an act for the benefit of James Pratt, of Union county.
And then the House adjourned.

FRIDAY, FEBRUARY 25, 1848.

Mr. J. Brown presented the petition of sundry citizens of Shelby county, praying that power be given to Notaries Public to administer oaths in cases of protest of bills.
Which was received, the reading dispensed with, and referred to the committee on the Judiciary.
Mr. A. Young, from the committee on Religion, to whom was referred bills from the Senate of the following titles, viz:
An act to divorce Isabella Snelling, and for other purposes.
An act to divorce William R. Ennis from his former wife, and for other purposes.
Reported the same without amendment.
Ordered, That said bills be read a third time.
The rule of the house, constitutional provision and third reading of said bills having been dispensed with,
Resolved, That the same do pass and that the titles thereof be as aforesaid.
A message was received from the Senate announcing their disagreement to a bill from this House, entitled, an act for the benefit of Joseph Willis Hamilton.
That they had passed bills from this House of the following titles, viz:
An act to amend the road law in the county of Knox.
An act for the benefit of the town of Newport, in Campbell county.
An act to amend the act requiring the several County Courts to procure a set of weights and measures, approved February 1, 1839.
An act for the benefit of William P. Woolley.
An act for the benefit of the mechanics of the town of Newport.
An act for the benefit of the administrator of the estate of Charles Carter, deceased.
An act to legalize the acts of William Teal, of Owen county.
An act for the benefit of John H. Parish, Surveyor of Madison county.
An act directing a change of venue in the prosecution against John Lamb.
An act for the benefit of William H. Curtis, of Monroe county.
An act for the benefit of Juliana Dickson Thomasson.
An act to enlarge the limits of the town of Cadiz.
An act to amend the trustee law of the town of London.
An act for the benefit of Elijah Hansbrough, of Hardin county.
An act to provide for running and marking the dividing lines between the counties of Russell, Casey and Pulaski.
An act for the benefit of William B. Smith, of Warren county, and Wm. S. Green, of Hart county.
An act to enlarge the powers of the Trustees of the town of Mount Washington, in Bullitt county.
An act for the benefit of Ann H. Cundiff, of Clay county.
An act for the benefit of Ophelia Holloway, and Andrew, her son.
An act allowing an additional Constable to Wayne county, and for other purposes.
An act to change name of Henry Moore Henry, to that of Francis Gray Henry.
An act for the benefit of the Methodist Church in Madison county.
An act to divorce William Humphreys, of Hickman county.
An act for the benefit of Nathaniel D. Burks and Magdalen Burks.
An act concerning the election of Electors.
An act providing for running the dividing line between Bracken and Pendleton.
An act for the benefit of Julia A. Williams.
An act to divorce William W. Hinds.
An act to divorce William W., and Nancy Millikin.
An act allowing additional Justices of the Peace and Constables to certain counties.
An act to amend the charter of the city of Covington.
An act to change the name of James Riley Hammons, and for other purposes.
With amendments to the eight last named bills.
That they had passed bills of the following titles, viz:
An act to repeal an act concerning slaves, approved February 21, 1846.
An act for the benefit of Ebenezer Church, in Lewis county.
An act to amend the charter of the town of Newport.
An act supplemental to an act to extend the jurisdiction of the Police Judge of the town of Hopkinsville, approved February 18, 1848.
An act for the benefit of the town of Winchester.
An act for the benefit of Thomas Gardner, of Bourbon county.
An act for the benefit of Burnley D. Smith, of Todd county.
An act for the benefit of Aquilla Beecraft and Nancy L. Beecraft, his wife.
An act to establish additional election precincts in Pendleton and Harlan counties.
An act to change the place of voting in the Stephensburg precinct, in Hardin county.
An act to establish an election precinct at Trenton, in Todd county.
An act for the benefit of the Clerks of the Daviess and McCracken Circuit and County Courts.
An act for the benefit of the Lunatic Asylum, at Lexington.
An act to authorize a survey of Salt river, and the Rolling and Beech forks.

Mr. McKinney, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in this House of the following titles, and had found the same truly enrolled, viz:

An act to repeal the law in relation to private passways in the county of Mercer, and for other purposes.
An act to incorporate the Odd Fellows' Hall, of Newport, Kentucky.
An act to amend an act, entitled, an act to incorporate the Lexington Gas Company.
An act for the benefit of Garnett A. Dowell.
An act to change a part of the State road in Kenton county.
An act for the benefit of the Board of Internal Improvement.
An act relating to the road tax in Germantown, and for other purposes.
An act to erect a monument to those who have fallen in the defence of their country.
An act for the benefit of James Dewit, Benj. Riddle and Isaac Chenowith.
An act to exempt keepers of public ferries, in Morgan county, from working roads.
An act changing the time of holding the Estill County Court.
An act to change the time of holding the Oldham Circuit Court.
An act for the benefit of Jesse Day, of Morgan county.
An act to incorporate the Great Crossings and Stamping Ground Turnpike Road Company.

And bills which originated in the Senate of the following titles, viz:
An act for the benefit of James Sudduth.
An act for the benefit of the heirs of James B. Blair, deceased.
An act for the benefit of the infant heirs of Augustus F. Jacob, of Caldwell county.
An act supplementary to an act incorporating the Paris, Winchester and Kentucky River Turnpike Road Company, and the North Middletown Turnpike Road Company, and for other purposes.

An act to amend an act, entitled, an act to establish the town of Petersburg, in Boone county, approved January 7, 1839.

An act to amend the act incorporating the town of Greensburg.

An act for the benefit of the heirs of Philip Baker.

An act to amend an act for the benefit of Ann L. Clements, approved February 3, 1847.

An act to amend an act, entitled, an act to establish the town of Cornishville, approved February 23, 1847, and for other purposes.

An act to incorporate the Logan Manufacturing Company.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. McKinney 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 on Banks—A bill concerning the Banks of Kentucky.

By the committee on Religion—A bill to divorce Mary E. Crane.

By same—A bill to divorce William Grady.

By same—A bill to divorce John L. Jackson.

By same—A bill to divorce Volney and Rachel Bedford.

By same—A bill to divorce Julia G. and Nicholas M. Taylor.

By same—A bill to divorce Jesse Key.

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

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.

Mr. A. Young, from the committee on Religion, reported a bill to divorce Mary Chrisman and restore her to her maiden name.

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

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

The said bill was then amended.

Mr. Carlisle proposed an amendment to said bill, and after some discussion thereon, the hour of ten o'clock arrived, when the House proceeded to the consideration of the bill to abolish the militia system and to revise and permanently establish a system of common schools, and the amendment proposed thereto, as a substitute, by the committee.

Mr. Haggard moved to amend said substitute, by adding the following, viz:
The First Auditor shall be the Superintendent of Public Instruction, and shall superintend the organization and operation of the system of schools hereby established; and by correspondence, and otherwise, keep himself constantly advised of the condition of the schools in the several districts and counties, and of the prospects and progress of the system in the several different sections of the State: he shall, by all the means within his power, recommend and organize the system, and exert himself to remove all obstacles to its adoption and success; he shall be the President of the Board of Education, and by, and with their advice, shall appoint their county superintendents and remove them at pleasure during the month of December, in each year; he shall make out a table showing the distributive share of the interest on the school fund to which each county in the State is entitled, according to the relative number of children therein, between the ages of five and sixteen, which shall be published for the use of the county superintendents, and forwarded to them on or before the first day of January, under the direction of the Board of Education. He shall, on the first Monday of February, check in favor of the superintendent of each county for the sum said county is entitled to under the terms hereafter prescribed, and shall keep the account of each county in a book provided for that purpose; and any surplus of the fund raised by this act, remaining at the end of each year, shall be vested, by the superintendent, under the direction of the Board of Education, in State bonds, or stock of either of the Banks of Kentucky, which shall be held in the name of said Board, and deposited in the office of the Superintendent. The interest on this investment shall be regularly received by the Superintendent, and credited by him to each county entitled thereto, in proportion to their respective claims on the original surplus fund, and distributed as the Board may direct. The Superintendent shall prepare, and publish, an annual report to the Legislature, within ten days after it meets, giving an accurate view of the condition of the Common Schools, and of the funds, and making such suggestions for the improvement and increase of both as he may deem useful. And to enable the First Auditor to perform the additional duties imposed by this act, he is hereby allowed postage and necessary incidental expenses, together with a clerk, whose salary shall be five hundred dollars per annum.

THE BOARD OF EDUCATION.

Sec. 2. The Superintendent of Public Instruction, Secretary of State, and Second Auditor, shall be, and they are hereby constituted a body politic and corporate, by the style of "The Board of Education for the State of Kentucky," having perpetual succession, which may hold and possess money, stocks, and property of any kind, for the use of Common Schools; may sue and be sued, plead and be impleaded; defend and be defended, in all courts of record, or any other place whatever; and, also, may make, have, and use, a common seal, and break, alter and renew the same at pleasure, and generally do all acts and things which a body corporate may lawfully do. All bonds, notes, obligations, transfers, or other instruments made or ordered by the Board, shall be signed by the President, and, when necessary, sealed with the corporate seal; and the Board shall always be subject to legislative modification or repeal. It shall be the duty of the Board to meet at least once every month, to examine and pass upon all reports; and make all rules, by laws, and orders, not inconsistent with this act, which they may deem necessary for the
full development and organization of this system, in all its departments. A record shall be kept, by the Superintendent, of all their proceedings; and they may publish any of their proceedings deemed advisable. They shall direct the amount to be checked for by the Superintendent in favor of the county superintendent upon the following principles: If a county has six or more Common Schools in operation, for three months in the year, outside of any city, then the whole dividend declared in favor of such county, shall be paid over to the county superintendent, to be distributed amongst all the schools in the county, in proportion to the number actually attending school. Provided, the sum so distributed to each district shall not exceed one hundred dollars; if a county has less number of schools, the Board, being informed of the number of schools and scholars, shall determine what portion of the dividend for said county shall be paid over, which shall not be less than their proportion of the county dividend, but may be more, at the discretion of the Board; the balance shall, at the end of each year, be invested for the benefit of such county, in bonds or stock as above directed, as shall, also, be the dividends due counties having no common schools.

COUNTY SUPERINTENDENTS.

Sec. 4. There shall be a county superintendent for each county in the State, appointed as above stated, who shall execute bond, payable to the Board of Education, with good security, to be approved of by the Superintendent, and filed in his office, in a penalty to be fixed by him, and conditioned for the faithful discharge of his duties; he shall arrange the school districts in his county; and no district shall contain less than twenty nor more than one hundred children, between the ages of five years and sixteen: he shall number and file a description thereof in the County Court Clerk's office, and forward a copy to the Superintendent; he shall personally superintend the organization of all Common Schools in his county, and all elections and votes necessary in the districts, and, on appeal from the trustees, shall decide all difficulties therein, as to the organization or management of the schools; he shall examine all persons presenting themselves as teachers, male and female, and if found of good moral characters and of proper qualifications to teach successfully the usual branches of English education, he shall give them a certificate to that effect, without which certificate from the superintendent of the county in which the application to teach is made, no person shall be permitted to teach a common school in any county in the State; he shall, on application of the trustees, and on his failure to pay, the amount due may be recovered of him by warrant before a Justice of the Peace; he shall answer, punctually, all communications from the Superintendent, report quarterly to him the condition of all the schools in the county, and on or before the first of December, each year, shall make an annual report of the number of districts in which schools have been kept, the length of time, the number of children between the ages specified in each district having a school, the average number at school in each district during the year, the cost of each scholar, per month, together with an accurate statement of the money distributed, the prospects of the system in the county, and such suggestions as to its improvement as he may deem proper. He, and his successor or successors in office, shall be a body corporate and politic, by the name of "The County Superintendent of Common Schools of the county———", in which he resides; may sue and be sued, con-
tract and be contracted with; shall receive from the Superintendent of Public Instruction, and distribute, all sums paid him by said superintendent, and hold, for the use of the Common Schools of his county, any money, or stocks and property, real and personal, to an amount not exceeding one hundred thousand dollars, acquired, distributed, granted or devised; the same to be under his control and management, subject to the supervision of the Superintendent of Public Instruction and the Board of Education. The county commissioners, under the present law, shall, after the passage of the act, deliver to the county superintendent of their respective counties, all books, papers and property in their possession, relating to their office; and in case of removal or resignation of the county superintendent, he shall deliver to his successor, any money, books, papers, or property, remaining in his hands belonging to his said office; and on failure of either to do so; they, or their legal representatives, shall be liable to recovery, to the amount of their full value, of the articles retained, and subject, also, to fine, not exceeding one hundred dollars. His compensation shall be one dollar and fifty cents for each day actually employed in laying off the districts, attending the election, the organization or regulation of schools, or in the performance of any duty requiring his absence one day or more: this compensation shall be paid him out of the county levy, whenever he presents to the County Court, the quarterly certificate of the Superintendent of Public Instruction, that he has faithfully performed his duties, and is entitled to receive the amount claimed.

**TRUSTEES.**

Sec. 6. The county superintendent may appoint three Trustees for each district in the county, who shall remain in office unless a majority of the qualified voters of the district shall meet on the first Saturday of April, of each year, and elect different Trustees. It shall be the duty of the Trustees to appoint a Clerk, who shall record their proceedings, attend all their meetings, and perform such other duties as may be required; they shall also appoint a collector, to collect, by suit or otherwise, in the name of the Trustees, all sums due them or the teacher; and he shall be allowed five per cent on all monies collected by him. The Trustees may admit all persons into the school between the ages of five and twenty one years, and shall select a teacher or teachers, male or female, for the district, purchase or receive gifts of land, not exceeding two acres, and provide for the erection of a school house, superintend the management of the school, provide furniture and fuel, make repairs, and sue for, and recover, any damages to the premises; they are hereby created a body politic and corporate, with power to sue and be sued, contract and be contracted with, and do whatever else is necessary to carry out and enforce their rights and duties. All monies received by them, and not expended during the year, shall go into the account of the succeeding year, and be reported by them to the county superintendent; they shall have power to procure a Common School Library, and make every necessary regulation concerning it; on or before the 10th day of November, in each year, they shall report to the county superintendent the whole number of children between the ages of five and sixteen, residing in the district, the number taught at school, the amount of money received and disbursed, and the length of time a school has been taught during the year. The county superintendent shall fill any vacancy occurring in the
Board of Trustees, and any trustee failing to perform his duty, shall be liable to a fine of five dollars; or, if the Trustees fail to report to the county superintendent, they shall be liable to a fine of five dollars each, which fines shall be recoverable, on motion of the county superintendent, before any Justice of the Peace of the county, and shall be applied by him for the benefit of the school library; when the term of the Trustees expire, which shall be on the first Saturday of April, in every year, they shall promptly deliver all books, accounts, papers, money, and property, to their successors, together with a full inventory thereof; and on failure, a recovery, in the name of the new Trustees, may be had after ten days' previous notice, on motion before a Justice of the Peace.

ORGANIZATION OF DISTRICTS AND SCHOOLS.

Sec. 7. The districts shall be adapted, as nearly as possible, to the convenience and wish of the people, and the geography of the country; where a county line intersects a neighborhood whose convenience may require a district organized of parts of two or more counties, the district may be so formed, and the report made from the county in which the school house is located, and the number of children, on each side of the line, shall be noted in the report and charged to the proper county.

Sec. 8. So soon as the citizens of any school district shall raise, by subscription or otherwise, as they may determine, money or property sufficient, with their proportion of the school fund hereby appropriated, to maintain a school for the term of three months, and have it taught by a competent teacher, such district, after its organization, shall be entitled to its distributive share, as heretofore provided for; and upon the report of the Trustees to the county superintendent, agreeable to this act, shall receive the same; but no money shall be appropriated by the Superintendent of Public Instruction, till the county superintendent reports to him the number of districts, of children in each district of the ages specified, and of the number of schools in operation or prepared to go into operation.

Sec. 9. The commissioners of tax shall take in the number of children in the county, between the ages of five and sixteen, subject to a fine of twenty dollars for failure to do so, to be deducted out of their compensation.

Sec. 10. This act, as to districting, is not to apply to the cities of Louisville, Lexington, Covington, or Maysville, which cities shall be considered as having adopted this system, so long as they maintain public schools; and they shall be entitled to the benefits of this act, on report of the agent of public school of said cities, in conformity to the requisitions herein; and the amounts due them shall be paid by the Superintendent of Public Instruction to the mayor and council, for the use of their public schools.

Sec. 11. The Superintendent is directed to report, under the direction of the Board of Education, he shall, on the first Monday in February, check in favor of the county superintendent, allowing for each pupil fifty cents, that have been actually going to, or attending school; Provided, the sum thus allowed, shall not exceed twenty thousand dollars, per annum.

THE FUND.

Sec. 12. The interest upon the sum of eight hundred and fifty thousand dollars of the surplus revenue of the United States, deposited with this State, heretofore set apart for the benefit of Common Schools, together with all the bank stock heretofore purchased by the interest accruing on the
same, now owned by the State, or which may hereafter be purchased by the same means, or otherwise founded or derived from the sale of State bonds issued to the Board of Education, or any other funds which may be hereafter appropriated for the same purpose, shall be, and the same is hereby set apart and faithfully dedicated, forever, as a fund for the benefit of Common Schools, and a system of general instruction in the State of Kentucky; to the benefits of which, the several counties in this State shall be entitled, in proportion to the number of children therein, between the ages of five and sixteen, on the terms and conditions set forth in this act.

Sec. 13. To provide, in part, for the payment of the interest on the said fund, twenty thousand dollars are hereby appropriated, out of any moneys not otherwise appropriated, for the benefit of the system hereby established, for the current year, which shall be placed to the credit of the Superintendent of Public Instruction in the Branch of the Bank of Kentucky at Frankfort.

Sec. 14. That all acts or parts of acts within the purview of this act, and all acts in relation to Common Schools, be, and the same are hereby repealed, reserving all rights and property and obligations acquired under the same.

And the question being taken on adopting the same, it was decided in the negative.

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

Those who voted in the affirmative, were—

| Messrs. Allin, Barlow, Bell, Bilderback, Blanton, Bowen, Bush, Coleman, Collins, | Conner, Culton, Gaines, Haggard, Hamilton, Hatfield, Hogg, Johnston, Judd, |
| Mr. Speaker, Messrs. Abell, Ballingal, Beeler, Bourland, Boulware, Boyd, Bozarth, Brown, J., Brown, T. D., Bullock, Chilton, Cockrell, Dougherty, | Floyd, Grainger, Grundy, Hanson, Hardy, Harrell, Harris, Headley, Holmes, Hughes, Kerrick, Lightfoot, McKinney, McReynolds, Price, Quarles, Railey, Smith, Speed, Talbut, Taliaferro, Towles, Turner, Wall, White, M. E., Williams, Wilkins, Wintersmith, |

Those who voted in the negative, were—
The question was then taken on the adoption of the substitute, and it was decided in the affirmative.

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

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

The question was then taken on the passage of said bill, and decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Abell,
Allin,
Ballinaal,
Barlow,
Bell,
Beeler,
Berry,
Bilderback,
Blanton,
Bourland,
Boulware,
Bowen,
Boyd,
Bozarth,
Brown, J.
Brown, T. D.
Bullock,
Bush,
Chilton,
Christopher,
Cockrell,
Coleman,
Conner,
Culton,
Dohoney,
Dougherty,

Duncan,
Elliott,
Field, J.
Field, R. H.
Floyd,
Grainger,
Hamilton,
Hanson,
Hardy,
Harrel,
Harris,
Hatfield,
Headley,
Hogg,
Holmes,
Hughes,
Ireland,
Johnston,
Judd,
Kerrick,
Lightfoot,
McKinney,
McReynolds,
Miller,
Moore,
Newell,

Miller,
Moore,
Pearce,
Wolfdorf,
Woosley,
Young, S.—52.

In the negative—Mr. Forde.

Resolved, That the title of said bill be amended to read as follows: “an act concerning the Common School System.”

A message was received from the Senate, announcing that they insist on their amendment to a bill from this House, entitled, an act to increase the
revenue, and had appointed a committee of conference on their part to meet a similar committee to be appointed on the part of this House, in relation to said amendment.

Whereupon, Messrs. Hardy, Holmes and Towles were appointed a committee on the part of this House.

Mr. Hardy moved the following preamble and resolution, viz:

WHEREAS, a Telegraph despatch of this morning has brought to us the painful intelligence of the death of the venerable Ex-President, John Q. Adams, which took place on yesterday at Washington city, in whose death the nation mourns the loss of one of her most eminent patriots, distinguished statesmen, and virtuous citizens. Therefore,

Be it resolved, That in view of the high and distinguished character of the late Ex-President, John Q. Adams, both in political and social life, and the ability with which he has served his country in the cabinet, the Congress, and as her Chief Magistrate, and as a testimonial of our high estimation of his moral, social and political virtues, we will wear the usual badge of mourning for thirty days.

Which being twice read, were adopted.

At half past 12 o'clock, Mr. Towles moved an adjournment.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, Field, J.  Moore,  
Messrs. Allin, Gaines,  Pearce,  
Beard, Haggard,  Pratt,  
Bell,  Hamilton,  Price,  
Boulware, Hanson,  Quarles,  
Bowling, Harreld,  Smith,  
Brown, J.  Harris,  Soory,  
Brown, T. D.  Hughes,  Talbott,  
Bush, Judd,  Towles,  
Christopher, Kerrick,  Wall,  
Collins, McKinney,  Warren,  
Dougherty, Miller,  Wolford—37.

Those who voted in the negative, were—

Messrs. Abell,  Elliott,  Newell,  
Ballingal,  Field, R. H.  Railey,  
Barlow, Floyd,  Shawhan,  
Beeler, Forde,  Short,  
Bilderback, Grainger,  Speed,  
Blanton, Grubb,  Talhaferro,  
Bourland, Grundy,  White, M. E.  
Bowen, Hardy,  Williams,  
Boxarth, Hatfield,  Wilkins,  

51
Mr. Bush, from the committee on Privileges and Elections, made the following report, viz:

The committee on Privileges and Elections have, according to order, had under consideration the returns of the Sheriffs of this Commonwealth, and make thereon the following report: That in the opinion of this committee, the following gentlemen are returned as duly elected to serve as members of this House of Representatives, for the present General Assembly, viz:

From the county of Adair—Chapman Dohoney.
From the county of Allen—Richard S. Forde.
From the county of Anderson—Keeling C. Gaines.
From the counties of Ballard and McCracken—Reese Bourland.
From the county of Barren—James G. Hardy and Asa Young.
From the county of Bath—John B. Warren.
From the county of Boone—James N. Stephens.
From the county of Bourbon—Charles Talbut and Richard H. Hanson.
From the county of Boyle—Obadiah Garnett.
From the county of Bracken—Archibald A. Askins.
From the counties of Breathitt and Morgan—Mason Williams.
From the county of Breckinridge—Nathaniel L. Lightfoot.
From the county of Bullitt—Richard H. Field.
From the counties of Butler and Edmonson—Samuel Woosley.
From the county of Caldwell—Jesse Stevens.
From the counties of Calloway and Marshall—Alfred Johnston.
From the county of Campbell—John N. Taliaferro.
From the counties of Carroll and Gallatin—John Field.
From the counties of Carter and Lawrence—George Grubb.
From the county of Casey—Franklin L. Woford.
From the county of Christian—James F. Buckner and Lysias F. Chilton.
From the county of Clarke—James H. G. Bush.
From the counties of Clay, Letcher and Perry—Hiram Hogg.
From the counties of Cumberland and Clinton—David R. Haggard.
From the county of Crittenden—Henry R. D. Coleman.
From the county of Daviess—Finley W. Wall.
From the counties of Estill and Owsley—Blisha L. Cockrell.
From the county of Fayette—Leslie Combs and Douglas L. Price.
From the county of Fleming—John A. Cavan and William R. Pearce.
From the counties of Floyd, Pike and Johnson—John M. Elliott.
From the county of Franklin—Landon A. Thomas.
From the county of Garrard—Horace Smith.
From the county of Grant—Peter Ireland.
From the county of Graves—John Baker.
From the county of Grayson—Eli Bozarth.
From the county of Green—Ignatius Abell and Daniel P. White.
From the county of Green—William Conner.
From the county of Hancock—Timothy Holmes.
From the county of Hardin—Thomas D. Brown and Charles G. Wintersmith.
From the county of Harrison—Hugh Newell and Joseph Shawhan.
From the county of Hart—Henry C. Wood.
From the county of Henderson—Thomas Towles, Jr.
From the county of Henry—Daniel M. Bowen.
From the counties of Hickman and Fulton—Newton E. Wright.
From the county of Hopkins—Newton Headley.
From the county of Jefferson—Isaac P. Miller and Benjamin H. Kerrick.
From the county of Jessamine—Joseph C. Christopher.
From the county of Kenton—Robert M. Carlisle.
From the counties of Knox and Harlan—James Culton.
From the county of Larue—William Beeler.
From the counties of Laurel and Rockcastle—William B. Moore.
From the county of Lewis—James Bilderback.
From the county of Lincoln—George H. McKinney.
From the county of Livingston—Robert S. Boyd.
From the county of Logan—Robert C. Bowling and Robert Harrel.
From the city of Louisville—James Speed and William H. Grainger.
From the county of Madison—Madison Boulware and Cyrus Turner.
From the county of Marion—Cornelius Railey.
From the county of Mason—Richard Collins and D. Rice Bullock.
From the county of Meade—Sylvester Harris.
From the county of Mercer—Benjamin C. Allin.
From the county of Monroe—John S. Barlow.
From the county of Montgomery—Archibald W. Hamilton.
From the county of Muhlenburg—William T. Short.
From the county of Nelson—Stanley Young and William H. Duncan.
From the county of Nicholas—David Ballingal.
From the county of Oldham—James F. Wilson.
From the county of Owen—James F. Blanton.
From the county of Ohio—Robert T. Bell.
From the county of Pendleton—Joseph Dougherty.
From the county of Pulaski—John T. Quarles.
From the county of Russell—Jesse S. Judd.
From the county of Scott—John T. Pratt.
From the county of Simpson—Samuel Hatfield.
From the county of Shelby—John Brown and Hartwell A. Bailey.
From the county of Spencer—Alexander L. Beard.
From the county of Todd—James A. McReynolds.
From the county of Trigg—William Soery.
From the county of Trimble—John B. Floyd.
From the county of Union—Willis G. Hughes.
From the county of Warren—Jeremiah C. Wilkins.
From the county of Washington—Thomas S. Grundy.
From the county of Wayne—Marshall N. Hudson.
From the county of Whitley—Milton E. White.
From the county of Woodford—Lewis A. Berry.
An engrossed bill, entitled, an act to divorce Joel Jones, was read the third time.

Resolved, That said bill do pass and the title be amended, by adding "and others."

The yeas and nays being required on the passage of said bill, by Messrs. Newell and Williams, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Speaker, Messrs. Bell, Beeleer, Berry, Bilderback, Bush, Chilton, Cockrell, Dohoney, Dougherty, Grundy, Hamilton, Hardy, Hatfield, Kerrick, Lightfoot, Newell, Railey, Shawhan, Short, Speed, Stephens, J. N., Thomas, Wilkins—24.

A message was received from the Senate announcing their concurrence in the resolutions from this House, in relation to the boundary between the States of Ohio, Indiana, Illinois and Kentucky. That they had adopted resolutions complimentary to the Encarnacion prisoners, and others.

The House resumed the consideration of the bill from the Senate, entitled, an act to fix the ratio and apportion the representation in the Senate and House of Representatives, for the ensuing four years.

Mr. Wright withdrew his motion to commit said bill.

Mr. Wilkins moved to amend said bill, by striking out after "Logan" the word "two" and insert "one," and strike out after "Warren" the word "one" and insert "two."

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

The yeas and nays being required thereon, by Messrs. Wilkins and Johnston, were as follows, viz:
Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Allin moved to amend said bill, by striking out after "Nelson" the word "two" and insert "one," and strike out after "Mercer" the word "one" and insert "two."

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

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

Those who voted in the affirmative, were—

Coleman, Ireland, Wilson,
Conner, Johnston, Woosley,
Dohoney, Miller, Wright—37.
Dougherty,

Those who voted in the negative, were—

Messrs. Beard, Cullom, Price,
Beeler, Duncan, Railey,
Berry, Grainger, Short,
Bourland, Haggard, Smith,
Bouware, Hamilton, Speed,
Bowling, Hanson, Stephens, J. N.
Boyd, Harrell, Talbut,
Brown, T. D. Hogg, Taliaferro,
Bullock, Hughes, Towles,
Bush, Judd, Turner,
Chilton, Kerrick, Wall,
Christopher, Lightfoot, Wintersmith,
Cockrell, McKinney, Wollord,
Collins, McReynolds, Young, A.
Combs, Pearce, Young, S.—45.

At a quarter past 6 o'clock, P. M., Mr. Haggard moved an adjournment.
And the question being taken thereon, it was decided in the negative.

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

Those who voted in the affirmative, were—

Messrs. Abell, Collins, Pratt,
Beard, Dougherty, Price,
Beeler, Field, J. Railey,
Blanton, Forde, Smith,
Bowen, Gaines, Soery,
Bowling, Haggard, Taliaferro,
Boyd, Hamilton, Thomas,
Brown, T. D. Harrell, Wilkins,
Bush, Judd, Wintersmith,
Carlisle, McKinney, Young, A.
Christopher, Newell, Young, S.—33.

Those who voted in the negative, were—

Mr. Speaker, Duncan, Pearce,
Messrs. Allin, Field, R. H. Quarles,
Barlow, Floyd, Shawhan,
Bell, Grainger, Short,
Berry, Grundy, Speed,
Bilderback, Hanson, Stephens, J. N.
Bonland, Hardy, Talbut,
Boulware, Headley, Towles,
Bozarth, Hogg, Turner,
Bullock, Holmes, Wall,
Mr. Carlisle then moved an amendment to said bill.

Mr. Wolford, at half past 6 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. Towles and Dohoney, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, 

Those who voted in the negative, were—

A message was received from the Senate announcing their concurrence in the report of the committee of conference on the disagreement between the two Houses, on the amendment proposed by the Senate, to a bill from this House, entitled, an act to increase the revenue.

That they had disagreed to a bill from this House, entitled, an act to amend proceedings in criminal and penal cases.

That they had disagreed to the amendments proposed by this House, to a bill from the Senate, entitled, an act concerning guardians.

That they had concurred in the amendments proposed by this House, to bills from the Senate of the following titles, viz:

An act to facilitate the construction of the Electric Telegraph.
An act to incorporate the Lexington and Frankfort Railroad Company.
An act to incorporate the Grand Division of the Sons of Temperance of Kentucky.
An act for the benefit of Isaac Bush.
An act to allow additional terms to the Harrison and Estill Circuit Courts.
An act to amend the penal laws.

That they had passed bills from this House of the following titles, viz:

An act to increase the compensation of Grand Jurors.
An act for the benefit of Frederick Gosney.
An act for the benefit of Joel Sweeney.
An act to incorporate the Philomathean Society of the Kentucky Military Institute.
An act to provide for the location and erection of the Second Kentucky Lunatic Asylum.
An act for the benefit of the Sheriff of Laurel county.
An act for the benefit of N. E. Wright.
An act for the benefit of Thomas Phipps, late Sheriff of Ohio county.
An act to change the venue in the prosecution against John A. Claywell.
An act further regulating the docketing of causes in the Court of Appeals.
An act to incorporate the Christian Church, of Mount Eden, in Spencer county.
An act to amend an act to incorporate the Firemens' Insurance Company of Lexington, approved February 26, 1847.
An act to incorporate the West Louisville Cemetery.
An act allowing additional Justices of the Peace and Constables, to certain counties.

An act for the benefit of the administrator and heirs of the estate of Benjamin Lancaster, deceased.

An act for the benefit of the Kentucky Institution for the education of the Blind.

An act to amend an act, entitled, an act to amend in part and repeal in part the act establishing a road from London to the mouth of Big Laurel river; approved January 30, 1847.

An act to establish a State road from Morganfield, through Smithland, to Paducah.

An act for the benefit of George Johnson, late Sheriff of Union county, and for other purposes.

With amendments to the two last named bills.

That they had passed bills of the following titles, viz:

An act for the benefit of Isham G. Hamilton, and for other purposes.

An act for the benefit of Jacob Corbett, of Ballard county.

An act in reference to the vacant and seminary lands and common schools in Wayne county.

An act to incorporate a turnpike road from Versailles to Nicholasville.

An act authorizing the appointment of a Police Judge for the town of Richmond.

An act for the benefit of the children and heirs at law of Louisa Dennington, deceased.

And had received official information from the 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 James L. Ballard and Matilda, his wife.

An act for the benefit of Robert S. Taylor, and others.

An act to incorporate the Lebanon Lodge.

An act to incorporate the Long Run Baptist Church, of Jefferson county.

An act increasing the powers of the Harrison County Court.

An act for the benefit of the widow and heirs of John Turley, deceased.

An act for the benefit of Joseph C. Harrison, of Boone county, and others.

An act to amend an act, entitled, an act to increase the powers of the Trustees of the town of Versailles.

An act for the benefit of Benjamin W. Burge, of Warren county.

An act to detach Estill county from the 11th, and to add it to the 10th Judicial District.

An act for the benefit of the Surveyors of Henry and Lewis counties.
An act to amend the charter of the Franklin Fire and Marine Insurance Company, of Louisville.

An act to amend an act, entitled, an act to establish the town of Brookesville, in Bracken county. Approved February 25, 1848.

A bill from the Senate, entitled, an act to repeal the 13th and 14th sections of an act, entitled, an act to amend the road law in the county of Trimble, approved January 18, 1848,

Was read the first time and ordered to be read a second time.

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

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

Mr. Towles, from the committee of Conference on the disagreement between the two Houses on the amendment proposed by the Senate, to a bill from this House, entitled, an act to increase the revenue, made a report, which was concurred in.

A message was received from the Senate asking leave to withdraw their report announcing their concurrence in the resolutions from this House, in relation to the boundary line between the States of Ohio, Indiana, Illinois and Kentucky, which was granted and they were withdrawn.

That they had adopted a resolution authorizing the publication of the address of the Rev. R. J. Breckinridge, on education.

Mr. Wall, from the committee appointed to prepare and bring in the same, reported a bill to abolish certain precincts in Daviess county, and establishing an election precinct in the town of Calhoun,

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

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

The House resumed the consideration of the bill to divorce Mary Chrisman, and restoring her to her maiden name.

The amendment proposed by Mr. Carlisle, was then adopted to divorce Thomas Herbert from his wife, Sarah Herbert.

The said bill, was further amended to divorce Mildred Roscoe from her husband Joshua Roscoe, and to change her name; and, also, to divorce Brazilla Payton from her husband, John Payton.

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

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

The question was then taken on the passage of said bill, and decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon, by Messrs. Bush and T. D. Brown, were as follows, viz:
Those who voted in the affirmative, were—

Messrs. Allin,
Blanton,
Bourland,
Boyd,
Bullock,
Carlisle,
Christopher,
Coleman,
Collins,
Combs,
Conner,
Culton,
Dougherty,

Duncan,
Eaker,
Field, J.
Field, R. H.
Gaines,
Granger,
Grubb,
Harrell,
Headley,
Holmes,
Hudson,
Ireland,
Johnston,

Judd,
McReynolds,
Moore,
Pearce,
Pratt,
Quarles,
Smith,
Serry,
Taliaferro,
Warren,
White, M. E.
Williams,
Wright—39.

Those who voted in the negative, were—

Mr. Speaker,
Messrs. Abell,
Barlow,
Beard,
Bell,
Beeler,
Berry,
Bilderback,
Boulware,
Bozarth,
Brown, J.
Brown, T. D.
Bush,
Chilton,

Cockrell,
Dohoney,
Elliott,
Forde,
Grundy,
Hamilton,
Hanson,
Hardy,
Hatfield,
Hogg,
Hughes,
Kerrick,
Lightfoot,
Newell,

Railey,
Shawhan,
Short,
Speed,
Stephens, J. N.
Talbott,
Thomas,
Turner,
Wilkins,
Wintersmith,
Wolford,
Wooley,
Young, A.—41.

A message was received from the Senate announcing their concurrence in the resolutions from this House, in relation to the boundary line between the States of Ohio, Indiana, Illinois and Kentucky, with an amendment.

The said amendment was taken up, twice read and concurred in.

Mr. McKinney, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in the Senate of the following titles, and had found the same truly enrolled, viz:

An act to revive and amend the charter of the Shepherdsville and Louisville Turnpike Road Company.

An act to authorize the Green County Court to sell the old Clerk's office of Green county.

An act to provide for a change of venue in the prosecution against Asa Sisk.

An act for the benefit of Isaac Bush.

An act for the benefit of the children of James Holland, of Caldwell county.
An act to charter the Second Baptist Church of Louisville.

An act to incorporate the Rough and Ready Turnpike Road Company, in Boone county.

An act for the benefit of Catharine Montgomery, of Washington county, and John H. Butler, of Hickman county.

An act to extend the limits of the town of Hamilton, in Boone county.

An act for the benefit of the Clerks of the Simpson and Clarke County Courts.

An act to provide for a change of venue in the prosecution against William Payton.

An act for the benefit of James Calhoun and John Hill and wife.

An act to allow additional terms to the Harrison and Estill Circuit Courts.

An act to amend the penal laws.

An act to authorize the Mobile and Ohio Railroad Company to extend their Railroad from the south boundary line of the State of Kentucky, to the Mississippi or Ohio rivers.

An act to facilitate the construction of the Electric Telegraph.

An act to incorporate the Grand Division of the Sons of Temperance of Kentucky.

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

An act to incorporate the town of Monticello.

An act to amend the road law in the county of Clarke, and for other purposes.

An act for the benefit of the mechanics of the town of Newport.

An act to amend the trustee law of the town of London.

An act to establish the office of Police Judge in the town of New Liberty, in Owen county, and regulating the duties thereof.

An act to legalize the acts of William Teal, Constable of Owen county.

An act for the benefit of Ann H. Cundiff, of Clay county.

An act directing a change of venue in the prosecution against John Lamb.

An act for the benefit of Nathaniel D. Burks and Magdalen Burks.

An act allowing an additional Constable to Wayne county, and for other purposes.

An act to divorce William Humphreys, of Hickman county.

An act for the benefit of M. C. Hughes, Surveyor of Owsley county.

An act to amend the law concerning forfeited recognizances and bail bonds.

An act to incorporate the Spencer county and Louisville Turnpike Road Company, and for other purposes.
A message was received from the Senate announcing their disagreement to bills from this House of the following titles, viz:

An act to amend the militia laws.
An act authorizing the erection of a bridge across the Bayou de Chien, in Fulton county.
An act for the benefit of Martha Anderson, of Allen county.
That they had passed bills from this House, of the following titles, viz:
An act to establish additional election precincts in certain counties, and for other purposes.
An act for the benefit of Ira H. and William George.
An act for the benefit of John Judy.
An act for the benefit of Martha Jane Webb and Mary Jane Newland.
An act for the benefit of John Rose and Elijah Chambers, of Morgan county.
An act for the benefit of the Cumberland County Court.
An act to amend the act relating to the town of Georgetown.
An act to authorize the Court of Appeals of the 49th Regiment of Kentucky Militia to have appeals in certain cases.
An act for the benefit of George W. Boyd, Drury W. Taylor and Isham J. Jones.

An act to revive and amend an act to incorporate the Augusta, Cynthiana and Georgetown Turnpike Company.

An act to incorporate the Harrod's Creek Academy, in Oldham county.

An act for the benefit of the town of Bloomfield.

An act to divorce Jack Henderson.

An act to divorce John C. Wolf.

An act to divorce Joel Jones, and others.

An act for the benefit of the Carroll County Court.

An act to allow an additional Justice of the Peace to Pulaski county.

An act concerning the Banks of Kentucky.

An act to divorce Mary E. Crane.

An act to divorce Helen Plasters.

An act to divorce William Grady.

An act to divorce John L. Jackson.

An act to divorce Volney and Rachael Bedford.

An act to divorce Julia G. and Nicholas M. Taylor.

An act to abolish certain precincts in Daviess county.

An act to establish an election precinct in the town of Calhoun.

An act to change a part of the State road leading from Hopkinsville to Morgantown.

An act to change the State road leading from Hopkinsville to Gray's ferry.

An act to change a part of the State road leading from Bowlinggreen to Greenville.

An act for the benefit of Abraham Watson.

With amendments to the four last named bills.

A message was received from the Governor, by the Secretary of State, which is as follows, viz:

_Gentlemen of the Senate and House of Representatives:_

Having just learned that Major George Alfred Caldwell has, by letter, presented to the State, a piece of artillery taken at Cerro Gordo, I will inform you that Capt. John S. Williams, of the Independent Company of Kentucky Volunteers, on his return from Mexico, also presented the State with a brass field piece taken in the battle of Cerro Gordo, to be kept as a trophy of the Mexican war.

The piece presented by Capt. Williams is dismounted, and the one presented by Maj. Caldwell will probably be in the same condition.

I respectfully suggest that these trophies be accepted, and that proper measures be taken to have them mounted and preserved in some manner suitable to the objects of their presentation.

WM. OWSLEY.

Ordered, That said message be referred to Messrs. Hardy, Smith, Wofford, Duncan, Bush and J. Field.
The House resumed the consideration of the bill from the Senate, entitled, an act to fix the ratio and apportion the representation in the Senate and House of Representatives, for the ensuing four years.

Mr. Carlisle moved to amend the bill in the first section, by striking out after “Bourbon” the word “two” and insert “one,” and strike out after “Kenton” the word “one” and insert “two.”

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Bell moved to amend said bill, by striking out after “Ohio” the word “and” and insert “one.”

Mr. A. Young moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Newell and J. Field, were as follows, viz:
Those who voted in the affirmative, were—


Those who voted in the negative, were—


The question was then taken on the adoption of the amendment proposed by Mr. Bell, and decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker, Messrs. Allin, Barlow, Bell, Bilderback, Blanton, Bourland, Bozarth, Bush, Carlisle, Chilton, Christopher, Field, J. Floyd, Forde, Gaines, Grubb, Hardy, Harris, Hatfield, Headley, Hogg, Holmes, Hughes, Ireland, Johnston, Judd, Kerrick, Lightfoot, McKinney, McReynolds, McReynolds, Miller, Newell, Pratt, Shawhan, Short, Soery, Towles, Wall, Warren, Williams, Wilkins,
Mr. Bush moved a reconsideration of the vote adopting the amendment proposed by Mr. Bell.

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

The yeas and nays being required thereon, by Messrs. T. D. Brown and Wilson, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Speaker, Messrs. Allin, Barlow, Bell, Bilderback, Blanton, Bourland, Elliott, Field, J., Floyd, Forde, Gaines, Hardy, Harris, Miller, Newell, Pratt, Price, Shawhan, Short, Soery.
Mr. Harris moved to amend said bill, by striking out after “Nelson” the word “two” and insert “one.”

Mr. Wright moved to amend the amendment of Mr. Harris, by striking out “Nelson” and inserting “Hardin.”

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

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

Those who voted in the affirmative, were—

Messrs. Abell, Bell, Wright—3.

Those who voted in the negative, were—

The question was then taken on the adoption of the amendment proposed by Mr. Harris, and it was decided in the negative.

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

Those who voted in the affirmative, were:

Mr. Speaker,
Messrs. Abell, Allin, Barlow, Bell, Bilderback, Blanton, Bourland, Bowen, Bozarth, Carlisle, Chilton, Christopher, Coleman, Conner,
Dohoney, Dougherty, Eaker, Elliott, Field, J., Field, R. H., Forde, Gaines, Grubb, Harris, Headley, Holmes, Hudson, Ireland,

Those who voted in the negative, were:

Grainger, Grundy, Haggard, Hamilton, Hanson, Harrell, Hogg, Hughes, Kerrick, McKinney, Moore, Pearce, Price, Quarles, Railey,
Short, Smith, Stephens, J. N., Talbutt, Taliaferro, Thomas, Towles, Turner, White, M. E., Williams, Wintersmith, Wolford, Young, A., Young, S.—44.

Mr. Towles moved to amend said bill, by inserting after the word "La.
rue" the words "and Taylor," and strike out the words "Taylor one."

Mr. Wintersmith moved the following amendment as a substitute for said amendment, viz: strike out after "Hancock" the word "one."

And the question being taken on adopting said amendment as a substitute for the amendment of Mr. Towles, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Beeler and T. D. Brown, were as follows, viz:

Those who voted in the affirmative, were:

Messrs. Abell, Beard, Duncan, Field, R. H.,
Pearce, Quarles,
Those who voted in the negative, were—

<table>
<thead>
<tr>
<th>Mr. Speaker,</th>
<th>Dougherty,</th>
<th>Lightfoot,</th>
</tr>
</thead>
<tbody>
<tr>
<td>Messrs. Allin,</td>
<td>Eaker,</td>
<td>Miller,</td>
</tr>
<tr>
<td>Bell,</td>
<td>Field, J.,</td>
<td>Newell,</td>
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<tr>
<td>Blanton,</td>
<td>Forde,</td>
<td>Pratt,</td>
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<td>Bourland,</td>
<td>Gaines,</td>
<td>Shawhan,</td>
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<tr>
<td>Bozarth,</td>
<td>Grubb,</td>
<td>Short,</td>
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<tr>
<td>Carlisle,</td>
<td>Harris,</td>
<td>Towles,</td>
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<td>Chilton,</td>
<td>Headley,</td>
<td>Wall,</td>
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<tr>
<td>Christopher,</td>
<td>Hughes,</td>
<td>Warren,</td>
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<tr>
<td>Coleman,</td>
<td>Ireland,</td>
<td>Wilkins,</td>
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<tr>
<td>Dohoney,</td>
<td>Johnston,</td>
<td>Wilson,</td>
</tr>
</tbody>
</table>

Mr. Gaines 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. Gaines and Pratt, were as follows, viz:

Those who voted in the affirmative, were—

<table>
<thead>
<tr>
<th>Messrs. Allin,</th>
<th>Dohoney,</th>
<th>Newell,</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bell,</td>
<td>Eaker,</td>
<td>Pratt,</td>
</tr>
<tr>
<td>Blanton,</td>
<td>Field, J.</td>
<td>Shawhan,</td>
</tr>
<tr>
<td>Bozarth,</td>
<td>Forde,</td>
<td>Williams,</td>
</tr>
<tr>
<td>Carlisle,</td>
<td>Gaines,</td>
<td>Wilson,</td>
</tr>
<tr>
<td>Coleman,</td>
<td>Hatfield</td>
<td>Woosley,</td>
</tr>
<tr>
<td>Conner,</td>
<td>Johnston</td>
<td>Wright-21</td>
</tr>
</tbody>
</table>

Those who voted in the negative, were—

<table>
<thead>
<tr>
<th>Mr. Speaker,</th>
<th>Field, R. H.</th>
<th>McKinney,</th>
</tr>
</thead>
<tbody>
<tr>
<td>Messrs. Abell,</td>
<td>Floyd,</td>
<td>McReynolds,</td>
</tr>
<tr>
<td>Barlow,</td>
<td>Garnett,</td>
<td>Miller,</td>
</tr>
<tr>
<td>Beard,</td>
<td>Grainger,</td>
<td>Pearce,</td>
</tr>
<tr>
<td>Beeler,</td>
<td>Grubb,</td>
<td>Price,</td>
</tr>
<tr>
<td>Berry,</td>
<td>Grundy,</td>
<td>Quarles,</td>
</tr>
<tr>
<td>Bilderback,</td>
<td>Haggard,</td>
<td>Railey,</td>
</tr>
</tbody>
</table>
Mr. Wright moved a reconsideration of the vote adopting the amendment of Mr. Wintersmith as a substitute for the amendment of Mr. Towles.

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Wintersmith moved to amend the amendment, by adding the follow­
ing, viz: before the word "Ohio" insert "Hancock and."

And the question being taken on adopting the same, it was decided in the
affirmative.

The said amendment, as amended, was then adopted.

Mr. Elliott moved to amend said bill, by striking out after "Bourbon" the
word "two" and insert "one," and strike out before "Morgan" the words
"Breathitt and."

A division of the question being called for, the question was first taken on
striking out, and decided in the negative.

The yeas and nays being required thereon, by Messrs. Elliott and Wil­
laims, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Johnston moved to amend said bill, by striking out after the word “Calloway” the words “and Marshall,” and insert after the word “Livingston” the words “and Marshall.”

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Speaker, Messrs. Beard, Beeler, Berry, Boulware, Bowling, Boyd, Brown, J., Brown, T. D., Bullock, Bush, Chilton, Christopher, Cockrell, Culon, Duncan, Garnett, Grainger, Haggard, Hamilton, Hanson, Harrell, Harris, Hogg, Hughes, Judd, Kerrick, Lightfoot, McKinney, Moore, Pearce, Quarles, Railey, Short, Smith, Stephens, J. N., Talbut, Taliaferro, Thomas, Turner, Wall, White, M. E., Wintersmith, Wolford, Young, A., Young, S.

The said bill was then amended.

Mr. Quarles moved to amend said bill, by striking out the words “Russell one” and insert after the word “Casey” the words “and Russell one,” and strike out after “Pulaski” the word “one” and insert “two.”

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

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

Those who voted in the affirmative, were—

Messrs. Allin, Bilderback, Floyd, Gaines, Quarles, Shawhan,
Mr. Johnston moved to amend said bill, by striking out all of the first section after the enacting clause, and insert the following, viz:

That the ratio for the ensuing four years, shall be thirteen hundred and seventy three votes for each Representative; and the representation for that period shall be and the same is hereby apportioned among the several counties of this Commonwealth, for the House of Representatives, in the following manner, to-wit: The county of Adair shall be entitled to one Representative; Allen one; Anderson one; Boyle one; Bracken one; Bullitt one; Bourbon one; Barren two; Breckinridge one; Ballard and McCracken one; Boone one; Breathitt and Floyd one; Bath one; Butler and Edmonson one; Calloway, one; Caldwell one; Crittenden one; Christian two; Carroll and Gallatin one; Cumberland and Clinton one; Campbell one; Clarke one; Clay, Perry and Letcher one; Casey and Russell, one; Carter and Lawrence one; Daviess one; Daviess and Owen one; Franklin one; Fayette two; Fleming two; Graves one; Grayson one; Green one; Garrard one; Grant one; Greenup one; Hickman and Fulton one; Hopkins one; Henderson one; Harrods one; Hardin one; Harrison two; Hancock one; Jefferson two; Louisville City three; Johnson and Pike one; Jessamine one; Kenton two; Knox and Harlan one; Lebre and Taylor one; Logan one; Lincoln one; Laurel and Rockcastle one; Lewis one; Marshall and Livingston one; Muhlenburg one; Meade one; Monroe one; Marion one; Mercer two; Madison two; Morgan one; Montgomery one; Mason two; Nicholas one; Nelson one; Ohio one; Old-
And the question being taken on adopting the same, it was decided in the negative.

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

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Allin, Barlow, Floyd, Field, R. H.
Bellerback, Forde, Johnston,
Blanton, Gaines, Miller,
Bozarth, Grundy, Moore,
Carlisle, Hardy, Newell,
Coleman, Harris, Quarles,
Canner, Hatfield, Warren,
Dohoney, Headley, Williams,
Elliott, Holmes, Wilkins,
Field, J., Ireland, Wilson,

Those who voted in the negative, were—

Mr. Speaker,
Messrs. Beard, Dougherty, Culton, Railey,
Beeler, Duncan, Shuhman,
Berry, Garrett, Smith,
Boulware, Grainger, Stephens, J. N.
Bowling, Haggard, Talbut,
Boyd, Hamilton, Taliaferro,
Brown, J., Hanson, Thomas,
Brown, T. D., Harrel, Turner,
Bullock, Hogg, Wall,
Bush, Hughes, White, M. E.
Chilton, Jud, Wintersmith,
Christopher, Kerrick, Wolford,
Cockrell, Lightfoot, Young, A.
Combs, Pearce, Young, S.—45.

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

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

54
Those who voted in the affirmative, were—

Mr. Speaker,  
Messrs. Beard,  
Beeler,  
Berry,  
Boulware,  
Bowling,  
Boyd,  
Brown, J.  
Brown, T. D.  
Bullock,  
Bush,  
Chilton,  
Christopher,  
Cockrell,  
Collins,  
Combs,  
Culton,  
Dougherty,  
Duncan,  
Garnett,  
Granger,  
Haggard,  
Hamilton,  
Hanson,  
Harrell,  
Hogg,  
Hudson,  
Judd,  
Kerrick,  
Lightfoot,  
Moore,  
Pearce,  
Railey,  
Short,  
Smith,  
Stephens, J. N.  
Talbott,  
Taliaferro,  
Thomas,  
Towles,  
Turner,  
Wall,  
White, M. E.  
Wintersmith,  
Wollord,  
Young, A.  
Young, S.—47.

Those who voted in the negative, were—

Messrs. Allin,  
Barlow,  
Bell,  
Bilderback,  
Blanton,  
Bozarth,  
Carlisle,  
Coleman,  
Conner,  
Dohoney,  
Elliott,  
Field, R. H.  
Field, J.  
Floyd,  
Forde,  
Gaines,  
Grundy,  
Hardy,  
Harris,  
Hatfield,  
Headley,  
Homes,  
Hughes,  
Ireland,  
Johnston,  
Miller,  
Newell,  
Quarles,  
Shawhan,  
Warren,  
Williams,  
Wilkins,  
Wilson,  
Woosley,  
Wright.—35.

Resolved, That the title of said bill be as aforesaid.

Mr. Haggard moved to suspend the rule to enable him to propose the following preamble and resolutions, viz:

WHEREAS, There is important business now matured in the hands of the committees and ready to be reported, in which the entire State has an interest, and demands of her representatives their attention and action—and the time fixed for our adjournment is insufficient therefore. Therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That the joint resolution fixing on the 28th instant for the final adjournment of the General Assembly, be and is hereby rescinded.

Resolved, That when we adjourn on the day of March, we will adjourn without day.

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

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

Those who voted in the affirmative, were—

Mr. Speaker,  
Messrs. Allin,  
Grundy,  
Haggard,  
Quarles,  
Shawhan,
FEB., 26.

HOUSE OF REPRESENTATIVES.

Berry, Hamilton, 
Bilderback, Hanson,  
Bullock, Hardy,  
Bush, Harrel,  
Christopher, Hughes,  
Collins, Ireland,  
Combs, Kerrick,  
Conner, McKinney,  
Culton, McReynolds,  
Dougherty, Miller,  
Duncan, Moore,  
Elliott, Pearce,  
Forde, Pratt,  
Garnett, Price,  
Grainger,  

Those who voted in the negative, were— 

Messrs. Barlow, Dohoney,  
Boulware, Field, R. H.  
Bowling, Floyd,  
Bozarth, Haffield,  
Brown, J., Headley,  
Brown, T. D., Hogg,  
Chilton, Judd,  
Coleman,  

The rule of the House requiring joint resolutions to lie one day on the table having been dispensed with, it was moved to fill the blank in the second resolution with the word “second.”

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

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

Those who voted in the affirmative, were— 

Mr. Speaker, Haggard,  
Messrs. Beard, Hamilton,  
Berry, Hanson,  
Bilderback, Harrel,  
Bourland, Harris,  
Boyd, Hogg,  
Bullock, Hughes,  
Christopher, Ireland,  
Collins, Kerrick,  
Combs, McKinney,  
Conner, McReynolds,  
Conner, Miller,  
Culton, Moore,  
Duncan, Moore,  
Elliott, Pease,  
Forse, Pratt,  
Garnett, Price,  
Grainger, Quarles,  

Short, Smith,  
Smith, Stephens, J. N.  
Talbutt, Taliferro,  
Thomas, Towles,  
Wall, Warren,  
Williams, Wintersmith,  
Wolford, Wright,  
Young, S.—49.

Messrs. Barlow, Newell,  
Boulware, Railey,  
Bowling, Turner,  
Bozarth, White, M. E.  
Brown, Wilson,  
Brown, J., Woolsley,  
Chilton, Young, A.—22.

Those who voted in the negative, were— 

Messrs. Barlow, Shawhan,  
Boulware, Short,  
Bowling, Smith,  
Bozarth, Stephens, J. N.  
Brown, Talbutt,  
Brown, J., Taliferro,  
Chilton, Thomas,  
Coleman, Towles,  
Shawhan, Wall,  
Short, Warren,  
Smith, Williams,  
Stepsnes, J. N., Wilkins,  
Talbutt, Wintersmith,  
Taliferro, Wolford,  
Thomas, Wright,  
Towles, Young, S.—50.
Those who voted in the negative, were—


The said preamble and resolutions were then, as amended, adopted.

Mr. Hughes moved the following resolution, viz:

Resolved, That the committee on Religion report all divorces, originating in this House, agreed on by them, in one bill, and all petitions rejected, in one resolution; which was adopted.

And then the House adjourned.

MONDAY, FEBRUARY 28, 1848.

On motion of Mr. Barlow, leave of absence, for the balance of the session, was granted to Mr. Dohoney.

On motion of Mr. J. Brown, leave of absence, for the balance of the session, was granted to Mr. Ballingal.

The amendments proposed by the Senate to bills from this House of the following titles, viz:

An act to change a part of the State road leading from Hopkinsville to Morgantown.

An act concerning the election of Electors.

An act to amend an act, entitled, an act to prevent the wanton destruction of fish.

Were taken up, twice read and disagreed to.

The amendments proposed by the Senate to bills from this House of the following titles, viz:

An act for the benefit of Common Schools in the town of Portland.

An act to amend the charter of the city of Covington.
An act to establish a State road from Morganfield, through Smithland, to Paducah.

An act to change a part of the State road leading from Bowlinggreen to Greenville.

An act for the benefit of George Johnson, late Sheriff of Union county, and for other purposes.

An act providing for running the dividing line between Bracken and Pendleton.

An act to amend an act, entitled, an act to construct a road from Rochester, at the mouth of Muddy river, in Butler county, to Russellville, in Logan county.

An act to divorce Elizabeth A. King.

An act to divorce William W. Hinds.

An act to divorce William W., and Nancy Millikin.

An act for the benefit of Julia A. Williams.

An act for the benefit of David Snowden, former Sheriff of Owsley county.

An act allowing additional Justices of the Peace and Constables to certain counties.

An act to amend the law regulating the taxation of costs in appeal cases.

An act to change the name of James Riley Hammons, and for other purposes.

An act for the benefit of William Mullen, of Wayne county, and others.

An act for the benefit of the Surveyor of Scott county.

An act to allow an additional Justice of the Peace to Barren county.

An act to change the place of voting in an election precinct in the county of Henderson.

An act to establish two additional election precincts in Knox county.

An act for the benefit of Abraham Watson.

An act to change the State road leading from Hopkinsville to Gray's ferry.

An act to allow special terms of the Cumberland, Floyd and Pendleton Circuit Courts.

Were taken up, twice read and concurred in.

Resolved, That this House insist on their amendment to a bill from the Senate, entitled, an act to provide for a change of venue in the prosecution against Francis M. Ewing, and that Messrs. Speed, Judd and Hanson be a committee of conference on the part of this House, to meet a similar committee on the part of the Senate, in relation to the disagreement between the two Houses on said amendment.

Ordered, That Mr. Speed inform the Senate thereof.

After a short time, Mr. Speed, from said committee, made a report, which was concurred in.
Resolved, That this House recede from their amendment to a bill from the Senate, entitled, an act concerning guardians.

A message was received from the Senate announcing that they had passed a bill, entitled, an act for the benefit of William Hackley and Clarissa, his wife, and her children.

And that they had concurred in a preamble and resolutions from this House, rescinding the resolution for a final adjournment and fixing on a day.

Mr. Harris, from the committee on Ways and Means, to whom was referred a bill from the Senate, entitled, an act for the benefit of Maria Graves, of Boone county, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as afore-said.

Mr. Harris, from the committee on Ways and Means, to whom referred bills from the Senate of the following titles, viz:

An act for the benefit of James M. Shelly, Robert Harrel, and others.
An act for the benefit of Rebecca Claypoole, a lunatic.
An act for the benefit of Aaron Yeager, of Boone county.
An act for the benefit of Fleming Cayce, of Hickman county.
Reported the same without amendment.

And the question being taken on reading said bills a third time, it was decided in the negative, and so the said bills were disagreed to.

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—A bill the benefit of the Sheriff of Ballard county.
By same—A bill for the benefit of D. S. Goodloe & Co.
By the committee on Internal Improvement—A bill to incorporate the Kinnacanick Railroad and Mill Company.
Which were read the first time and ordered to be read a second time.

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 afore-said.

Mr. McKinney, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills and resolutions which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to increase the revenue.
An act to incorporate the Christian Church, of Mount Eden, in Spencer county.
An act to incorporate the Philomathean Society of the Kentucky Military Institute.
An act for the benefit of Martha Jane Webb and Mary Jane Newland.
An act to establish a Police Court in the town of Mount Vernon.
An act for the benefit of John H. Parish, of Madison county.
An act for the benefit of John Judy.
An act for the benefit of John Swansey's heirs, of Crittenden county.
An act to abolish certain precincts in Daviess county, and to establish an election precinct in the town of Calhoun.
An act to divorce Volney and Rachel Bedford.
An act for the benefit of Ira H. and William George.
An act to establish the town of Buena Vista, in Russell county.
An act to incorporate the West Louisville Cemetery.
An act to divorce Jack Henderson.
An act to divorce John C. Wolf.
An act for the benefit of John Rose and Elijah Chambers, of Morgan county.
An act to allow an additional Justice of the Peace to Pulaski county.
An act to divorce Julia G. and Nicholas M. Taylor.
An act to divorce Mary E. Crane.
An act to divorce William Grady.
An act to divorce John L. Jackson.
An act to enlarge the powers of the Trustees of the town of Mount Washington, in Bullitt county.
An act for the benefit of the Sheriff of Laurel county.
An act for the benefit of Frederick Gosney.
An act for the benefit of N. E. Wright.
An act for the benefit of Thomas Phipps, late Sheriff of Ohio county.
An act for the benefit of Joel Sweeney.
An act for the benefit of the town of Newport, in Campbell county.
An act for the benefit of the infant children of William Carpenter, deceased, late of Mason county.
An act to incorporate the Harrod's Creek Academy, in Oldham county.
An act further regulating the docketing of causes in the Court of Appeals.
An act to increase the compensation of Grand Jurors.
An act for the benefit of the Kentucky Institution for the education of the Blind.
An act to amend an act, entitled, an act to amend in part and repeal in part the act establishing a road from London to the mouth of Big Laurel river, approved January 30, 1847.
An act to change the venue in the prosecution against John A. Claywell.
An act allowing additional Justices of the Peace and Constables to certain counties.
An act for the benefit of the town of Bloomfield.
An act to amend the act relating to the town of Georgetown.
An act for the benefit of George W. Boyd, Drury W. Taylor, and Isham J. Jones.
An act to authorize the Court of Appeals of the 49th Regiment of Kentucky Militia to hear appeals in certain cases.
An act concerning the Banks of Kentucky.
An act for the benefit of William B. Smith, of Warren county, and Wm. S. Green, of Hart county.
An act to provide for running and marking the dividing lines between the counties of Russell, Casey and Pulaski.
An act for the benefit of the Cumberland County Court.
An act for the benefit of the administrator and heirs of the estate of Benjamin Lancaster, deceased.
An act to amend an act to incorporate the Firemen's Insurance Company of Lexington, approved February 26, 1847.
An act to revive and amend an act to incorporate the Augusta, Cynthiana and Georgetown Turnpike Company.
An act for the benefit of the administrator of the estate of Charles Carter, deceased.
An act to divorce Joel Jones, and others.
An act for the benefit of the Carroll County Court.
An act to establish additional election precincts in certain counties, and for certain purposes.
An act to provide for the location and erection of the Second Kentucky Lunatic Asylum.
Preamble and resolutions relative to Mr. Asa Whitney's plan for a Railroad from Lake Michigan to the Pacific Ocean.
Resolutions in relation to the boundary between the States of Ohio, Indiana, Illinois and Kentucky.
And bills which originated in the Senate of the following titles, viz:
An act to incorporate the Lexington and Frankfort Railroad Company.
An act to divorce Isabella Snelling, and for other purposes.
An act to divorce William R. Ennis from his former wife, and for other purposes.
An act to repeal the 13th and 14th sections of an act, entitled, an act to amend the road law in the county of Trimble, approved January 18, 1848.
Whereupon, the Speaker affixed his signature thereto.
Ordered, That Mr. McKinney inform the Senate thereof.
A message was received from the Senate announcing that they insist on their amendment to a bill from this House, entitled, an act concerning the election of Electors, and had appointed a committee of conference on their part to meet a similar committee on the part of this House in relation to said amendment.

Whereupon, Messrs. Towles, Barlow and Hanson were appointed a committee on the part of this House.

After a short time, Mr. Towles, from said committee reported that the committee recommended that this House concur in said amendment.

The said amendment reads as follows, viz:

Provided, That if any voter, in this Commonwealth, shall be absent from his county, or place of voting, it shall be lawful for such absent voter to cast his vote for electors, in the county where he may be; but before he shall be entitled to vote, he shall report and make known his place of residence, and swear that he has not and will not vote at any other place, for electors, at the same election, and that he did not purposely come into said county to vote; and if any person shall presume to vote at any election, for electors, in any way or manner, not herein authorized, or shall swear falsely, such person shall be subject to all the pains and penalties imposed by the act, entitled, "an act the better to protect the purity of elections for illegal voting and false swearing," and it shall be the duty of the clerk to write opposite to, or under the name of such voter, his place of residence and that he was sworn.

And the question being taken on concurring in said report, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. T. D. Brown and Wright, were as follows, viz:

Those who voted in the affirmative, were—

| Messrs. Bowling, | Hughes, | Towles, |
| Bozarth, | Newell, | White, M. E. |
| Coleman, | Pearce, | Williams, |
| Garnett, | Shawhan, | Wilkins, |
| Hamilton, | Stephens, J. N. | Woosley, |
| Hardy, | Taliaferro, | Young, A.—15. |

Those who voted in the negative, were—

| Mr. Speaker, | Elliott, | Lightfoot, |
| Messrs. Allin, | Field, R. H. | McKinney, |
| Barlow, | Floyd, | McReynolds, |
| Beard, | Foré, | Miller, |
| Bell, | Gaines, | Moore, |
| Berry, | Grubb, | Pratt, |
| Bourland, | Grundy, | Quarles, |
| Boulware, | Haggard, | Railey, |
| Bower, | Hanson, | Short, |
| Brown, T. D. | Harreld, | Smith, |
Ordered, That Messrs. Speed, Taliaferro, Moore and T. D. Brown be appointed as another committee of conference on the disagreement between the two Houses on said amendment.

Ordered, That Mr. Speed inform the Senate thereof.

Mr. A. Young, from the committee on Religion, reported a bill to divorce sundry persons, which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Ordered, That said bill be read a third time.

Mr. Haggard moved that said bill have its third reading on to-morrow, at 11 o'clock, A. M.

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

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

Those who voted in the affirmative, were—

Messrs. Abell, Berry, Bourland, Bowden, Bayd, Bazarth, Bullock, Christopher, Coleman, Collins, Cannon, Cultea, Elliott, Field, R. H., Floyd, Forde, Gaines, Grainger, Grubb, Haggard, Hatfield, Headley, Hogg, Hudson, Hughes, Ireland, Johnston, Judd, Lightfoot, McKinney,

McReynolds, Moore, Price, Shawhan, Soery, Talbut, Taliaferro, Thomas, Wall, Warren, Williams, Wilson, Woosley, Wright, Young, S.—45.

Those who voted in the negative, were—

Mr. Speaker, Messrs. Allin, Barlow, Garnett, Grundy, Hamilton,

Pearce, Quarles, Railey,
On motion of Mr. Hardy, leave of absence for the balance of the session, was granted to Mr. Ireland.

Mr. A. Young, from the committee on Religion, to whom was referred a bill from the Senate, entitled, an act for the benefit of Sarah Jane Acuff, of Calloway county, reported the same without amendment.

The said bill was then amended.

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

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass and the title thereof be amended, by adding "and others."

Mr. A. Young, from the same committee, to whom was referred a bill from the Senate, entitled, an act to divorce Elizabeth Morgan, of Trimble county, and George W. Aydelott, of Hickman county, reported the same without amendment.

The said bill was then amended.

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

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 amended by adding "and Mary Chrisman."

Mr. Collins, from the committee on Internal Improvement, to whom was referred a bill from the Senate, entitled, an act to amend the charter of the Frankfort and Louisville Railroad Company, reported the same without amendment.

The said bill was then amended.

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

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

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

A message was received from the Senate announcing that they had adopted a preamble and resolution in relation to the late Col. Thomas Dohlerhide.
On motion of Mr. Johnston, leave of absence, for the balance of the session, was granted to Mr. Beeler.

On motion of Mr. Wilkins, leave of absence, for the balance of the session, was granted to Mr. Holmes.

The House took up the preamble and resolutions read and laid on the table on the 12th instant.

Which being amended, were twice read and concurred in.

Mr. Hardy, from the committee on the Sinking Fund, to whom was referred the bill from the Senate, entitled, an act for the relief of the widow and children of the late William R. McKee, deceased, reported the same without amendment.

Ordered, That said bill be read a third time.

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.

The yeas and nays being required on the passage of said bill, by Messrs. Haggard and Bell, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Beard,
Bourland,
Boulware,
Brown, J.
Bullock,
Chilton,
Christopher,
Cockrell,
Collins,
Combs,
Culton,
Field, R. H.
Floyd,
Forde,
Gaines,

Garnett,
Grainger,
Hamilton,
Hardy,
Harrell,
Harris,
Headley,
Hughes,
Kerrick,
Lightfoot,
McKinney,
McReynolds,
Miller,
Moore,
Pearce,
Price,
Shawhan,
Short,
Smith,
Speed,
Stephens, J. N.
Talbott,
Taliaferro,
Thomas,
Towles,
Turner,
Wilkins,
Wilson,
Wofford,
Young, S.—46.

Those who voted in the negative, were—

Messrs. Allin,
Barlow,
Bell,
Berry,
Boyd,
Bozarth,
Brown, T. D.
Coleman,
Conner,
Grubb,
Grundy,
Haggard,
Hafstead,
Judd,
Newell,
Quarles,
Railey,
Soery,
Warren,
Williams,
Woosley,
Wright,
Young, A.—23.
A bill from the Senate, entitled, an act for the benefit of Henry Stemmons and wife and others, was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

The said bill was then amended.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill be read a third time.

Bills from the Senate of the following titles, viz:

An act to amend the act to enlarge the town of Stanford.

An act to incorporate the Bardstown and Salt River slack water Navigation Company.

Were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with,

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

A bill from the Senate, entitled, an act for the benefit of Thomas Rankin, jailer of Harrison county, was read the first time and ordered to be read a second time.

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

The question was then taken on the passage of said bill, and decided in the negative, and so the said bill was disagreed to.

Mr. A. Young, from the committee on Religion, to whom was referred a bill from the Senate, entitled, an act for the benefit of Major and Elizabeth Ann Weatherspoon, of Allen county, reported the same without amendment.

Ordered, That said bill be read a third time.

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.

Mr. Collins, from the committee on Internal Improvement, to whom was referred a bill from the Senate, entitled, an act to incorporate the Frankfort and Lawrenceburg Turnpike Road Company, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,
Resolved, That the same do pass and that the title thereof be as aforesaid.
Mr. Hardy, from the same committee, to whom was referred bills from the Senate of the following titles, viz:
An act to appropriate the dividends of the Bardstown and Louisville, and the Bardstown and Green River Turnpike Roads, to the completion of the road between Bardstown and Glasgow.
An act to amend the charter of the Glasgow and Scottsville Turnpike Road Company.
Reported the same with amendments to each, which were concurred in.
Ordered, That said bills, as amended, be read a third time.
The rule of the House, constitutional provision and third reading of said bills having been dispensed with,
Resolved, That the same do pass, and that the titles thereof be as aforesaid.
Mr. Smith, from the same committee, to whom was referred a bill to provide for the construction of an additional Lock and Dam on the Kentucky river, reported the same without amendment.
The said bill reads as follows, viz:

Whereas, it appears from the report of the Board of Internal Improvement, that slack water navigation, “according to the cost of construction, and the cost of repairing, is the best improvement of the age;” and, whereas, it appears from said Board’s report, that the Kentucky River Navigation is yielding a larger profit than any other improvement in the State, and that said profits would be greatly increased by the extension of said improvement, and would greatly augment the value of lands contiguous to the river, and consequently increase the revenue of the State. Therefore,

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Board of Internal Improvement, be and they are hereby authorized to enter into contract for the construction of an additional Lock and Dam on the Kentucky river, at the head of slack water navigation on said stream.

Sec. 2. That said Board shall have power, and they are hereby authorized, to draw upon the Treasurer of said Board the nett quarterly proceeds arising from the tolls collected on said river, and shall pay over to the contractor or contractors the amounts so drawn for, either in advance or at the expiration of each quarter of the fiscal year, as may be deemed most advantageous to the interest of the parties.

Sec. 3. That it shall be the duty of the said Board, within twenty days after the passage of this act, to advertise, in the public newspapers of this Commonwealth, the proposals for the letting of this contract, which advertisement shall be continued at least two months, at the expiration of which time, the said Board shall proceed to let the making or erection of the same, to the lowest bidder, which shall be done at the Court House door, on the first day of some public court, unless for good cause the Board shall otherwise order and direct: Provided, that, upon letting the same, they shall take, from the undertaker, bond with approved security, in such penalty as
the Board shall prescribe, payable to the members of the Board for the time being and their successors, and conditioned for the faithful performance of his undertaking.

Mr. Taliaferro moved to amend said bill, by adding the following, viz:

Be it further enacted, That the sum of twenty thousand dollars, be and the same is hereby appropriated to be applied to the completion of the first and second Locks on Licking river, to be paid out of any funds unappropriated in the Treasury.

Mr. Judd moved to lay said bill and amendment on the table.

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Hardy, from the same committee, to whom was referred a bill from the Senate, entitled, an act appropriating the dividends on the turnpike road, leading from Elizabethtown to the Tennessee line, to the completion of said road, reported the same with an amendment, which was concurred in.

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

The yeas and nays being required thereon, by Messrs. Haggard and Bell, were as follows, viz:
Those who voted in the affirmative, were—


Those who voted in the negative, were—


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.

Mr. Collins, from the same committee, to whom was referred a bill from the Senate, entitled, an act appropriating six hundred dollars to improve the navigation of the South Fork of the Kentucky river, at or near the narrows, reported the same with amendments, which were concurred in.

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

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

The question was then taken on the passage of said bill, and decided in the negative, and so the said bill was disagreed to.

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

Those who voted in the affirmative, were—

Messrs. Allin, Grainger, Price, Beard, Grubb, Short, Berry, Grundy, Smith, Boulware, Hamilton, Speed.
Mr. Speaker, Messrs. Barlow, Bell, Bourland, Bowling, Bozarth, Brown, T. D., Bullock, Carlisle, Chilton, Coleman, Conner, Field, R. H., those who voted in the negative, were—

Mr. Speed, from the second committee of conference on the disagreement between the two Houses on the amendment proposed by the Senate, to a bill from this House, entitled, an act concerning the election of Electors, reported that the Senate recede from their said amendment.

A message was received from the Senate announcing that they adhere to their said amendment.

Resolved, That this House adhere to their disagreement to said amendment.

A message was received from the Senate, announcing the passage of bills from this House, of the following titles, viz:

- An act concerning the Common School System.
- An act for the benefit of John W. Hazlerigg.
- An act to divorce Jesse Key.
- An act for the benefit of D. S. Goodloe & Co.
- An act for the benefit of the Sheriff of Ballard county.

With an amendment to the last named bill.

The following bills were reported by the committee on Internal Improvement, viz:

- A bill to incorporate the Helena Turnpike Road Company, the Maysville and Lewis county turnpike company, and Sardis turnpike company.
- A bill to incorporate the Mountsterling, Winchester, Owingsville and Jeffersonville Turnpike Road Company.
- A bill for the benefit of John A. Moore.
A bill for the benefit of the Louisville and Elizabethtown Turnpike Road Company.
A bill to incorporate the New Market and Bardstown Turnpike Company.
A bill for the extension of the Madison and Wilderness Turnpike Road. Which were read the first time and ordered to be read a second time.
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.
Mr. Wintersmith, from the committee on Internal Improvement, to whom was referred bills from the Senate of the following titles, viz:
An act to incorporate the Clark's Run and Salt River Turnpike Road Company.
An act to amend the charter of the Turnpike Road Company between Bell's Tavern and Bowlinggreen.  Reported the same with amendments to each, which were concurred in.
Ordered, That said bills, as amended, be read a third time.
The rule of the House, constitutional provision and third reading of said bills having been dispensed with,
Resolved, That the same do pass, and that the titles thereof be as aforesaid.
Mr. Wintersmith, from the same committee, to whom was referred bills from the Senate of the following titles, viz:
An act to incorporate a company to turnpike a road from Mount Eden to Shelbyville.
An act to incorporate the Hamilton and New Lancaster Turnpike Road Company, in Boone county, and Hodgenville Turnpike Road Company.
An act to incorporate a company to construct a turnpike road from Frankfort to Lexington on the Cole's road.
An act to incorporate the Danville and Kentucky River Railroad Company.
An act to provide for the improvement of the road from Munday's landing to Harrodsburg:
An act authorizing the Owen County Court to change so much of the State road leading from New Liberty to Cincinnati as runs through the lands of Howard Early.
An act to incorporate a road from Washington to Murphysville, in Mason county.
An act to incorporate the Flemingsburg and Mount Carmel Turnpike Road Company.
Reported the same without amendment.
Ordered, That said bills be read a third time.

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 afore-said.

Mr. Harris moved a reconsideration of the vote disagreeing to a bill from the Senate, entitled, an act appropriating six hundred dollars to improve the navigation of the South Fork of the Kentucky river, at or near the narrows.

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

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

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Allin, Beard, Berry, Bourland, Boulware, Boyd, Brown, T. D., Christopher, Cockrell, Collins, Combs, Culton, Elliott, Forde,

Garnett, Grainger, Grundy, Hamilton, Hanson, Hardy, Harris, Hogg, Holmes, McKinney, Miller, Moore, Newell, Pearce, Price,


Those who voted in the negative, were—

Messrs. Barlow, Bell, Bozarth, Brown, J., Bullock, Carlisle, Chilton, Forde,

Coleman, Conner, Floyd, Haggard, Headley, Johnston, Riley,


The vote dispensing with the third reading of said bill, and the vote ordering it to be read a third time, were reconsidered.

Mr. Quarles moved an amendment to said bill.

And the question being taken on adopting the same, it was decided in the negative.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with.

The question was then taken on the passage of said bill, and decided in the affirmative.
The yeas and nays being required thereon, by Messrs. Haggard and Wright, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, Gaines, Pearce,  
Messrs. Allin, Garnett, Pratt,  
Beard, Grainger, Price,  
Berry, Hamilton, Short,  
Boulware, Hanson, Smith,  
Boyd, Hardy, Stephens, J. N.,  
Brown, T. D., Harrel, Talbott,  
Christopher, Harris, Thomas,  
Cockrell, Hogg, Towles,  
Collins, Holmes, Turner,  
Conks, McKinney, Wilkins,  
Culton, Miller, Young, A.  
Elliott, Moore, Young, S.—40.

Those who voted in the negative, were—

Messrs. Barlow, Floyd, Railey,  
Bell, Grundy, Shawhan,  
Bourland, Haggard, Soery,  
Bowen, Haffield, Taliaferro,  
Bozarth, Headley, Wall,  
Brown, J., Hudson, Warren,  
Bullock, Johnston, White, M. E.,  
Carlisle, Kerrick, Williams,  
Chilton, McReynolds, Wilson,  
Coleman, Newell, Woosley,  
Conner, Quarles, Wright—33.

And then the House adjourned.

TUESDAY, FEBRUARY 29, 1848.

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

An act to regulate the duty of Jailers, and for other purposes.
An act for the benefit of John W. Mobly, of Todd county.
That they had concurred in the report of the committee of conference on the bill from the Senate, entitled, an act to provide for a change of venue in the prosecution against Francis M. Ewing.
That they had receded from their amendment to a bill from this House, entitled, an act concerning the election of Electors.

That they had concurred in the amendments proposed by this House to bills from the Senate of the following titles, viz:

- An act to fix the ratio and apportion the representation in the Senate and House of Representatives for the ensuing four years.
- An act for the benefit of Sarah Jane Acuff, of Calloway county.
- An act to divorce Elizabeth Morgan, of Trimble county, and George W. Aydelott, of Hickman county.
- An act appropriating the dividends on the turnpike road leading from Elizabethtown to the Tennessee line to the completion of said road.
- An act to amend the charter of the Glasgow and Scottsville Turnpike Road Company.
- An act for the benefit of Henry Stemmons and his wife, and others.
- An act to amend the charter of the Frankfort and Louisville Railroad Company.
- That they had passed a bill from this House, entitled, an act to incorporate the Kinnacanick Railroad and Mill company.
- And had concurred in a preamble and resolution for printing the 2d Auditor's report.
- That they had passed bills and resolutions of the following titles, viz:
  - An act to incorporate the town of Jamestown, in Campbell county.
  - An act for the benefit of Uriah Pierce and Betsey, his wife.
  - An act to repeal the law reducing the price of vacant lands in Clay county.


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

Resolved by the General Assembly of the Commonwealth of Kentucky, That when they adjourn on Wednesday, the 1st day of March at 10 o'clock, A. M., they will adjourn sine die.

The rule of the House requiring joint resolutions to lie one day on the table having been dispensed with,

The said resolution was twice read and adopted.

A bill from the Senate, entitled, an act granting a change of venue to William Burns, was read the first time and ordered to be read a second time.

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

Resolved, That the same do pass; and that the title thereof be as aforesaid.

Mr. McKinney, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in the Senate of the following titles, and had found the same truly enrolled, viz:
An act to incorporate the Bardstown and Salt River slack water Navigation Company.

An act to incorporate the Flemingsburg and Mount Carmel Turnpike Road Company.

An act to incorporate the Frankfort and Lawrenceburg Turnpike Road Company.

An act to amend the charter of the Glasgow and Scottsville Turnpike Road Company.

An act to provide for the improvement of the road from Munda's Landing to Harrodsburg.

An act to amend the act to enlarge the town of Stanford.

An act for the benefit of Major and Elizabeth Ann Weatherspoon, of Allen county.

An act to fix the ratio and apportion the representation in the Senate and House of Representatives, for the ensuing four years.

An act for the benefit of Maria Graves, of Boone county.

An act for the benefit of Sarah Jane Acuff, of Calloway county.

An act to provide for a change of venue in the prosecution against Francis M. Ewing.

An act concerning guardians.

An act to incorporate the Danville and Kentucky River Railroad Company.

An act to incorporate a company to construct a turnpike road from Frankfort to Lexington on the Cole's road.

An act appropriating the dividends on the turnpike road leading from Elizabethtown to the Tennessee line to the completion of said road.

An act for the benefit of Henry Stemmons and wife, and others.

An act to amend the charter of the Frankfort and Louisville Railroad Company.

An act for the relief of the widow and children of the late William R. McKee, deceased.

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

An act to establish two additional election precincts in Knox county.

An act providing for running the dividing line between Bracken and Pendleton.

An act to amend an act, entitled, an act to construct a road from Rochester, at the mouth of Muddy river, in Butler county, to Russellville, in Logan county.

An act to change the place of voting in an election precinct in the county of Henderson.

An act to divorce Elizabeth A. King, and others.

An act for the benefit of Julia A. Williams, and Catharine Lemaster.
An act to divorce William W. Hinds, and others.
An act to divorce William W., and Nancy Millikin.
An act for the benefit of David Snowden, former Sheriff of Owsley county, and for other purposes.
An act allowing additional Justices of the Peace and Constables to certain counties.
An act for the benefit of Common Schools in the town of Portland, and for other purposes.
An act for the benefit of William Mullen, of Wayne county, and others.
An act to allow an additional Justice of the Peace to Barren county, and for other purposes.
An act to amend the charter of the city of Covington and town of Felicity.
An act for the benefit of the Surveyor of Scott county, and for other purposes.
An act to change the name of James Riley Hammons, and for other purposes.
An act to change a part of the State road leading from Bowlinggreen to Greenville.
An act for the benefit of George Johnson, late Sheriff of Union county, and for other purposes.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. McKinney inform the Senate thereof.

A message was received from the Senate announcing their concurrence in the resolution from this House, fixing a day for the final adjournment of the General Assembly.

And that they had passed bills of the following titles, viz:

An act supplemental to the act concerning the election of Electors, passed at the present session.
An act to provide for marking a road from Birch Lick Creek, in Madison county, to Brashear's Salt Works, in Perry county.

Mr. Bowling, from the committee on Claims, reported a bill for the appropriation of money, which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Mr. Gaines moved to amend said bill, by striking out the clause, allowing to the Second Auditor two thousand dollars, per annum, for clerk hire, in lieu of the sum now allowed.

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

The yeas and nays being required thereon, by Messrs. Judd and J. Brown, were as follows, viz:
Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Wintersmith moved to amend said bill, by adding the following, viz:

To the Second Auditor eighteen hundred dollars, per annum, for clerk hire, in lieu of the sum now allowed by law; the same to be appropriated to the use of the clerks necessarily employed in his office, and to be appropriated only upon the approval of the Governor.

Mr. Bowling moved to amend the amendment, by striking out "eighteen hundred dollars," and insert, in lieu thereof, "nineteen hundred and fifty dollars."

And the question being taken on adopting the amendment to the amendment, it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker, Messrs. Beard, Berry, Bourland, Bowling, Brown, J., Brown, T. D., Bush, Grainger, Hamilton, Hanson, Harris, Hughes, Kerrick, Lightfoot, McReynolds, Miller, Pearce, Pace, G. Short, Speed, Stephens, J. N., Talbott, Taliaferro, Thomas, Towles, Turner,
The question was then taken on the amendment, as amended, and decided the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker, Messrs. Beard, Berry, Bourland, Bowling, Brown, J. Brown, T. D. Bush, Chilton, Christopher, Collins, Combs, Duncan, Garnett,

Grainger, Hamilton, Hanson, Harris, Hughes, Kerrick, Lightfoot, McReynolds, Miller, Moore, Pearce, Pratt, Price,


Those who voted in the affirmative, were—

Messrs. Abell, Allin, Barlow, Boulware, Bower, Boyd, Bozarth,

Floyd, Gaines, Grubb, Grundy, Harrel, Hatfield, Headley,

Newell, Quarles, Railey, Shawhan, Warren, White, M. E. Williams, Wolford, Wintersmith, Young, S. — 40.

Those who voted in the negative, were—

Messrs. Abell, Allin, Barlow, Bell, Boulware, Bower, Bozarth, Bullock, Carlisle, Coleman, Conner, Culton, Flood, Gaines, Grubb, Grundy, Haggard, Harrel, Hatfield, Headley, Hogg, Johnston, Judd, McKinney,

Newell, Quarles, Railey, Shawhan, Warren, White, M. E. Williams, Wilson, Woosley, Wright, Young, A. — 35.
The said bill was then amended.

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

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.

An engrossed bill, entitled, an act to divorce sundry persons, and for other purposes, was read a third time.

The question was then taken on the passage of said bill, and decided in the affirmative.

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

Those who voted in the affirmative, were—

Messrs. Beard, Berry, Bourland, Bowen, Boyd, Bozarth, Bullock, Christopher, Coleman, Conner,

Culter, Field, R. H., Gaines, Grainger, Grubb, Haggard, Headley, Hogg, Hughes, Judd,


Those who voted in the negative, were—

Mr. Speaker, Messrs. Barlow, Bowling, Bush, Carlisle, Chilton, Collins, Duncan, Garnett,

Grundy, Hamilton, Harris, Johnston, Kerrick, McReynolds, Newell, Pearce, Pratt,


Resolved, That the title of said bill be as aforesaid.

A bill from the Senate, entitled, an act for the benefit of the Judge of the 13th Judicial District, and for other purposes, was 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 disagreed to.

Bills from the Senate of the following titles, viz:

An act for the benefit of the Sheriff of Harrison county.
An act fixing the time of holding the May and November terms of the Christian County Court.

An act to incorporate the Louisville and Taylorsville Turnpike Road Company.

An act to put a part of the State road, leading from Princeton to Centreville, under the control of the Caldwell County Court.

An act to amend the charter of the town of Paducah.

An act to include William B. Carlisle in the county of Green.

An act to incorporate the town of Greenupsburg, and to legalize a late survey made of said town.

An act to enlarge the boundaries of the town of Somerset.

An act to authorize suit to be brought by the county of Marshall against the county of Calloway.

An act to incorporate the Greysville and Russellville Turnpike Road Company, and for other purposes.

An act to incorporate the Muddy river, Elkton, Trenton and Tennessee State line Turnpike Road Company.

An act for the benefit of Spottswood Wills.

An act to incorporate the New Orleans and Ohio Telegraph Company, and the People's Telegraph Company.

Were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with,

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

A message was received from the Senate announcing their disagreement to a bill from this House, entitled, an act to amend the law regulating the administration and settlement of decedents' estates.

That they had concurred in the amendments proposed by this House, to bills from the Senate of the following titles, viz:

An act appropriating six hundred dollars to improve the navigation of the South fork of the Kentucky river at or near the Narrows.

An act to appropriate the dividends of the Bardstown and Louisville, and the Bardstown and Green River Turnpike Roads, to the completion of the road between Bardstown and Glasgow.

An act to incorporate the Clark's Run and Salt River Turnpike Road Company.

An act to amend the charter of the Turnpike Road Company between Bell's Tavern and Bowlinggreen.

That they had passed bills from this House, of the following titles, viz:

An act to incorporate the Mountsterling, Winchester, Owingsville and Jeffersonville Turnpike Road Companies.
An act for the benefit of John A. Moore.
An act for the benefit of the Louisville and Elizabethtown Turnpike Road Company.
An act to incorporate the New Market and Bardstown Turnpike Company.
An act for the extension of the Madison and Wilderness Turnpike Road.
An act to incorporate the Helena Turnpike Road Company, the Maysville and Lewis county turnpike company, and Sardis turnpike company.
With an amendment to the last named bill.
That they had passed bills of the following titles, viz:
An act for the benefit of the Sheriff, Jailer and certain Guards in the county of Garrard.
An act to extend the navigation of the North Fork of the Kentucky river.
The following bills were reported by the several committees appointed to prepare and bring in the same, viz:
By the committee on the Judiciary—A bill to incorporate the Sanhedrim of Kentucky of the Hunters of Nimrod.
By the committee on Internal Improvement—A bill to amend an act, entitled, an act for the benefit of the Lexington, Harrodsburg and Perryville Turnpike Company, approved February 23, 1847.
By the committee on Education—A bill to incorporate the Euleaunbanda Society of the Kentucky Military Institute.
By the committee on Agriculture and Manufactures—A bill to incorporate the Hickman Manufacturing Company under the general law.
Which were read the first time and ordered to be read the second time.
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.
Mr. Wintersmith, from the committee on Internal Improvement, to whom was referred bills from the Senate of the following titles, viz:
An act to incorporate a company to construct a turnpike road from Cynthiana, in Harrison county, to Newtown, in Scott county, and for other purposes.
An act to amend the road law of Jefferson county.
Reported the same with amendments, which were concurred in.
Ordered, That said bills be read a third time.
The rule of the House, constitutional provision and third reading of said bills having been dispensed with,
Resolved, That the same do pass, and that the titles thereof be as aforesaid.
Mr. Wintersmith, from the committee on Internal Improvement, to whom
was referred bills from the Senate of the following titles, viz:
An act to amend an act, entitled, an act to incorporate the Georgetown
and Paris Turnpike Road Company, approved March 13, 1837.
An act for the benefit of James M. Anderson.
Reported the same without amendment.
Ordered, That said bills be read a third time.
The rule of the House, constitutional provision and third reading of said
bills having been dispensed with,
Resolved, That the same do pass, and that the titles thereof be as afore-
said.
Bills from the Senate of the following titles, viz:
An act in reference to the vacant and seminary lands and common schools
in Wayne county.
An act authorizing the appointment of a Police Judge for the town of
Richmond.
An act for the benefit of James Pratt, of Union county.
An act for the benefit of Uriah Pierce and Betsey, his wife.
Were read the first time and ordered to be read a second time.
The rule of the House, constitutional provision and second and third read-
ings of said bills having been dispensed with,
Resolved, That the same do pass, and that the titles thereof be as afore-
said.
The amendments proposed by the Senate, to a bill from this House, en-
titled, an act to incorporate the Helena Turnpike Road Company, the
Maysville and Lewis county turnpike company, and Sardis turnpike com-
pany, were taken up, twice read and concurred in.
Mr. McKinney, from the committee on Enrollments, reported that the
committee had examined sundry enrolled bills which originated in this
House, of the following titles, and had found the same truly enrolled, viz:
An act for the benefit of John W. Hazlerigg.
An act to allow special terms of the Cumberland, Floyd and Pendleton
Circuit Courts.
An act for the benefit of D. S. Goodloe & Co.
An act to amend the law regulating the taxation of costs in appeal cases.
An act concerning the Common School System.
An act to divorce Jesse Key.
An act to change the State road from Hopkinsville to Gray’s ferry.
An act to provide for the sale of Island No. 4, in the Mississippi river.
An act concerning the election of Electors.
And bills which originated in the Senate of the following titles, viz:
An act to incorporate the town of Greenup'sburg and to legalize a late
survey made of said town.
An act authorizing the Owen County Court to change so much of the State road leading from New Liberty to Cincinnati as runs through the lands of Howard Early.

An act to incorporate the Muddy river, Elkton, Trenton and Tennessee State line Turnpike Road Company.

An act to divorce Elizabeth Morgan, of Trimble county, and George W. Aydelott, of Hickman county.

An act to appropriate the dividends of the Bardstown and Louisville, and the Bardstown and Green river turnpike roads, to the completion of the road between Bardstown and Glasgow.

An act appropriating six hundred dollars to improve the navigation of the South Fork of the Kentucky river at or near the Narrows.

An act to amend the charter of the Turnpike Road Company between Bell's Tavern and Bowling Green.

An act for the benefit of the Sheriff of Harrison county.

An act fixing the time of holding the May and November terms of the Christian County Court.

An act to incorporate a company to turnpike a road from Mount Eden to Shelbyville.

An act to incorporate the Hamilton and New Lancaster Turnpike Road Company, in Boone county, and Hodgenville Turnpike Road Company.

An act to amend the charter of the town of Paducah.

An act to put a part of the State road leading from Princeton to Centreville, under the control of the Caldwell County Court.

An act to enlarge the boundaries of the town of Somerset.

An act to authorize suit to be brought by the county of Marshall against the county of Calloway.

An act to incorporate the Clark's Run and Salt River Turnpike Road Company.

An act to include William B. Carlisle, in the county of Green.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. McKinney inform the Senate thereof.

Mr. Wintersmith, from the committee on Internal Improvement, to whom was referred a bill from the Senate, entitled, an act authorizing the trustees of the town of Frankfort and the Franklin County Court, to subscribe for stock in certain companies, reported the same with an amendment, which was concurred in.

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

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as afore-said.
A message was received from the Senate announcing that they had passed a bill, entitled, an act for the benefit of Common Schools in the counties of Whitley, Laurel and Rockcastle.

Mr. Wintersmith, from the committee on Internal Improvement, to whom was referred a bill in addition to the act for the benefit of Robert Williams, approved March 1, 1847, reported the same with an amendment, as a substitute for said bill, which was concurred in.

The said bill, as amended, reads as follows, viz:

WHEREAS, by an act for the benefit of Robert Williams, approved March 1, 1847, it was made "the duty of the Board of Internal Improvement, or a majority of the members thereof, to inquire into and ascertain the damages occasioned and sustained by said Williams, on account of temporary suspensions of his works by the State, and report the amount thereof, if any, to the next General Assembly;" and said Board having failed to perform the duties required by said act, therefore, that full justice may be done in the premises,

SEC. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That Philip Swigart, John T. Pratt, Landon A. Thomas and Lysander Hord, be and they are hereby appointed commissioners, and authorized to perform the duties, in the act aforesaid, prescribed to the Board of Internal Improvement; and shall, or a majority of them, meet at the town of Frankfort at such time, within the present year, as they may appoint, and proceed to examine such witnesses, under oath, as may be introduced by said Williams, touching his claim; and said commissioners shall have power to summon witnesses before them, and hear and receive testimony in as full and ample a manner as courts of law now have; and moreover, shall have power to propound written interrogatories to said Robert Williams, relative to the suspensions aforesaid, and require written answers thereto, under oath.

SEC. 2. That if said commissioners, after a full investigation of the claim of said Williams, shall be of opinion that he has sustained damages, by reason of the temporary suspensions of his work upon Lock and Dam No. 3, on Licking river, then they shall make out a report of the amount of damages, so sustained; and which, in good faith, the State ought to pay him; and shall make report of their proceedings to the next General Assembly.

Mr. A. Young moved to lay said bill on the table.

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

The yeas and nays being required thereon, by Messrs. A. Young and McKinney, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, Conner, McKinney,
Messrs. Barlow, Culton, Pearce,
Board, Floyd, Railey,
Bell, Grainger, Turner,
Berry, Grubb, White, M. E.
Bourland, Harris, Wolford,
Bowen, Headley, Woosley,
Ordered, That said bill be engrossed and read a third time.

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

The question was then taken on the passage of said bill, and decided in the affirmative.

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

Those who voted in the affirmative, were—


Beard, Grubb,


Duncan, Miller, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Moore, Mo
Resolved, That the title thereof be as aforesaid.

Mr. Wintersmith, from the same committee, to whom was referred a bill authorizing the construction of a turnpike road from the town of Oregon on the Kentucky river, to the Louisville and Crab Orchard road, reported the same with an amendment, as a substitute for said bill, which was concurred in.

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

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.

Mr. Combs, from the committee on the Judiciary, to whom was referred bills from the Senate of the following titles, viz:

An act for the benefit of the widow and heirs of H. B. Webb, deceased.

An act to amend the laws concerning the town of Frankfort.

Reported the same without amendment.

Ordered, That said bills be read a third time.

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.

On motion of Mr. Combs,

Resolved, That the Public Printer print the usual number of the synopsis of the acts of 1847-8, for the use of the members of this House.

Mr. Haggard, from the committee on Education, to whom was referred bills from the Senate of the following titles, viz:

An act to incorporate the Elizabethtown Female Academy.

An act for the benefit of the Superintendent of Public Instruction.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

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

Mr. Haggard, from the same committee, to whom was referred a bill from the Senate, entitled, an act to amend the several acts concerning the Newport Seminary, and for other purposes, reported the same with amendments, which were concurred in.

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

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,
Resolved, That the same do pass, and that the title thereof be as aforesaid.

A message was received from the Senate announcing that they had passed a bill from this House, entitled, an act for the appropriation of money, with amendments.

The said amendments were then taken up, twice read and concurred in.

Mr. Newell, from the committee on Agriculture and Manufactures, to whom was referred bills from the Senate of the following titles, viz:

1. An act to amend the charter of the Bourbon county Agricultural Society.
2. An act to amend an act, entitled, an act to incorporate the Shepherdsville Iron Manufacturing Company, approved February 9, 1847.
3. An act authorizing certain County Courts to appoint commissioners of tax at the December term, and prescribing the further duties of the commissioners of tax.

Reported the same without amendment.

The third bill was then amended.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

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

The House then took up the preamble and resolutions read and laid on the table, by Mr. Towles, in relation to the Tobacco trade, which being twice read were concurred.

The resolutions from the Senate, concerning the Mobile and Ohio Railroad, were taken up, twice read, and concurred in.

Mr. Miller, from the committee on Public Offices, made the following report, viz:

The joint committee on Public Offices have discharged the duties assigned them, and take great pleasure in stating that the same are in good order and condition, and, as far as they are advised, would suggest that no change, whatever, should be made in the management of the same.

ISAAC P. MILLER, Chm. H. R. Com.
ALEXANDER L. BEARD,
CYRUS TURNER,
SAM. HATFIELD.

Mr. R. H. Field, from the committee on the Library, read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Public Librarian be directed to purchase twenty copies of Collins' History of Kentucky, for the use of the Library.

The rule of the House requiring joint resolutions to lie one day on the table having been dispensed with, the said resolution was taken up, twice read and adopted.
The amendments proposed by the Senate to a bill from this House, entitled, an act for the benefit of the Sheriff of Ballard county, were taken up, twice read and concurred in.

Bills from the Senate of the following titles, viz:
An act authorizing the Board of Internal Improvement to bring suits in the General Court.
An act to repeal an act concerning slaves, approved February 21, 1846.

Ordered, That said bills be laid on the table.

A bill from the Senate, entitled, an act for the benefit of James S. Halbert, of Lewis county, was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with,
The question was then taken on the passage of said bill, and decided in the negative, and so the said bill was disagreed to.

A bill from the Senate, entitled, an act to authorize a survey of Salt river and Rolling and Beech Forks, was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with,
Resolved, That the same do pass, and that the title thereof be as aforesaid.

The yeas and nays being required on the passage of said bill, by Messrs. Quarles and Culton, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Speaker, Messrs. Allin, Barlow, Bell, Berry, Bowling, Christopher, Coleman, Culton, Fleyd, Gaines, Grubb, McKinney, McReynolds, Quarles, Shawhan, Talisferro, Warren,
Boyd,                Harrell,                White, M. E.
Bozarth,              Hafield,                Wilson,
Bush,                  Johnston,               Woosley,
Carlisle,              Kerrick,                Wright—31.

Bills from the Senate of the following titles, viz:
An act for the benefit of Isham G. Hamilton, and for other purposes.
An act to incorporate the town of Bridgeport in Franklin county.
An act for the benefit of Aquilla Beecraft and Nancy L. Beecraft, his
wife.
An act for the benefit of the town of Winchester.
An act to incorporate the Flemingsburg and Elizaville Turnpike Road
Company.
An act for the benefit of George F. Hatcher.
An act for the benefit of the Trustees of School District, No. 7, in Anderson
county.
An act for the benefit of Richard D. Neal, of Warren county.
An act declaring Big Blaine Creek, in Lawrence county, navigable.
An act to increase the width of a road leading from Florence to Anderson’s Ferry, in Boone county.
An act to incorporate the Hodgenville Male and Female Seminary.
An act to amend an act for the benefit of A. M., Clifford N., Henry B.,
and Sidney T. Fountaine, approved March 1, 1847.
An act to incorporate the Graves Mill Turnpike Road Company.
An act for the benefit of Ebenezer Church, in Lewis county.
An act to amend the charter of the town of Newport.
An act supplemental to an act to extend the jurisdiction of the Police
Judge of the town of Hopkinsville, approved February 18, 1848.
An act for the benefit of Thomas Gardner, of Bourbon county.
An act for the benefit of Burnley D. Smith, of Todd county.
An act to establish additional election precincts in Pendleton and Harlan
counties.
An act to change the place of voting in the Stephensburg precinct, in
Hardin county.
An act to establish an election precinct at Trenton, in Todd county.
An act for the benefit of the Clerks of the Daviess and McCracken Cir-
cuit and County Courts.

Were read the first time and ordered to be read a second time.
The rule of the House, constitutional provision and second and third read-
ings of said bills having been dispensed with,

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

Mr. Hughes, from the committee on the Expenditures of the Board of In-
ternal Improvement, reported a bill for the benefit of A. P. Cox, which was
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.

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

An act to incorporate a company to construct a turnpike road from Cynthiana, in Harrison county, to Newtown, in Scott county, and for other purposes.

An act to amend the road law of Jefferson county.

An act authorizing the trustees of the town of Frankfort and the Franklin County Court, to subscribe for stock in certain companies.

That they had disagreed to a bill from this House, entitled, an act in addition to the act for the benefit of Robert Williams, approved March 1, 1847.

That they had passed bills and a preamble and resolutions from this House of the following titles, viz:

An act to incorporate the Sanhedrim of Kentucky of the Hunters of Nimrod.

An act to amend an act, entitled, an act for the benefit of the Lexington, Harrodsburg and Perryville Turnpike Company, approved February 23, 1847.

An act to incorporate the Ealaabanda Society of the Kentucky Military Institute.

An act to incorporate the Hickman Manufacturing Company under the general law.

Preamble and resolutions in relation to the Tobacco trade.

That they had passed bills of the following titles, viz:

An act to authorize an exchange of Executive Documents.

An act to divorce John Hathaway, of Franklin county.

A bill from the Senate, entitled, an act for the benefit of the Lunatic Asylum, was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

The said bill was then amended, by striking out seven thousand dollars and inserting two thousand dollars, and was further amended.

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

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

The question was then taken on the passage of said bill, and decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Harris and Quarles, were as follows, viz:
Those who voted in the affirmative, were—

Mr. Speaker, Haggard, Shawhan, Smith, Speed, Stephens, J. N. Taliaferro, Wall, Warren, Williams, Wilkins, Wollord, Young, A. Young, S. 39.


Beard,  
Bell,  
Berry,  
Boerland,  
Boyd,  
Chilton,  
Christopher,  
Duncan,  
Field, R. H.  
Garnett,  
Grainger,  

Grainger,  

Those who voted in the negative, were—

Messrs. Barlow, Grundy, McKinney,  
Bowen, Harris, Quarles,  
Bozarth, Headley, White, M. E.  
Carlisle, Hogg, Wilson,  
Conner, Johnston, Wintersmith,  
Culton, Judd, Weosley,  
Floyd, Lightfoot, Wright 21.

Resolved, That the title thereof be as aforesaid.

A bill from the Senate, entitled, an act to amend an act, entitled, an act concerning ferries, approved February 7, 1820, and for other purposes, was read the first time.

On motion of Mr. Floyd, Ordered, That said bill be laid on the table.

A bill from the Senate, entitled, an act for the benefit of the Sheriff, Jail-er and certain Guards in the county of Garrard, was read the first time and ordered to be read a second time.

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

The question was then taken on the passage of said bill, and decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker, Garnett, Price, Shawhan, Smith, Speed, Stephens, J. N. Taliaferro, Thomas,  
Messrs. Allin, Grainger, Smith, Speed, Stephens, J. N. Taliaferro, Thomas,  
Beard, Haggard, Smith, Speed, Stephens, J. N. Taliaferro, Thomas,  
Bell, Hamilton, Smith, Speed, Stephens, J. N. Taliaferro, Thomas,  
Berry, Harrell, Speed, Stephens, J. N. Taliaferro, Thomas,  
Boerland, Hughes, Taliaferro, Thomas,  
Boyd, Kerrick, Thomas,  
Chilton, Miller, Thomas,  
Christopher, Moore, Thomas,  
Duncan, Pearce, Thomas,  
Field, R. H. Pratt, Thomas,  
Garnett, Price, Thomas,  
Grainger, Railey, Thomas,  
Brown, J.
Resolved, That the title thereof be as aforesaid.

The resolution from the Senate authorizing the publication of the address of the Rev. R. J. Breckinridge on Education, was taken up, twice read and concurred in.

The resolutions from the Senate complimentary to the Encarnacion prisoners, and others, were taken up, twice read and concurred in.

The preamble and resolutions from the Senate, relative to the late Col. Thomas Dollerhide, were taken up, twice read and concurred in.

Bills from the Senate of the following titles, viz:
- An act for the benefit of Jacob Corbett, of Ballard county.
- An act to incorporate a turnpike road from Versailles to Nicholasville.
- An act for the benefit of the children and heirs at law of Louisa Dennington, deceased.
- An act to amend the road law of Campbell county.
- An act for the benefit of William Hackley and Clarissa, his wife, and her children.
- An act for the benefit of James McConnell.
- An act to incorporate the town of Jamestown, in Campbell county.
- An act to repeal the law reducing the price of vacant lands in Clay county.
- An act supplemental to the act concerning the election of Electors, passed at the present session.
- An act to provide for marking a road from Birch Lick Creek, in Madison county, to Brashear's Salt Works, in Perry county.
- An act to extend the navigation of the North Fork of the Kentucky river.
- An act for the benefit of Common Schools in the counties of Whitley, Laurel and Rockcastle.
- An act to authorize an exchange of Executive Documents.
- An act to divorce John Hathaway, of Franklin county.
Were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with,

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

The resolutions from the Senate, in relation to the two cannons presented to the State of Kentucky by Maj. George A. Caldwell and Col. John S. Williams, were taken up, twice read and concurred in.

On motion of Mr. Harris,

Resolved, That this House take no further legislative business under consideration, other than the ordinary preliminaries to an adjournment, without day, on to-morrow at 10 o'clock, A. M.

And then the House adjourned.

WEDNESDAY, MARCH 1, 1848.

A message was received from the Senate announcing that they had adopted resolutions for firing national salutes on the birth days of Henry Clay and Major General Z. Taylor.

That they had concurred in the amendments of this House to bills from the Senate of the following titles, viz:

An act authorizing certain County Courts to appoint commissioners of tax at the December term, and prescribing the further duties of commissioners of tax.

An act to amend the several acts concerning the Newport Seminary, and for other purposes.

That they had concurred in the second and disagreed to the first amendments of this House, to a bill from the Senate, entitled, an act for the benefit of the Lunatic Asylum, at Lexington.

That they had passed a bill from this House, entitled, an act to abolish the original jurisdiction of the Appellate Court in cases of ferries and mills, with an amendment.

That they had concurred in a resolution from this House, for the purchase of Collins' History of Kentucky for the use of the Library.

A message was received from the Senate announcing that they had passed a bill from this House, entitled, an act to divorce sundry persons, and for other purposes.
That they had passed a bill, entitled, an act relative to the docket of the
Franklin Circuit Court.

The said bill was then read the first time and ordered to be read a second
time.

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

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

The amendments proposed by the Senate, to a bill from this House, enti­
tied, an act to abolish the original jurisdiction of the Appellate Court in
cases of ferries and mills, were taken up, twice read and concurred in.

The House then took up the bill from the Senate, entitled, an act for the
benefit of the Lunatic Asylum, at Lexington, and the first amendment pro­
posed thereto by this House.

The said first amendment was to strike out seven thousand dollars and in­
sert, in lieu thereof, two thousand dollars.

Mr. T. D. Brown 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. T. D. Brown and
Bush, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Speaker, Beard, Berry, Bourland, Boyd, Chilton, Garnett, Grainger, Haggard, Hamilton, Hardy, Hughes, Kerrick, McReynolds, Miller, Moore, Newall, Pearce, Pratt, Price, Shawhan, Smith, Speed, Talbott, Taliaferro, Thomas, Towles, Turner, Wall, Williams, Wilkins—32.

Resolved, That this House insist on their first amendment to said bill.

A message was received from the Senate announcing that they insist on
their disagreement to the first amendment proposed by this House, to said
bill, and had appointed a committee of conference on their part, to act in
conjunction with a similar committee on the part of this House, on the dis-
agreement between the two Houses, on said bill.

Whereupon, Messrs. Wintersmith, Hughes and Haggard were appointed
a committee on the part of this House.

After a short time, Mr. Wintersmith, from said committee, reported that
the Senate recede from their disagreement to said amendment, which re-
port was concurred in.

A message was received from the Senate announcing that they had con-
curred in the report of said committee.

Mr. McKinney, from the committee on Enrollments, reported that the
committee had examined sundry enrolled bills and resolutions which origi-
nated in the Senate of the following titles, and had found the same truly
enrolled, viz:

An act authorizing the appointment of a Police Judge for the town of
Richmond.

An act for the benefit of Spottswood Wills.

An act to incorporate the Greysville and Russellville Turnpike Road Com-
pany, and for other purposes.

An act for the benefit of the Superintendent of Public Instruction.

An act to amend the charter of the Bourbon county Agricultural Society.

An act to incorporate the Elizabethtown Female Academy.

An act to amend an act, entitled, an act to incorporate the Shepherds-
ville Iron Manufacturing Company, approved February 9, 1847.

An act for the benefit of James Pratt, of Union county.

An act to incorporate a road from Washington to Murphysville, in
Mason county.

An act to incorporate the town of Bridgeport in Franklin county.

An act to incorporate the Graves Mill Turnpike Road Company.

An act to incorporate the Hodgenville Male and Female Academy.

An act to incorporate the town of Jamestown, in Campbell county.

An act for the benefit of the children and heirs at law of Louisa Denning-
ton, deceased.

An act supplemental to the act concerning the election of Electors.

An act to authorize an exchange of Executive Documents.

An act for the benefit of Jacob Corbett, of Ballard county.

An act to repeal the law reducing the price of vacant lands in Clay coun-
ty.

An act for the benefit of the Clerks of the Daviess and McCracken Cir-
cuit and County Courts.

An act to extend the navigation of the North Fork of the Kentucky
river.
MARCH I.]

HOUSE OF REPRESENTATIVES.

An act to incorporate a company to construct a turnpike road from Cynthiana, in Harrison county, to Newtown, in Scott county, and for other purposes.

An act to amend an act, entitled, an act to incorporate the Georgetown and Paris Turnpike Road Company, approved March 13, 1837.

An act authorizing certain County Courts to appoint commissioners of tax at the December term, and prescribing the further duties of the commissioners of tax.

An act for the benefit of the town of Winchester.

An act for the benefit of the Sheriff, Jailer and certain Guards in the county of Garrard.

An act for the benefit of Common Schools in the counties of Whitley, Laurel and Rockcastle.

An act to provide for marking a road from Birch Lick Creek, in Madison county, to Brashear's Salt Works, in Perry county.

An act to amend an act for the benefit of A. M., Clifford N., Henry B., and Sidney T. Fountaine, approved March 1, 1847.

An act declaring Big Blaine Creek, in Lawrence county, navigable.

An act to increase the width of a road leading from Florence to Anderson's Ferry, in Boone county:

An act to establish an election precinct at Trenton, in Todd county.

An act for the benefit of Burnley D. Smith, of Todd county.

An act for the benefit of Thomas Gardner, of Bourbon county.

An act for the benefit of Isham G. Hamilton, and for other purposes.

An act to divorce John Hathaway, of Franklin county.

An act to authorize a survey of Salt river, and the Rolling and Beech forks.

An act for the benefit of the widow and heirs of H. B. Webb, deceased.

An act in reference to the vacant and seminary lands and common schools in Wayne county.

An act to incorporate the Louisville and Taylorsville Turnpike Road Company.

An act for the benefit of James M. Anderson.

An act to amend the laws concerning the town of Frankfort.

An act to incorporate the Flemingsburg and Elizaville Turnpike Road Company.

An act for the benefit of William Hackley and Clarissa, his wife, and her children.

An act to amend the road law of Campbell county.

An act to amend the several acts concerning the Newport Seminary, and for other purposes.
An act for the benefit of Aquilla Beecraft and Nancy L., his wife.
An act for the benefit of James McConnell.
An act for the benefit of Ebenezer Church, in Lewis county.
An act to change the place of voting in the Stephensburg precinct, in Hardin county.
An act for the benefit of the Trustees of School District, No. 7, in Anderson county.
An act for the benefit of Richard D. Neal, of Warren county.
An act for the benefit of George F. Hatcher.
An act for the benefit of Uriah Pierce and Betsey, his wife.
An act authorizing the trustees of the town of Frankfort and the Franklin County Court, to subscribe for stock in certain companies.
An act to incorporate the New Orleans and Ohio Telegraph Company, and the People's Telegraph Company.
An act relative to the docket of the Franklin Circuit Court.
An act to incorporate a turnpike road from Versailles to Nicholasville.
An act to amend the road law of Jefferson county.
An act to amend the charter of the town of Newport.
An act supplemental to an act to extend the jurisdiction of the Police Judge of the town of Hopkinsville, approved February 18, 1848.
An act to establish additional election precincts in Pendleton and Harlan counties.
An act for the benefit of the Lunatic Asylum, at Lexington.
Preamble and resolutions relative to the late Col. Thomas Dollerhide.
Resolutions concerning the Mobile and Ohio Railroad Company.
Resolutions complimentary to the Encarnacion prisoners, and others.
Resolution authorizing the publication of the address of the Rev. R. J. Breckinridge on Education.
And bills and resolutions which originated in this House of the following titles, viz:
An act to establish a State road from Morganfield, through Smithland, to Paducah.
An act for the benefit of John A. Moore.
An act for the benefit of the Louisville and Elizabethtown Turnpike Road Company.
An act to incorporate the New Market and Bardstown Turnpike Company.
An act to incorporate the Mountsterling, Winchester, Owingsville and Jeffersonville Turnpike Road Companies.
An act to incorporate the Falsabanda Society of the Kentucky Military Institute.
An act to incorporate the Hickman Manufacturing Company under the general law.

An act for the benefit of the Sheriff of Ballard county.

An act to divorce Helen Piaster.

An act for the extension of the Madison and Wilderness Turnpike Road.

An act authorizing the construction of a turnpike road from the town of Oregon, on the Kentucky river, to the Louisville and Crab Orchard road.

An act for the appropriation of money.

An act to amend an act, entitled, an act for the benefit of the Lexington, Harrodsburg and Perryville Turnpike Company, approved February 23, 1847.

An act to incorporate the Sanhedrim of Kentucky of the Hunters of Nimrod.

An act to incorporate the Helena Turnpike Road Company, the Maysville and Lewis county turnpike company, and Sardis turnpike company.

An act to incorporate the Kinicannick Railroad and Mill Company.

An act to abolish the original jurisdiction of the Appellate Court in cases of Ferries and Mills.

An act to divorce sundry persons, and for other purposes.

Resolution for the purchase of Collins' History of Kentucky for the use of the Public Library.

Resolution for printing the Second Auditor's report.

Preamble and resolutions in relation to the Tobacco trade.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. McKinney inform the Senate thereof.

The House took up the resolutions from the Senate for firing a national salute on the birth days of Henry Clay and Major General Z. Taylor.

On motion,

Ordered, That said resolutions be laid on the table.

The Speaker having retired from the Chair, Mr. Wall moved the following resolution, viz:

Resolved, That the thanks of this House are due, and are hereby tendered to the Hon. James F. Buckner, Speaker of this House, for the courteous and dignified manner in which he has discharged the delicate and responsible duties of his station.

Which was unanimously adopted.

Mr. Talbutt moved the following resolution, viz:

Resolved, That the thanks of this House be tendered to the Clerk and Assistant Clerk, Door Keeper, and Sergeant-at-arms, for the prompt manner in discharging the several duties assigned to them.

Which was unanimously adopted.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor be requested to cause a national salute to be fired the 15th inst., in commemoration of the birth day of Gen. Andrew Jackson.
Mr. Wintersmith moved the following resolution, viz:

Resolved, That the thanks of this House be tendered to Chester C. Cole, for the impartial and diligent manner in which he has reported the proceedings of this House.

Which was unanimously adopted.

Mr. Bush moved the following resolution, viz:

Resolved, That the thanks of this House are tendered to the Ministers of the Gospel who have officiated in opening the same daily with prayer.

Which was unanimously adopted.

A message was received from the Governor, by Mr. Reed, Secretary of State, announcing that he had approved and signed sundry enrolled bills and resolutions which originated in this House, of the following titles, viz:

An act to legalize the proceedings of the Ohio County Court, at their January term, 1848, and for other purposes.

An act for the benefit of Davenport Jones, of Christian county.

An act to incorporate the Chestnut Street Presbyterian Church of Louisville.

An act to amend an act, entitled, an act for the benefit of Nancy Pointer, approved February 25, 1847.

An act to legalize the election of the Trustees of the town of Owensboro.

An act to incorporate the Springfield, Perryville, and Danville Turnpike Road Company.

An act to incorporate the Paris and Cynthiana Turnpike Road Company.

An act to incorporate the Paris and Combs' Ferry Turnpike Road Company.

An act to allow additional Constables to Logan, Washington, Fleming and Pendleton counties.

An act concerning conveyances.

An act to incorporate the German Roman Catholic Benefit Society of Covington.

An act to incorporate the Paris, Winchester and Kentucky River Turnpike Road Company, and the North Middletown Turnpike Road Company, and for other purposes.

An act to divorce Mary Perkins.

An act for the benefit of Price Snyder, of Simpson county.

An act authorizing the County Court of Mason county to sell and convey certain public property in said county, and for other purposes.

An act to incorporate a Fire Company in the town of Winchester.

An act for the benefit of Garnett A. Dowell.

An act to change a part of the State road in Kenton county.

An act relating to the road tax in Germantown, and for other purposes.
An act for the benefit of the Board of Internal Improvement.
An act to repeal the law in relation to private passways in the county of Mercer, and for other purposes.
An act to change the time of holding the Oldham Circuit Court.
An act for the benefit of Jesse Day, of Morgan county.
An act changing the time of holding the Estill County Court.
An act to exempt keepers of public ferries, in Morgan county, from working roads.
An act to incorporate the Great Crossings and Stamping Ground Turnpike Road Company.
An act to amend an act, entitled, an act to incorporate the Lexington Gas Company.
An act to incorporate the Odd Fellows' Hall, of Newport, Kentucky.
An act for the benefit of James Dewit, Benjamin Riddle and Isaac Chownowith.
An act to erect a monument to those who have fallen in the defence of their country.
An act to change the time of holding the Christian Circuit and County Courts, and for other purposes.
An act to legalize the proceedings of the Graves County Court.
Approved February 25, 1848.
An act fixing the rates of toll on the Wilderness Turnpike Road.
An act to change the name of Henry Moore Henry, to that of Francis Gray Henry.
An act to amend the road law in the county of Knox.
An act for the benefit of William P. Woolley.
An act authorizing the erection of an additional toll gate on the Versailles and Anderson Turnpike Road.
An act for the benefit of the Morgan County Court.
An act for the benefit of the Methodist Church in Madison county.
An act for the benefit of Ophelia Holloway, and Andrew, her son.
An act to incorporate the Crittenden Mining Company.
An act to amend the act requiring the several County Courts to procure a set of weights and measures, approved February 1, 1839.
An act to incorporate a Turnpike Company from Versailles to Midway.
An act to amend the Trustee law of the town of London.
An act to establish the office of Police Judge of the town of New Liberty, in Owen county, and regulating the duties thereof.
An act to divorce William Humphreys, of Hickman county.
An act allowing an additional Constable to Wayne county, and for other purposes.
An act directing a change of venue in the prosecution against John Lamb.
An act for the benefit of Nathaniel D. Burks and Magdalena Burks.
An act to incorporate the town of Monticello.
An act to amend the road law in the county of Clarke, and for other purposes.
An act for the benefit of the mechanics of the town of Newport.
An act to legalize the acts of William Teal, Constable of Owen county.
An act for the benefit of Ann H. Cundiff, of Clay county.
An act to enlarge the limits of the town of Cadiz.
An act for the benefit of Elijah Hansbrough, of Hardin county.
An act to amend the law concerning forfeited recognizances and bail bonds.
An act to incorporate the Spencer county and Louisville Turnpike Road Company, and for other purposes.
An act for the benefit of William H. Curtis, of Monroe county.
An act for the benefit of Juliann Dickson Thomas.
An act for the benefit of M. C. Hughes, Surveyor of Owsley county.
Approved February 26, 1848.
An act further regulating the docketing of causes in the Court of Appeals.
An act to increase the compensation of Grand Jurors.
An act to incorporate the Harrod's Creek Academy, in Oldham county.
An act for the benefit of Thomas Phipps, late Sheriff of Ohio county.
An act for the benefit of Joel Sweeney.
An act for the benefit of the Sheriff of Laurel county.
An act to enlarge the powers of the Trustees of the town of Mount Washington, in Bullitt county.
An act to divorce Mary E. Crane.
An act to divorce Julia G. and Nicholas M. Taylor.
An act to divorce Jack Henderson.
An act to divorce John C. Wolf.
An act to divorce Volney and Rachael Bedford.
An act to abolish certain precincts in Daviess county, and to establish an election precinct in the town of Celina.
An act for the benefit of John H. Parish, Surveyor of Madison county.
An act to establish a Police Court in the town of Mt. Vernon.
An act for the benefit of Martha Jane Webb and Mary Jane Newland.
An act to incorporate the Philomathean Society of the Kentucky Military Institute.
An act for the benefit of Frederick Gosney.
An act for the benefit of N. E. Wright.
An act for the benefit of the town of Bloomfield.
An act to amend the act relating to the town of Georgetown.
An act concerning the Banks of Kentucky.
An act for the benefit of William B. Smith, of Warren county, and Wm. S. Green, of Hart county.
An act for the benefit of the administrator of Charles Carter, deceased.
An act to revive and amend an act to incorporate the Augusta, Cynthiana and Georgetown Turnpike Company.
An act to provide for the location and erection of the Second Kentucky Lunatic Asylum.
An act to divorce Joel Jones, and others.
An act for the benefit of the Carroll County Court.
An act to establish additional election precincts in certain counties, and for certain purposes.
An act for the benefit of the administrator and heirs of the estate of Benjamin Lancaster, deceased.
An act to amend an act to incorporate the Firemen's Insurance Company of Lexington, approved February 26, 1847.
An act to authorize the Court of Appeals of the 49th Regiment of Kentucky Militia to hear appeals in certain cases.
An act for the benefit of George W. Boyd, Drury W. Taylor and Isham J. Jones.
An act to incorporate the Christian Church, of Mount Eden, in Spencer county.
An act to increase the revenue.
An act for the benefit of John Judy.
An act for the benefit of John Swansey's heirs, of Crittenden county.
An act to incorporate the West Louisville Cemetery Company.
An act to divorce William Grady.
An act to divorce John L. Jackson.
An act to allow an additional Justice of the Peace to Pulaski county.
An act for the benefit of John Rose and Elijah Chambers, of Morgan county.
An act for the benefit of the infant children of William Carpenter, deceased, late of Mason county.
An act for the benefit of the town of Newport, in Campbell county.
An act allowing additional Justices of the Peace and Constables to certain counties.
An act to change the venue in the prosecution against John A. Claywell.
An act to amend an act, entitled, an act to amend in part and repeal in part the act establishing a road from London to the mouth of Big Laurel river, approved January 30, 1847.
An act for the benefit of the Kentucky Institution for the education of the Blind.

An act to establish the town of Buena Vista, in Russell county.

An act for the benefit of Ira H. and William George.

An act to provide for running and marking the dividing lines between the counties of Russell, Casey and Pulaski.

An act for the benefit of the Cumberland County Court.

Approved February 28, 1848.

Preamble and resolutions relative to Mr. Asa Whitney’s plan for a Railroad from Lake Michigan to the Pacific Ocean.

Resolutions in relation to the boundary between the States of Ohio, Indiana, Illinois and Kentucky.

Approved February 28, 1848.

An act to change a part of the State road leading from Bowlinggreen to Greenville.

An act to amend the charter of the city of Covington and town of Feliciana.

An act for the benefit of George Johnson, late Sheriff of Union county, and for other purposes.

An act for the benefit of Common Schools in the town of Portland, and for other purposes.

An act to amend an act, entitled, an act to construct a road from Rochester, at the mouth of Muddy river, in Butler county, to Russellville, in Logan county.

An act providing for running the dividing line between Bracken and Pendleton.

An act to divorce William W. Hinds, and others.

An act for the benefit of the Surveyor of Scott county, and for other purposes.

An act to allow an additional Justice of the Peace to Barren county, and for other purposes.

An act for the benefit of David Snowden, former Sheriff of Owsley county, and for other purposes.

An act to change the place of voting in an election precinct in the county of Henderson, and for other purposes.

An act to establish two additional election precincts in Knox county, and for other purposes.

An act for the benefit of William Mullen, of Wayne county, and others.

An act allowing additional Justices of the Peace and Constables to certain counties.

An act to divorce William W., and Nancy Millikin.
An act to change the name of James Riley Hammons, and for other purposes.
An act to allow special terms of the Cumberland, Floyd and Pendleton Circuit Courts, and for other purposes.
An act for the benefit of John W. Hazlerigg.
An act to divorce Elizabeth A. King, and others.
An act for the benefit of Julia A. Williams, and Catharine Lemaster.
An act for the benefit of D. S. Goodloe & Co.
An act to amend the law regulating the taxation of costs in appeal cases.
An act to provide for the sale of Island No. 4, in the Mississippi river.
An act concerning the election of Electors.
An act to divorce Jesse Key.
An act to change the State road from Hopkinsville to Gray's ferry.
An act concerning the Common School System.
Approved February 29, 1848.
An act for the benefit of the Louisville and Elizabethtown Turnpike Road Company.
An act for the benefit of John A. Moore.
An act to establish a State road from Morganfield, through Smithland, to Paducah.
An act for the appropriation of money.
An act authorizing the construction of a turnpike road from the town of Oregon, on the Kentucky river, to the Louisville and Crab Orchard road.
An act for the extension of the Madison and Wilderness Turnpike Road.
An act to divorce Helen Plasters.
An act for the benefit of the Sheriff of Ballard county.
An act to incorporate the Hickman Manufacturing Company under the general law.
An act to incorporate the Baleabanda Society of the Kentucky Military Institute.
An act to abolish the original jurisdiction of the Appellate Court in cases of Ferries and Mills.
An act to incorporate the Mountsterling, Winchester, Owingsville and Jefferso
An act to incorporate the New Market and Bardstown Turnpike Company.
An act to incorporate the Kinnicanick Railroad and Mill Company.
An act to divorce sundry persons, and for other purposes.
An act to incorporate the Helena Turnpike Road Company, the Maysville and Lewis county turnpike company, and Sardis turnpike company.
An act to amend an act, entitled, an act for the benefit of the Lexington, Harrodsburg and Perryville Turnpike Company, approved February 23, 1847.
An act to incorporate the Sanhedrim of Kentucky of the Hunters of Nimrod. Approved March 1, 1848.
Preamble and resolutions in relation to the Tobacco trade.
Resolution for the purchase of Collins' History of Kentucky for the use of the Public Library.
Resolution for printing the Second Auditor's report. Approved March 1, 1848.

A message was received from the Senate announcing that they had received official information from the Governor, that he had approved and signed enrolled bills and resolutions which originated in the Senate of the following titles, viz:

An act for the benefit of the heirs of James B. Blair, deceased.
An act for the benefit of James Sudduth.
An act for the benefit of the infant heirs of Augustus F. Jacob, of Caldwell county.
An act supplementary to an act incorporating the Paris, Winchester and Kentucky River Turnpike Road Company, and the North Middletown Turnpike Road Company, and for other purposes.
An act to amend an act, entitled, an act to establish the town of Cornishville, approved February 23, 1847, and for other purposes.
An act to incorporate the Logan Manufacturing Company.
An act to amend an act for the benefit of Ann L. Clements, approved February 3, 1847.
An act for the benefit of the heirs of Philip Baker.
An act to amend an act, entitled, an act to establish the town of Petersburg, in Boone county, approved January 9, 1839.
An act to amend the act incorporating the town of Greensburg. Approved February 25, 1848.

An act for the benefit of Isaac Bush.
An act to facilitate the construction of the Electric Telegraph.
An act to incorporate the Grand Division of Sons of Temperance of the State of Kentucky.
An act for the benefit of the Clerks of the Simpson and Clarke County Courts.
An act to provide for a change of venue in the prosecution against William Peyton.
An act to charter the Second Baptist Church of Louisville.
An act for the benefit of the children of James Holland, of Caldwell county.
An act to provide for a change of venue in the prosecution against Asa Sisk.
An act to authorize the Green County Court to sell the old Clerk's office of Green county.

An act to revive and amend the charter of the Shepherdsville and Louisvill Turnpike Road Company.

An act to extend the limits of the town of Hamilton, in Boone county.

An act for the benefit of Catharine Montgomery, of Washington county and John H. Butler, of Hickman county.

An act for the benefit of James Calhoun, and John Hill and wife.

An act to allow additional terms to the Harrison and Estill Circuit Courts, and to change the time of holding the chancery term of the Nicholas Circuit Court.

An act to incorporate the Rough and Ready Turnpike Road Company, in Boone county.

An act to authorize the Mobile and Ohio Railroad Company to extend their Railroad from the south boundary line of the State of Kentucky, to the Mississippi or Ohio rivers.

An act to amend the penal laws. Approved February 26, 1848.

An act to divorce Isabella Snelling, and for other purposes.

An act to divorce William R. Ennis from his former wife, and for other purposes.

An act to repeal the 13th and 14th sections of an act, entitled, an act to amend the road law in the county of Trimble, approved January 18, 1848.

An act to incorporate the Lexington and Frankfort Railroad Company. Approved February 28, 1848.

An act to provide for a change of venue in the prosecution against Francis M. Ewing.

An act concerning guardians.

An act to amend the charter of the Frankfort and Louisville Railroad Company.

An act for the relief of the widow and children of the late William R. McKee, deceased.

An act to incorporate the Danville and Kentucky River Railroad Company.

An act to incorporate a company to construct a turnpike road from Frankfort to Lexington on the Cole's road.

An act for the benefit of Sarah Jane Acuff, of Calloway county, and others.

An act for the benefit of Maria Graves, of Boone county.

An act to provide for the improvement of the road from Munday's Landing to Harrodsburg.

An act to amend the act to enlarge the town of Stanford.
An act for the benefit of Major and Elizabeth Ann Weatherspoon, of Allen county.

An act to amend the charter of the Glasgow and Scottsville Turnpike Road Company.

An act to incorporate the Frankfort and Lawrenceburg Turnpike Road Company.

An act to incorporate the Bardstown and Salt River slack water Navigation Company.

An act to incorporate the Flemingsburg and Mount Carmel Turnpike Road Company.

An act appropriating the dividends on the turnpike road leading from Elizabethtown to the Tennessee line to the completion of said road.

An act for the benefit of Henry Stemmons and wife, and others.

An act to fix the ratio and apportion the representation in the Senate and House of Representatives, for the ensuing four years.

An act to amend the charter of the Turnpike Road Company between Bell's Tavern and Bowlinggreen.

An act appropriating six hundred dollars to improve the navigation of the South Fork of the Kentucky river at or near the Narrows.

An act to divorce Elizabeth Morgan, of Trimble county, and George W. Aydelott, of Hickman county, and Mary Chrisman.

An act to appropriate the dividends of the Bardstown and Louisville, and the Bardstown and Green river turnpike roads, to the completion of the road between Bardstown and Glasgow.

An act to incorporate the Muddy river, Elkton, Trenton and Tennessee State line Turnpike Road Company.

An act authorizing the Owen County Court to change so much of the State road leading from New Liberty to Cincinnati as runs through the lands of Howard Early.

An act to incorporate the town of Greenuppsburg and to legalize a late survey made of said town.

An act to enlarge the boundaries of the town of Somerset.

An act to authorize suit to be brought by the county of Marshall against the county of Calloway.

An act to include William B. Carlisle, in the county of Green.

An act granting a change of venue to William Burns.

An act to put a part of the State road leading from Princeton to Centreville, under the control of the Caldwell County Court.

An act to amend the charter of the town of Paducah.

An act to incorporate a company to turnpike a road from Mount Eden to Shelbyville.

An act for the benefit of the Sheriff of Harrison county.
An act fixing the time of holding the May and November terms of the Christian County Court.

An act to incorporate the Clark's Run and Salt River Turnpike Road Company.

An act to incorporate the Hamilton and New Lancaster Turnpike Road Company, in Boone county, and Hodgenville Turnpike Road Company. Approved February 29, 1848.

An act to incorporate a turnpike road from Washington to Murphysville, in Mason county.

An act to incorporate the Elizabethtown Female Academy.

An act to incorporate the Greysville and Russellville Turnpike Road Company, and for other purposes.

An act to amend the charter of the Bourbon county Agricultural Society.

An act for the benefit of the Superintendent of Public Instruction.

An act for the benefit of Spottswood Wills.

An act authorizing the appointment of a Police Judge for the town of Richmond.

An act to amend an act, entitled, an act to incorporate the Shepherdsville Iron Manufacturing Company, approved February 9, 1847.

An act for the benefit of James Pratt, of Union county.

An act for the benefit of Common Schools in the counties of Whitley, Laurel and Rockcastle.

An act to provide for making a road from Birch Lick Creek, in Madison county, to Brashear's Salt Works, in Perry county.

An act authorizing the trustees of the town of Frankfort and the Franklin County Court, to subscribe for stock in certain companies.

An act for the benefit of Uriah Pierce and Betsey, his wife.

An act for the benefit of George F. Hatcher.

An act for the benefit of Richard D. Neal, of Warren county.

An act for the benefit of the Trustees of School District, No. 7, in Anderson county.

An act for the benefit of the Clerks of the Daviess and McCracken Circuit and County Courts.

An act to extend the navigation of the North Fork of the Kentucky river.

An act to incorporate the town of Bridgeport in Franklin county.

An act to incorporate the Graves Mill Turnpike Road Company.

An act to repeal the law reducing the price of vacant lands in Clay county.

An act for the benefit of Jacob Corbett, of Ballard county.

An act to incorporate the Hodgenville Male and Female Academy.

An act for the benefit of the children and heirs at law of Louisa Dennington, deceased.
An act to incorporate the town of Jamestown, in Campbell county.
An act to authorize an exchange of Executive Documents.
An act supplemental to the act concerning the election of Electors, passed at the present session.
An act to increase the width of a road leading from Florence to Anderson's Ferry, in Boone county.
An act declaring Big Blaine Creek, in Lawrence county, navigable.
An act to amend an act for the benefit of A. M., Clifford N., Henry B., and Sidney T. Fountaine, approved March 1, 1847.
An act for the benefit of Ebenezer Church, in Lewis county.
An act to change the place of voting in the Stephensburg precinct, in Hardin county.
An act for the benefit of Aquilla Beecraft and Nancy L., his wife.
An act for the benefit of James McConnell.
An act to incorporate the New Orleans and Ohio Telegraph Company, and the People's Telegraph Company.
An act to amend the several acts concerning the Newport Seminary, and for other purposes.
An act to amend the road law of Campbell county.
An act in reference to the vacant and seminary lands and common schools in Wayne county.
An act for the benefit of the widow and heirs of H. B. Webb, deceased.
An act for the benefit of William Hackley and Clarissa, his wife, and her children.
An act to incorporate the Flemingsburg and Elizaville Turnpike Road Company.
An act authorizing certain County Courts to appoint commissioners of tax at the December term, and prescribing the further duties of the commissioners of tax.
An act to amend an act, entitled, an act to incorporate the Georgetown and Paris Turnpike Road Company, approved March 13, 1837.
An act to incorporate a company to construct a turnpike road from Cynthiana, in Harrison county, to Newtown, in Scott county, and for other purposes.
An act for the benefit of the Sheriff, Jailer and certain Guards in the county of Garrard.
An act to establish an election precinct at Trenton, in Todd county.
An act for the benefit of the town of Winchester.
An act to amend the laws concerning the town of Frankfort.
An act for the benefit of James M. Anderson.
An act to incorporate the Louisville and Taylorsville Turnpike Road Company.
An act to divorce John Hathaway, of Franklin county.
An act to authorize a survey of Salt river, and the Rolling and Beech forks.
An act for the benefit of Isham C. Hamilton, and for other purposes.
An act for the benefit of Thomas Gardner, of Bourbon county.
An act for the benefit of Burnley D. Smith, of Todd county.
An act for the benefit of the Lunatic Asylum, at Lexington.
An act supplemental to an act to extend the jurisdiction of the Police Judge of the town of Hopkinsville, approved February 18, 1848.
An act to establish additional election precincts in Pendleton and Harlan counties.
An act to amend the charter of the town of Newport.
An act to amend the road law of Jefferson county.
An act to incorporate a turnpike road from Versailles to Nicholasville.
An act relative to the docket of the Franklin Circuit Court.

Approved March 1, 1848.

Preamble and resolutions relative to the late Col. Thomas Dollerhide.
Resolutions complimentary to the Encarnacion prisoners, and others.
Resolutions concerning the Mobile and Ohio Railroad Company.
Resolution authorizing the publication of the address of the Rev. R. J. Breckinridge on Education.

Ordered, That Messrs. Towles, Elliott and Bowling be a committee to inform the Senate that this House had closed their legislative business, and were now ready to close the present session of the General Assembly by an adjournment without day.

A message was received from the Senate, by Mr. Helm, announcing that the Senate had also closed their legislative business, and were 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 a committee on the part of this House, to wait on the Governor and inform him of the proposed adjournment of the General Assembly, and to know if he had any other communication to make.

Whereupon, Messrs. T. D. Brown, Greinger and Johnston were appointed a committee on the part of this House.

Ordered, That Mr. T. D. Brown inform the Senate thereof.

The committee then retired, and after a short time returned, when Mr. T. D. Brown, from said committee, reported that the committee had performed the duty assigned them, and were informed by the Governor, that having from time to time, during the present session, communicated his views to the General Assembly, he had now no further communication to make.
Mr. Wintersmith moved the following resolution, viz:

Resolved, That the members of this House, after an intimate association in legislative duties of two months, incident to all those jarring interests which must necessarily occur, and those differences of opinion, which arise, even in the minds of those who seek the common weal of the State and cherish it as a chief good in their hearts, now about to separate and return to their constituency, their homes and their immediate friends, wish, each to the other, a happy and safe arrival to the bosom of their families, and part as friends.

Which was unanimously adopted.

Whereupon, the Speaker having delivered a valedictory address, adjourned the House without day.
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